

Tyne & Wear Archives & Museums

Ethics Policy

Name of governing body:

Tyne & Wear Archives & Museums Strategic Board

Other Bodies signed up to policy:

TWAM Development Trust

TWAM Enterprises Ltd

Exhibitions by TWAM Ltd

Date of approval: 26.03.2021

Date for review: March 2024

Guidenote on TWAM and Newcastle City Council Policies.

Staff at Tyne and Wear Archives and Museums are employed by Newcastle City Council (NCC). This means, all TWAM employees are required to follow policies and procedures found or referenced within NCC's Employee Booklet.

In addition to these, or in situations where circumstances dictate that a TWAM-specific document is necessary (for example, where named TWAM staff members must be included as points of contact), TWAM has produced its own policies and procedures for employees to follow.

This Policy is one such example.

Introduction

Tyne & Wear Archives & Museums (TWAM) endorses the seven principles of public life, as set out in Standards in Public Life: the First Report of the Committee on Standards in Public Life (1995), chaired by Lord Nolan. The principles apply to all who work in or for archives and museums and to all who serve on our governing bodies (see Appendix 1).

This policy sets the standards of conduct which TWAM expects from its "representatives", including elected members, all paid employees and workers, volunteers, board and committee members, associated bodies (for example Friends" groups) and contractors working on TWAM premises. It also covers suppliers and those providing services under a contract with TWAM in their own premises. It aims to safeguard the reputation of the TWAM Group: TWAM, TWAM Development Trust, TWAM Enterprises and Exhibitions by TWAM. This Group shall be henceforth referred to in this Policy as 'TWAM', unless otherwise stated.

This Policy is supplemented by the following:

- TWAM Anti-Corruption Policy
- TWAM Confidential Reporting Policy
- TWAM Collection Development Policies
- TWAM Interests, Gifts and Hospitality Policy
- TWAM Group Privacy Notices
- TWAM Diversity, Equality and Access Policy
- NCC Data Protection Policy
- NCC Equal Opportunities Policy
- General Data Protection Regulation
- Data Protection Act 2018

Overarching Principles

TWAM's mission is to help people determine their place in the world and define their identities, so enhancing their self-respect and their respect for others.

The success of TWAM depends on the trust and confidence of all those with whom we come into contact with. All representatives of TWAM must recognise the public purpose of archives and museums and must uphold the highest standards of personal conduct and corporate integrity expected in public service.

It is expected that in all actions, activities and relationships TWAM representatives will act with the highest standard of integrity and professionalism and strive at all times to avoid acting in such a way as would, accidentally or otherwise, bring TWAM into disrepute.

Of paramount importance is the simple principle:

No individual should use their position in TWAM for personal gain or to benefit another at the expense of TWAM, its mission, its reputation, or the public which it serves, nor should any individual act in a way that could reasonably be seen by others as compromising the independence and integrity of TWAM.

TWAM will proactively work to ensure that all goods, works and services it procures are sourced ethically in terms of both the way that TWAM procures and in terms of the standards that we expect our suppliers, service providers and contractors to meet.

Conduct

In all dealings TWAM expects all representatives to:

- Act with honesty and integrity, and never knowingly mislead any person;
- Recognise and acknowledge the contributions of others to the work and support of TWAM;
- Protect confidential information obtained during their work and follow the guidelines of the GDPR, Data Protection Act 2018 and TWAM Group Privacy Notices;
- Be impartial, - for example, declare and make known any personal interests, do not give or receive inducements which could be, or could be seen to be, in conflict with the interests of TWAM;
- Understand their responsibilities and obligations to uphold the public trust;
- Follow appropriate policies and procedures;
- Make known to their line manager any actual, potential, or perceived conflicts of interest by following the guidance in the Interests, Gifts and Hospitality Policy;

TWAM will maintain registers of interests for all Elected Members, Board Members, Trustees, and senior employees (Grade N6 or above).

Professional codes of ethics

Within the areas in which TWAM works there are specific codes of ethics covering areas of activity (for example, but not exclusively, museums, archives, fundraising or commercial activity). In some cases these are maintained by the relevant professional bodies. TWAM will have reference to these codes of ethics and, where appropriate, the Strategic Board will formally adopt them.

As a museum service:

TWAM recognises its role as a public-facing, collections-based institution that preserves and transmits knowledge, culture and history for past, present and future generations. For these purposes, TWAM recognises and upholds the Code of Ethics for museums endorsed by the Museums Association in relation to:

1. Public engagement and public benefit:
 - Actively engage and work in partnership with existing audiences and reach out to new and diverse audiences;
 - Treat everyone equally, with honesty and respect;
 - Provide and generate accurate information for and with the public;
 - Support freedom of speech and debate;
 - Use collections for public benefit – for learning, inspiration and enjoyment;
 - Consider partnerships with external organisations carefully, and how association with an organisation will be perceived by the public.

2. Stewardship of collections:
 - Maintain and develop collections for current and future generations;
 - Acquire, care for, exhibit and loan collections with transparency and competency in order to generate knowledge and engage the public with collections;
 - Follow TWAM's published suite of Collections Development policies as well as specific policies such as those for the care of human remains, sacred objects and repatriation;
 - Treat museum collections as cultural, scientific or historic assets, not financial assets.

3. Individual and institutional integrity:
 - Act in the public interest in all areas of work;
 - Uphold the highest level of institutional integrity and personal conduct at all times;
 - Build respectful and transparent relationships with partner organisations, governing bodies, and volunteers to ensure public trust in the museum's activities.

<http://www.museumsassociation.org/ethics/code-of-ethics>

As an archives service

TWAM recognises its role to maintain the highest standards of professional conduct expected of archivists, archive conservators, records managers and those occupied in related activities. It does so in line with standards expected by the Archives and Records Association of the UK and Ireland, in relation to:

- Promote the objects of the Association;
- Protect the integrity of archival material, that it continues to be reliable evidence of the past;
- Appraise, select and maintain archival material in its historical, legal and administrative context;
- Protect the authenticity of documents during processing, preservation and use;
- Ensure the continuing accessibility and intelligibility of records and archival materials;
- Record, and be able to justify actions on records and archival material;
- Promote the widest possible access to archival material and provide an impartial service to all users;
- Respect both access and privacy, and act within the boundaries of relevant legislation;
- Avoid using their position to unfairly benefit themselves or others;
- Systematically and continuously updating professional knowledge, and sharing the results of research and experience;
- Promote the preservation and use of the world's documentary heritage, through working co-operatively with the members of their own and other professions.

[https://www.archives.org.uk/images/ARA Board/2019/Code Of Ethics February 2020 final.pdf](https://www.archives.org.uk/images/ARA_Board/2019/Code_Of_Ethics_February_2020_final.pdf)

As a Fundraising body

All representatives of TWAM are expected to follow the Fundraising Regulator's Code of Fundraising Practice and the Charity Commission's Protecting Charities from Harm: Compliance Toolkit as well as relevant internal policies and procedures.

TWAM and TWAMDT will not accept funds in circumstances when:

- The donation is made through an intermediary who is not prepared to identify the donor to anyone at TWAM, except where:
 - The intermediary is an accredited body, e.g. the community foundation, or representative philanthropic body, can be deemed to have carried out appropriate checks themselves;
 - TWAM has a positive long-standing relationship with the intermediary, or has carried out due diligence on the intermediary, and can confirm that they support TWAM's mission, vision and strategic aims and are consistent with our overall values;
- The donor has acted, or is believed to have acted, illegally in the acquisition of funds; or,
- When acceptance of the funds would, in the judgment of the TWAM Development Trust Board of Trustees, having taken the advice of the Director where appropriate, significantly damage the effective operation of TWAM in delivering its mission, whether because such acceptance would:
 - Harm TWAM's relationship with other benefactors, partners, visitors or stakeholders;

- Create unacceptable conflicts of interest;
- Leave TWAM open to accusations of money laundering;
- Materially damage the reputation of TWAM; or,
- Detrimentally affect the ability of TWAM to fulfil its mission in any other way than is mentioned above.

Fundraising will generally be undertaken on behalf of The Tyne & Wear Archives & Museums Development Trust (TWAMDT). It was established on 1 December 2010 and is registered as a company limited by guarantee (number 7334262) and is registered with the Charity Commission under charity number 1137867.

TWAMDT carries out its objectives by raising funds from individual donors, trust and foundations in order to help TWAM achieve its mission, vision and strategic aims. To ensure TWAM only solicits, accepts and stewards donations from legitimate and acceptable sources, TWAM Development Trust maintains a process for fundraising and due diligence

Donation asks must be authorised and accepted according to the table below. Due diligence will be undertaken on any gift over £1,000 before it can be accepted. Further detail on the due diligence process is outlined in Appendix 2.

Total Donation	Agreement to Proceed	Authorisation and acceptance by
Up to £1,000	Relevant Leadership Lead	Chief Development Officer
Between £1,000 – £50,000	Relevant Leadership Lead	Head of Finance, Governance & Resources
£50,000-£500,000	Relevant Leadership Lead	Director
Over £500,000	Director	TWAM Strategic Board / TWAM DT Board

In general, any sponsor, donor or grantor should appreciate and support TWAM's values, mission and objectives. TWAM will recognise donor, sponsor or grantor support according to agreed standards, generally based on the level of support received.

Where a donor seeks to donate collection items these will only be accepted in line with TWAM's Collection Development policies. Where a donor offers to donate an item or asset to TWAM Development Trust with permission to sell, TWAM will first confirm, in writing, that the item is not appropriate for accessioning. TWAM will also confirm whether it may be more appropriate for accessioning by a different museum outside of TWAM and if appropriate introduce the donor to that organisation. Written confirmation that the asset is to be sold will be obtained from the donor of permission/intention for the asset to be sold in support of TWAM. TWAM Development Trust will not take long term ownership of assets.

As a Commercial Enterprise

TWAM Enterprises Limited (TWAME) was established on 1 May 2018 and is registered with Companies House under company number 10940488. TWAME manages commercial activities for TWAM including retailing and management of catering and venue hire.

In order to fulfil these activities, TWAME enters into a variety of commercial arrangements with a wide range of partner organisations, companies, suppliers and individuals (Partners), including but not limited to the hiring out of venues and spaces across TWAM Venues.

The principle of impartiality will apply to TWAME in all such arrangements, irrespective of age, sex, sexual orientation, race, creed, range of ability, language or religious belief. Any such commercial arrangement or activity in and of itself does not represent an endorsement of the aims, goals or principles of the partner organisation.

Partners cannot use any TWAM museum logo or any elements of its brand identity in any of its advertising or publicity for an event without the prior written approval of TWAM. The Partner will also ensure that advertising and publicity material does not imply that the commercial activity event is endorsed, supported or organised by TWAM without the prior written approval.

TWAME reserves the right, at its own discretion, to refuse a booking in exceptional circumstances, including but not limited to:

- the commercial arrangement or activity brings, or is perceived to bring, TWAM or TWAME into disrepute because the Partner's activities are criminal or illegal
- Partners or their guests may behave, or be anticipated to behave, in a way that would disrupt the normal operation of the museum, affect museum visitors or would put our collections at risk or constitute a breach of the law, or cause a nuisance
- Partners seek to sell tickets for the activity without the prior written approval of TWAME or TWAM
- the event aims to achieve public profile through press or marketing that takes advantage of TWAM's status and reputation, or is otherwise perceived to be seeking to exploit TWAM's reputation, without the express permission of TWAM.
- the event is scheduled to take place during the pre-election period (known as 'purdah') during which councils should "not publish any material which, in whole or in part, appears to be designed to affect public support for a political party"
- the event would conflict (or may be perceived as such) with any of TWAM's own objectives or activities

If the individual taking the booking has any concerns, they will raise with TWAM Enterprises Enterprise Manager in the first instance, who will discuss with the venue manager and escalate to the Director of TWAM if required. If the Director has any concerns, he will refer to the TWAM Enterprises Board of Directors or TWAM Strategic Board, as appropriate, for a final decision.

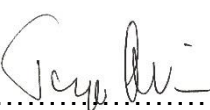
Compliance

The Director of TWAM shall have responsibility for compliance and oversight, and will report to the TWAM Strategic Board, TWAMDT Board of Trustees, TWAME Board of Directors, or Exhibitions by TWAM Board of Directors, as deemed necessary. This policy will be reviewed every three years.

Signed 

Director, Tyne & Wear Archives & Museums

Date...26.03.2021

Signed 


Chair of Tyne & Wear Archives & Museums Strategic Board

Date...26.03.2021

Signed 

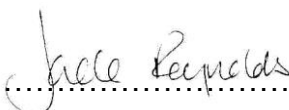
Chair of Trustees, TWAM Development Trust

Date...19.05.2021

Signed 

Chair, TWAM Enterprises Ltd

Date...10.03.2021

Signed 

Director, Exhibitions by TWAM Ltd

Date...11.03.2021

Appendix 1

The Nolan Principles - the 7 principles of public life

<https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7principles-of-public-life--2>

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix 2: Due Diligence Process

TWAMDT seeks and encourages funding from a range of sources including individuals, companies, charitable trusts and foundations and statutory funders.

Relationships with funders should be subject to prior and continuing consideration in order to confirm that they support TWAM's mission, vision and strategic aims and are consistent with our overall objectives.

Careful review of proposed and on-going relationships is required to mitigate the risk of ethical issues causing damage to the TWAM's reputation, reducing our ability to secure funding and reducing its capacity to develop beneficial relationships in the future.

Our threshold for the due diligence process to be activated is £1,000. The due diligence process will be triggered at a lower level if we are alerted to specific risks.

What should due diligence include, when is the process activated and who does it?

Due diligence research will be carried out by TWAM's Development team, using the Due Diligence Report form below. The due diligence procedure is activated when we are considering making a request for, or receive funds of £1,000 or above.

Process

1. Development researcher to carry out a due diligence check on a potential funder once they are close to ask stage and they meet the threshold criteria (£1,000 - The due diligence process will be triggered at a lower level if we are alerted to specific risks).
2. Fundraiser to fill out sections 1 -7 of Due Diligence report
3. The report goes to the Chief Development Officer in the first instance who will assess and escalate to the Head of Finance, Governance & Resources and the Director.
4. This trail will be recorded on NXT as follows:
 - Date of request for due diligence and name of fundraiser requesting the report
 - Date referred to the Chief Development Officer
 - Date referred to Head of Finance Governance and Resources & Director
 - Date of decision
 - A record of whether the decision to accept funds was approved or rejected

Development Team - Due Diligence Report - Date:

[NOTE: A record of the decision to accept or refuse gift should be recorded in NXT with a summary of the rationale and, where applicable, links to external sources. Any data gathered during the process, not included in the record of the decision, should be deleted/destroyed within 30 days]

- 1. Name of donor/prospect:**

- 2. Existing Relationship to Museum:**

- 3. Gift Information (where it is coming from, amount and what for):**

- 4. Source of Wealth:**

- 5. Giving history/Associations with other benchmark organisations (examples of partnerships, major philanthropic gifts):**

- 6. Any Areas of Concern including negative/positive press:**

Source Checklist	Y/N	Information Checked
Charity Commission (or other relevant organisation for non-UK donors)		Legal status of charity, latest accounts filed
Companies House (or other relevant organisation for non-UK donors) http://wck2.companieshouse.gov.uk/dirsec		Disqualified directors
Dow Jones Risk & Compliance		Dow Jones Sanction & Watch lists, Politically exposed persons, known criminal associates
Any other sources		