Introduction

The Code of Ethics provides a framework for the practical application of ethical considerations to our everyday work in museums and reflects a contract of trust between museums and the public. The code is for you, your colleagues and your communities.

UK museums are not homogenous. Funding and governance structures vary between organisations, as do staffing levels and volunteer support. The museum workforce is varied and includes volunteers, trustees, staff, and freelancers ranging from senior leaders to those just beginning their career. The new Code of Ethics was developed with recognition of this variety and this updated version is informed by consultation with organisations and individuals who are representative of this diverse landscape.

The code sets out key ethical principles and ethical practice and is supported by case studies and further guidance.

Ethical reflection is an essential part of everyday museum practice. This code should be used to guide ethical decision making in all areas of museum work and to support you to navigate more complex ethical situations when they arise.

This code is a guide to best practice and does not contain all the answers. The ethical decisions you make will depend on your specific circumstances and context and may look different in different museums. Therefore, it is important to conduct open and reasoned processes when considering ethical issues.

Aspirational approach

This updated version of the Code of Ethics represents an aspirational approach to ethics in order to encourage and support reflective and responsible ethical best practice in museums.

Mandatory ethics are minimum standards, such as legal obligations and Accreditation Standards, that are explicit, clear-cut and should be precisely enacted now and into the future. The code asks those who work in and with museums to meet and exceed these minimum standards of practice and aspire towards ethical best practice.

The MA recognises that it will take time, ongoing investment, and relationship building to achieve some elements of aspirational best practice and that everyone will be at different stages in the journey towards achieving ethical best practice. The MA will encourage and support museums and those who work in them with case studies, training, advice and guidance to achieve best practice.

Everyone who works with museums should strive towards ethical best practice to the best of their ability. Regardless of role or seniority, anyone who works in and with museums can embed best ethical practice in their work. The MA recognises that there will be personal and institutional limits to being able to achieve some areas of best practice.

Museums and those who work in them should take a proportional approach, balancing working towards best practice with what is attainable and reasonable with the available time and resources. Museums should take responsibility for the wellbeing of those who work in and with them to ensure that they have the capacity to work ethically.

Museums may choose to create their own internal ethics committees to promote critical thinking and robust conversations on contemporary ethical issues and to support ethical decision making. As a membership body the MA expects all members to uphold and promote the code.

Unethical sale of collections

The MA is unequivocal that unethical sales from museum collections and targeting collections as a source of income are unacceptable. Unethical sale from collections could result in being barred from membership of the MA including not being able to apply for funding from the MA for the duration of the loss of membership.

Please read the <u>Joint statement on Unethical</u>
<u>Sales from Collections</u> for more information.

Museums considering disposal by sale for the purposes of generating income should seek confidential advice from the MA at an early stage in order that we can discuss the motivation for sale, and help you understand how your proposal complies with the requirements of the Code of Ethics.

The MA evaluates proposed financially motivated disposals carefully and it is likely to take several months to provide a definitive opinion, particularly as it is usually necessary to hold a meeting of the Ethics Committee to discuss the proposal.

On occasion, sale from collections can be an ethically acceptable means of disposal, provided that it follows the full process set out in the Off the Shelf toolkit.

Structure

The Code of Ethics comprises guiding Principles, which are further articulated through Practice.

- Principles the fundamental guiding values of ethical museum practice.
- Practice how to uphold the principles and what ethical best practice looks like in the museum sector.

Case Studies

The Everyday Ethics Case Studies and scenarios provide examples of ethical situations that museums have encountered and explain how the Principles and Practice in the Code of Ethics can help guide decision making and support ethical best practice.

Additional Guidance

The MA has produced ethical guidance on specific areas of practice in the Code of Ethics including:

- <u>Supporting Decolonisation in Museums</u>
- Off the Shelf: A Toolkit for Ethical Transfer,
 Reuse and Disposal
- MA Salary Research and Recommendations

The MA is committed to producing further ethical guidance to support the sector.

External Guidance

The MA recognises that other organisations have produced ethical guidance which can support the sector with ethical decision making. We have compiled a list of external guidance you may find useful to consult here.

Application of the code

We expect all MA members to follow the guidelines in the Code of Ethics.

The Museums Association's professional development programmes support application of the code and the MA Competency Framework can support individual development in ethical practice.

Under each of the four principles, we have outlined ethical statements that support best practice, these statements have been grouped under the relevant competency from the MA Competency Framework.

To achieve Associateship of the Museums Association (AMA) members must demonstrate awareness of the code and how it is used. To achieve Fellowship of the Museums Association (FMA) members must show that they promote the wider application of the code within the sector.

The <u>Ethics Committee</u> provides confidential advice and support to the museum sector; for all ethical queries, please contact our policy and ethics lead, India Divers: india@museumsassociation.org

Ethical principles

The fundamental guiding values of ethical museum practice.

Equitable and inclusive

Museums should be inclusive spaces, where everyone is valued and treated equitably and with respect.

Museums and those who work in and with them should:

- Provide public access to and meaningful engagement with collections
- Build equitable relationships with communities
- Be respectful and have cultural awareness when working with communities, collections and workforce
- Value their workforce

Transparent and accountable

Museums should be open and transparent in all their activities, and those who work in or for them should act honestly, with integrity, and take responsibility for their decisions and actions.

Museums and those who work in and with them should:

- Ensure that decision making is open and delivers public benefit
- Build open and constructive relationships with communities, workforce, partner organisations, funders and stakeholders
- Responsibly manage and care for collections
- Support freedom of speech, expression and debate

Responsible and sustainable

Museums should act responsibly to ensure their long-term financial, environmental and social sustainability.

Museums and those who work in and with them should:

- Maintain public trust and integrity in all museum activities
- Consider climate impacts and social responsibility in all decision making
- Treat museum collections as cultural, scientific or historic assets, not financial assets
- Manage collections for the long-term for the benefit of current and future generations

Ethical practice

Equitable and inclusive

Museums should be inclusive spaces, where everyone is valued and treated equitably and with respect.

Museums and those who work in and with them should:

- Provide public access to and meaningful engagement with collections
- Build equitable relationships with communities
- Be respectful and have cultural awareness when working with communities, collections and workforce
- Value their workforce

How to uphold the principle

Museums and those who work in and with them should:

Empowering audiences and communities

- 1.1 Build equitable relationships with communities and audiences based on respect and mutual benefit. Seek a diverse range of people and stakeholders to bring a wide variety of perspectives and insight to all areas of museum work.
- 1.2 Find ways to support everyone to participate in museums, recognising the barriers to access experienced by some individuals and communities. Work with communities to overcome the challenges of poverty and exclusion and to achieve equality of outcomes.
- 1.3 Promote diversity and equity by fostering understanding and good relations between people of different identities and beliefs. Embrace an approach that is anti-discriminatory, anti-racist and anti-ableist.
- 1.4 Value different forms of knowledge and knowledge production and recognise that narratives have multiple perspectives. Be a place where people can come together to learn and exchange ideas.

Managing people, money and organisations

- 1.5 Value the workforce, including staff, volunteers and freelancers, by ensuring fair pay, benefits and conditions. Foster a positive workplace culture to promote wellbeing. Consider using MA workforce guidance to inform practice.
- 1.6 Commit to workforce diversity to improve the work of the museum and better represent the communities you aim to serve.

Empowering collections

- 1.7 Ensure collections are documented, stored, handled and displayed respectfully, taking account of the cultural sensitivities of related communities.
- 1.8 Be understanding of different religious, spiritual, and cultural perspectives when working with collections, particularly human remains and sacred items.
- 1.9 Strive to make collections representative of and relevant to the communities the museum serves, taking account of community groups that have been historically excluded.
- 1.10 When researching and documenting collections, acknowledge a range of perspectives and expertise, especially those that have been systemically excluded.

Transparent and accountable

Museums should be open and transparent in all their activities, and those who work in or for them should act honestly, with integrity, and take responsibility for their decisions and actions.

Museums and those who work in and with them should:

- Ensure that decision-making is open and delivers public benefit
- Build open and constructive relationships with communities, workforce, partner organisations, funders and stakeholders
- Responsibly manage and care for collections
- Support freedom of speech, expression and debate

How to uphold the principle

Museums and those who work in and with them should:

Empowering audiences and communities

- 2.1 Be publicly accountable to audiences, communities and stakeholders, and be open to scrutiny.
- 2.2 Support freedom of speech, expression and debate, as consistent with Article 10 of the European Convention on Human Rights.
 Respect the right of all to express different views within the museum unless illegal to do so or inconsistent with the purpose of the museum as an anti-discriminatory organisation and an inclusive public space.
- 2.3 Consider creating a policy on freedom of expression and managing potential controversy in line with your organisational values to prevent potential harms to staff and audience members.
- 2.4 Support audiences to embrace and understand the complexity of information and knowledge by presenting multiple perspectives that have been evidenced and researched.

Managing people, money and organisations

- 2.5 Ensure that decision making is based on best professional practice, is open and transparent, and delivers public benefit.
- 2.6 Build open and constructive relationships with partner organisations, funders and other stakeholders. Share information on partnerships with staff, volunteers and community groups to build trust and encourage collaboration.

- 2.7 Ensure organisational integrity by resisting attempts from corporations, funders and governments to unduly influence practice and strategic decision making to fulfil their own private or political interests.
- 2.8 Embed decolonisation principles in your work, taking time to understand how colonialism is relevant to your organisation. Use the MA decolonisation guidance to support your journey.
- 2.9 Recognise and address inequitable power structures that are linked to legacies of colonialism and empire.
- 2.10 Avoid all private activities that could be construed as trading or dealing in cultural property.
- 2.11 When recruiting for paid roles, include information about pay and benefits in role descriptions.
- 2.12 Be responsible in the use of AI and be transparent with the public about its use in the work of the museum.
- 2.13 Thoroughly and proactively assess the risks and benefits of emerging technologies with input from the whole organisation.
- 2.14 Ensure appropriate data stewardship with transparent, secure, and accountable data management.
- 2.15 Facilitate responsible digital access while safeguarding the rights, dignity and agency of individuals and communities.

Empowering collections

2.16 Manage, care for, and develop collections with regularly reviewed procedures and policies designed to ensure accountability.

- 2.17 Make information about the museum collection and collections development policies publicly available. Be open about processes and procedures related to managing collections.
- 2.18 Publicly acknowledge that the museum and its collections and activities are shaped by contributions from multiple individuals and groups.
- 2.19 Verify the ownership of any item prior to acquisition or loan and confirm that the current holder is legitimately able to transfer title or to lend. Apply the same strict criteria to gifts and bequests. Treat all transfers of title and responsibility equally.
- 2.20 Discuss expectations and clarify in writing the precise terms on which all parties are accepting transfer of title. Be considerate of and sensitive to donors when accepting or declining gifts and bequests.
- 2.21 Balance providing public access to collections with providing a duty of care in line with the wishes of communities. The principle of providing access to the collections should not outweigh a duty to prevent harm to people.
- 2.22 Be clear and open about why the museum holds human remains.
- 2.23 Take an open, proactive and positive approach to repatriation and restitution. Deal sensitively and promptly with requests whether from the UK or from abroad.

Responsible and sustainable

Museums and those who work in and with them should:

- Maintain public trust and integrity in all museum activities.
- Consider climate impacts and social responsibility in all decision making
- Treat museum collections as cultural, scientific or historic assets, not financial assets
- Manage collections for the long-term for the benefit of current and future generations

How to uphold the principle

Museums and those who work in and with them should:

Empowering audiences and communities

3.1 Understand that the climate crisis is an ethical, social, and environmental issue and as such museums have an ethical duty to raise awareness and activate communities to create beneficial change.

Managing people, money and organisations

- 3.2 Consider climate and ecological impacts and social responsibility in all decision making and organisational activities. Take action to reduce these impacts in museum operations including protecting biodiversity and reducing carbon emissions.
- 3.3 Maintain public trust and integrity in all museum activities by exercising due diligence in partnership building, sponsorship and fundraising. Strive to secure funding from ethical sources that align with values of your organisation and serve the best interests of your communities.
- 3.4 Transition away from sponsorship from organisations involved with environmental harm (including fossil fuels), human rights abuses, and other sponsorship that does not align with the values of the museum.

Empowering collections

- 3.5 Use collections to inspire people and facilitate positive change for the benefit of the environment and society.
- 3.6 Conserve collections and optimise access for the benefit of current and future audiences.
- 3.7 Actively manage collections and their documentation for the long-term, including an up-to-date inventory. Recognise that ethical transfer, disposal, reuse and deaccessioning are everyday and necessary parts of a sustainable collections management approach and the need for this work is urgent. Use Off the Shelf:

 A Toolkit for Ethical Transfer, Reuse and Disposal to guide practice.
- 3.8 Refuse to mortgage collections or offer them as security for a loan. Ensure the financial viability of the museum is not dependent on any monetary valuation placed on items in its collections. Resist placing a commercial value on the collections unless there is a compelling reason to do so, and for collections management purposes only.
- 3.9 Recognise that collections should not be regarded as financial assets and that financially motivated disposal risks damaging public trust in museums.

- 3.10 Reject any item for purchase, loan or donation if there is any suspicion that it was wrongfully taken during a time of conflict, stolen, illicitly exported or illicitly traded, unless in line with relevant international conventions, or where the museum is co-operating with attempts to establish the identity of the rightful owner(s) of an item.
- 3.11 Avoid behaviour that could be construed as asserting personal ownership of collections.
- 3.12 Acquire an item only if the museum can provide long-term, sustainable care for the item and public access to it.

Glossary

Access – The opportunity to enter somewhere or engage with something without barriers. Barriers come in many forms and may be physical, sensory, intellectual, attitudinal, social, cultural or financial.

Accountability – Organisations accepting responsibility for their actions and behaviour. Being accountable to communities, audiences and stakeholders means taking into account their needs, concerns and capacities, and explaining actions and decisions to them. Information about accountability for collections can be found on the Collections

Trust's website.

Anti-Ableist – Recognises abled privilege and actively looks to challenge and dismantle it through actions and practices.

Anti-Discriminatory – Be opposed to the unjust and prejudicial treatment of people based on age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race including colour, nationality, ethnic or national origin, religion or belief, sex, sexual orientation, gender identity/expression, or socioeconomic status.

Actively identify and dismantle policies and practices that uphold discrimination.

Anti-Racist – Actively identify and dismantle policies, practices, behaviours, conventions, unchallenged norms, and beliefs that perpetuate institutional and systemic racism against racialised people of colour.

Audience – Individuals and groups who make use of the museum's resources or facilities.

Collection – A body of cultural and/or heritage material.
Collections may be physical, intangible or digital.

Collections development policy

 A policy document which shapes a museum's collections by guiding acquisition and disposal, and is led by the museum's statement of purpose.

Communities – A group of individuals who share a particular characteristic, set of beliefs or attitudes. Museum communities are not fixed. Communities are not necessarily based on their geographic location.

Dealing – Making a speculative acquisition with the intention of reselling for profit.

Decolonisation in museums -

A long-term process that seeks to recognise the integral role of empire in museums – from their creation to the present day. Decolonisation requires a reappraisal of our organisations and their history and an effort to address colonial structures and approaches to all areas of museum work.

The MA decolonisation guidance provides further information about what decolonisation in museums means and looks like in practice.

Disposal – The formal decision by a governing body to remove items from its accessioned collection ('deaccessioning') and manage the removal of those items through an agreed method. The MA guidance, Off the Shelf: A Toolkit for Ethical Transfer, Reuse and Disposal, provides further information and ethical advice.

Due diligence – Ensuring that all reasonable measures are taken to establish the facts before deciding a course of action, particularly in identifying the source and history of an item offered for acquisition or use before acquiring it, in repatriation or restitution proposals, or in understanding the full background of a sponsor, lender or funder.

Governing body – The principal body of individuals in which rests the ultimate responsibility for policy and decisions affecting the governance and operations of the museum. Legal title to the assets of the museum may be vested in this body.

Inequitable power structures (in relation to legacies of colonialism and empire) – There is an unequal distribution of power that exists in museums caused by the legacy of Britain's colonial past. White people enjoy a structural advantage and rights that other racial and ethnic groups do not, both at an organisational and an individual level.

Item – A physical, non-tangible or digital object or material held by a museum.

Partner organisation – An organisation with which a museum has built up a formal relationship relating to museum activities or funding.

Public – All individuals, groups, and communities who are not part of the museum's internal workforce but who interact with, are served by, or are impacted by the museum and its activities. This includes visitors, audiences, community members, stakeholders, and society at large. The term reflects the broad responsibility museums have to serve diverse interests and maintain public trust.

Restitution – The process of returning cultural material to its original owners although the process can encompass more than this. Details are set out more clearly in the Arts Council England Guidance on Restitution and Repatriation and the Museums Association's Supporting Decolonisation in Museums.

Repatriation – The process of returning cultural material to its place of origin although the process can encompass more than this and is set out more clearly in the Arts Council England Guidance on Restitution and Repatriation and the Museums Association's Supporting Decolonisation in Museums.

Source community – A group which identifies themselves as a community and would normally be expected to have a shared geographical location, shared cultural or spiritual and religious beliefs and shared language; or to share some of these facets; and which is recognised as the cultural source of items held in a museum collection.

Transparent – Acting with an attitude of openness and honesty about the ideas, processes, and actions of the museum. Enable audiences to access and engage with information.

Workforce – A term that describes those who formally contribute to the operations and activities of an organisation. The workforce includes paid staff, volunteers, trustees, freelancers and consultants.

Positive workplace -

An environment free from discrimination, bullying and excessive demands where everyone has space to thrive, grow, and contribute and where wellbeing is prioritised, regardless of role, status and background.

Development

The MA has acted as the guardian of UK museum ethics since the first Codes of Practice and Conduct were introduced in 1977. These were updated in 1987, 1991, 2002, 2007, and 2015.

The MA conducted a review of the Code of Ethics in full consultation with the sector between 2023 and 2025.

The aim of the review was for the code to better reflect changes in the sector and society since the last review in 2014/15.

In July 2023, the MA openly recruited the Code of Ethics review working group to:

- Review and assess the effectiveness of the Code of Ethics
- Support consultation with the wider sector on the effectiveness of the code
- Make recommendations for any suggested amendments to the code, or for any additional guidance, to the <u>Ethics</u>
 <u>Committee</u> and the <u>MA board</u>

Consultation during the review included:

- A sector-wide online survey
- Four sector-wide online consultation events on the themes of anti-racism and decolonisation, collections, climate justice, and workforce and governance
- Engagement with key sector bodies and Accreditation partners
- An online consultation event with community partners of museums
- Consensus-building workshops led by Janet Marstine, former MA Ethics Committee member and retired associate Professor of Museum Studies at the University of Leicester

The Code of Ethics and the law

All museums are bound by national laws and international conventions. The Code of Ethics for Museums defines standards that are often higher than those required by law. However, the code cannot override the legal obligations and rights of those who work in or for museums, including those arising from any contractual relationship with an employer, donor or client.

The Code of Ethics is subordinate to the legal powers and obligations of museum governing bodies and the legal powers and obligations of individual members of such bodies. However, the MA believes this code's provisions to be in the best interests of the sector and the public and therefore urges all museum governing bodies (and where appropriate, subsidiary, subcontracted or delegated bodies such as executive committees, contractors or managing bodies) to respect it.

The Code of Ethics and other voluntary standards

Ethical standards in this document help to underpin the Accreditation scheme for museums in the UK at an organisational level. Accreditation is administered by Arts Council England in partnership with the Welsh Government, Museums Galleries Scotland and the Northern Ireland Museums Council. Consult Arts Council England's Accreditation Scheme guidance for further information.

The MA supports the work of specialist organisations and networks in the UK whose members are involved in museum work and who may produce their own codes of ethics and ethical guidelines. The MA can help in cross-referencing to these codes and guidelines and in referring enquirers to appropriate sources of specialist advice.

The MA supports the International Council of Museums' (ICOM) work and works closely with ICOM UK. We aim for the Code of Ethics for Museums to be consistent with the Code of Ethics for Museums worldwide produced by the ICOM. However, at the time of publishing this document, the ICOM review of its Code of Ethics is ongoing and its outcome unknown.