



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

**CABINET MEMBER DECISION – STRATEGIC LEADERSHIP, CULTURE,
TOURISM AND CLIMATE CHANGE**

19 May 2022

Report of the Executive Director - Place

Award of the Headley Fellowship

1. Divisions Affected

1.1 All divisions.

2. Key Decision

2.1 This is not a Key Decision.

3. Purpose

3.1 To advise the Cabinet Member of the award of the Headley Fellowship to an employee at Buxton Museum and Art Gallery (BMAG).

3.2 To request permission for a staff member to travel to Canada to return artefacts from the Schools Library Service (SLS) collection to their First Nations community museums, as an outcome of the granting of the Fellowship.

4. Information and Analysis

4.1 Following Cabinet agreement for the closure of the SLS on 17 May 2018 (Minute No. 147/18 refers), BMAG reviewed the historic artefact collections and, with a grant from the Museums Association and Esmee Fairbairn Collections Fund, successfully transferred 85% of the collection to relevant museums, galleries, libraries and archives in the UK and Europe.

- 4.2 BMAG asked specialists at the Smithsonian Institute, Native American Indian Museum, Washington to review a discreet group of material from North America since there was no available expert in the UK. The curators said this material was mostly pre-1900 and earlier, and of significant quality.
- 4.3 It was always an aim of BMAG not to retain material outside its own collecting area and, if BMAG was unable to find a UK institution to care for the items, the Museum would consider restitution of artefacts to their home communities.
- 4.4 A County Council project officer, dealing with the SLS material, successfully applied for an Art Fund Headley Fellowship, one of only 11 Fellowships awarded in 2021, to pursue this restitution work. This £27,500 fund covers salary for 1 full time post and project-related expenditure including: researching artefacts and their provenance; holding an exhibition at BMAG prior to returning artefacts to their communities; help develop deeper understanding of the artefacts within their cultures; supporting travel, in this case to Canada, to learn from First Nations communities and museums dealing with similar ethical challenges; and, developing an advisory document to support other small museums looking to undertake restitution.
- 4.5 It is proposed project officer will travel to Canada in August 2022, to Haida communities on the North-West Coast where he will return the items with appropriate ceremonial respect as expected by the communities, which will be placed in the care of community museums. He will also visit museums in Vancouver where similar material is held to learn more about the sensitivities of museums holding First Nations' material in collections and the process of returning the material to rightful owners. These are both objectives of the Headley Fellowship. The officer will share learning online to the museums community whilst travelling and, also in the guidance document he will write upon return from Canada.
- 4.6 The artefacts are scheduled together on the Council's Heritage Asset Register and valuation is advised by curators based on their knowledge and research into the prices being achieved at auction for legally traded examples. The return of these items will reduce the overall asset valuation, although being only a small part of the collections, the financial consequence to the Council will be minimal. The reputational damage of not returning the artefacts to their First Nation is considered to outweigh the financial impact of losing them from the register.
- 4.7 On return, the officer will write a 'How to' advisory guide for this complex cultural activity aimed particularly at smaller museums wishing to return

artefacts to their communities, available from the Collections Trust and the Museums Association.

- 4.8 This work shows that Derbyshire County Council and specifically, BMAG, are engaging with the international programme of decolonising collections, are aware of the legacy of colonialism and realise that the conversation can be initiated from the museum holding collections not from the communities whose custom still has ownership of the items.
- 4.9 Although decolonising collections is mostly a large institution issue, BMAG is showing that smaller museums can lead the way. Aay Aay Hans, Repatriation Officer for the Haida First Nation said, “You and your little museum are the first in England and EU to ever repatriate back to the Haida Gwaii. Small museums can set big precedents”. Kevin Restoule, Repatriation Officer for the Anishinabek Nation and the Chiefs of Ontario, stated that BMAG’s approach was a “very important initiative that set a precedent”.
- 4.10 The artefacts will be dispatched by art carrier at the expense of the Headley Fellowship. It is standard practice in museums that artefacts in transit are couriered by a curator, to ensure they are being shipped with correct documentation and licences - and that shipment and delivery are safely achieved. A museum curator will oversee the unpacking of the items at their destination. Specifically, the Haida Gwaii community has expectations about how their heritage items are respected and they have requested that the items are brought to their community with cultural respect.

5. Consultation

- 5.1 Public consultation is not required to be undertaken. However, BMAG has consulted with the Art Fund, the MA, subject specialists, the Museums Ethnographers’ Group, museums with North American collections and Smithsonian Institute, Native American Indian Museum, Washington in relation to the artefacts, their provenance, history and cultural value, before consulting with relevant community groups in the USA and Canada.
- 5.2 BMAG placed the artefacts on exhibition on 18 March 2022 and has invited visitors’ feedback about the proposal to return the items; this is receiving overwhelming support from the public.

6. Alternative Options Considered

- 6.1 Since no museum offered to provide an alternative location for these items in the UK, BMAG has considered three options:

a) To retain the items themselves even though they do not fall into the museum's acquisition policy and would only very occasionally be displayed.

b) To consign to auction, even though BMAG is hesitant to be certain of the terms by which the items initially came into the UK and the resulting sale would remove the items from the public domain.

6.2 Neither of the above options were considered appropriate as they do not meet the objectives of the MA Code of Ethics. The most appropriate option is therefore considered to be restitution of the items to their origin communities (should the resources be available to do so). These resources are now being provided by the Headley Fellowship.

7. Implications

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

8.1 Revisiting 20th Century Acquisitions – uncovering truths and stories in the search for new audiences. Final report to the MA Esmee Fairbairn Collections Fund 2022.

8.2 PDF extract from the museum catalogue of the Native American Material.

8.3 MA Code of Ethics.

8.4 Cabinet report of 17 May 2018: Derbyshire and Derby City Schools Library Service.

9. Appendices

9.1 Appendix 1 – Implications

10. Recommendations

That the Cabinet Member:

- a) Notes the award of the Art Fund Headley Fellowship to a County Council employee.
- b) Approves that the Officer travels to Canada to return the items with appropriate respect to their origin communities in line with a programme of activity to be agreed in advance of travel.

11. Reasons for Recommendations

- 11.1 The award of this Fellowship, one of only 11 awarded, reveals the interests and importance the Buxton Museum and cultural sector has in the restitution of works of art.
- 11.2 The origin communities require that appropriate respect is given to their items by returning them in person; other than officer time, there will be no cost to the Authority to undertake this activity, and it is expected that the esteem in which the authority is held will be significant.

12. Is it necessary to waive the call in period?

- 12.1 No.

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Implications

Financial

- 1.1 The Art Fund Headley Fellowship covers the cost of the Officer's salary, oncosts and provides an activity budget which will cover the cost of travel, subsistence and logistics for the collections to be transported by professional art carriers to Canada. To confirm, there is no financial cost of travel to the Authority.

Legal

- 2.1 The historic objects will be returned to their origin communities and their title transferred to the relevant museum or cultural institutions. Derbyshire County Council requests to be informed if the receiving institutions ever decide they no longer wish to care for the collections so that artefacts remain as far as possible within the public domain.

Human Resources

- 3.1 The officer will travel to Canada in work time at the expense of the Art Fund Headley Fellowship and will therefore remain under the duty of care of the Derbyshire Museums Manager during this time. The maximum time the Officer will be away from the usual workplace is expected to be up to 14 days (subject to detailed travel arrangements being confirmed in advance of departure). The officer will provide feedback and updates on a regular basis throughout the visit, as part of the Headley Fellowship requirements.

Information Technology

- 4.1 None.

Equalities Impact

- 5.1 Not applicable.

Corporate objectives and priorities for change

- 6.1 None.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

Property and Asset Management

7.1 The removal of the artefacts from the Heritage Asset Register will have minimal consequences to the authority. While the return will reduce the overall asset valuation, the reputational damage of not returning the artefacts outweighs the financial impact of removing them from the Register. The Heritage Asset Register and the Museum's documentation records will record the transfer of the asset. All documentation will be retained in perpetuity.