



Collection Policy

2019

1. Purpose and scope of the Collection Policy

The purpose of the Collection Policy is to guide the development and management of the Cunningham Dax Collection by The Dax Centre. This policy outlines the policies and procedures governing the operational aspects of the Cunningham Dax Collection which include acquisitions, deaccessions, loans, reproductions, conservation and care of the Cunningham Dax Collection.

1.1. Definitions

Work(s): Creative works
Artist: Creator of the Work(s)

2. Statement of Purpose

The Dax Centre is a leader in the use of art to raise awareness and reduce stigma towards mental health issues. Through our exhibitions and educational programs, we seek to engage, inform and encourage community connections and conversations about mental health.

3. About the Cunningham Dax Collection

The Dax Centre has a licence agreement with CDC Pty Ltd (The Trustee of the Cunningham Dax Collection) to use and maintain the **Cunningham Dax Collection**, which consists of over 16,000 creative works by people who have experienced mental illness and/or psychological trauma.

Approximately half of these have come from clinical settings where art practice has been encouraged as a form of rehabilitation, diagnostic assessment and/or art therapy. More recently, many works have come from private settings donated by the creators or by their families posthumously. The works in the Cunningham Dax Collection date from the late 1940s through to the present and is therefore of tremendous value on a number of levels: as a record of the lived experiences of mental hospital patients in Victoria from the 1950s to the 1990s; as evidence of changing notions of psychiatry and mental health services; as aesthetic objects; as rich examples

C1.1 Collection Policy

of Victoria's social and cultural history; and as an educational tool for understanding mental illness.

The Cunningham Dax Collection comprises works on paper, paintings, prints, textiles, ceramics, photography, sculptural work in mixed media, journals, digital media and video. It also contains text-based works, including poetry, artist books and diaries.

4. Guiding Principles

The use and care of The Cunningham Dax Collection are guided by the following ethical principles:

1. Respect for the dignity, humanity and unique experience of all people.
2. Respect for the diverse nature of people's experience of mental health issues or psychological trauma.
3. Respect for the creative process in all its diversity.
4. Acknowledgement that the creative works of those who have experienced mental health issues or psychological trauma are multidimensional and resist a single interpretive approach.
5. Respect for the freedom of viewers to interpret the works in their own way.
6. The Dax Centre exercises care and consideration in all programming, given that certain content may challenge viewers.
7. As stewards of the Cunningham Dax Collection, the Dax Centre appreciates its responsibility to act with integrity towards the creators of the works and to the works themselves.
8. The staff of the Dax Centre values an ethos of mutual respect in their professional activities.
9. The Dax Centre seeks to engage collaboratively and respectfully with other organizations, and artists with lived experience.
10. The Dax Centre recognises that there is an ethical dimension to funding and sponsorship.

In addition, The Dax Centre actively observes the International Council of Museums Code of Ethics and the Museums Australia Code of Ethics for Art History and Science Museums, and governing legislations; *Copyright Act 1968 (C'th)*, *Privacy Act 1988 (C'th)*, *Heritage Act 2017* (where applicable to works in the Collection listed on the Victorian Heritage Register), *Mental Health Amendment Act (Vic) 2015* and *Health Records Act (Vic) 2001*. The

C1.1 Collection Policy

Dax Centre also actively observes where possible and relevant the Tourism Council of Australia's Code of Sustainable Practice.

5. Collection and Acquisitions Committee

The operational aspects of this policy will be overseen by the The Dax Centre staff, The Dax Centre Advisory Group and The Dax Centre Board (see Appendix 1: Terms of Reference of the Dax Centre Advisory Board).

6. Acquisitions

Acquisition is the process by which original works are legally and formally accepted into the Cunningham Dax Collection. There is no restriction on who can propose works for acquisition. The Dax Centre only accepts objects where the donor has legal title to the object.

Works will be acquired through donation, bequest or transfer. Some works may be purchased but only in cases where funds can be raised specifically for that purpose.

6.1 The Dax Centre Advisory Group

Acquisition proposals will be considered by The Dax Centre Advisory Group. The Group will meet on average two to three times per year. (see Appendix 1: Terms of Reference of The Dax Centre Advisory Board).

6.2 Acquisition Criteria

The Dax Centre will acquire works by artists with an experience of mental health issues and/or psychological trauma.

The type of work acquired will be inclusive of the following: painting, drawing, photography, printmaking, ceramics, sculpture, textiles, multimedia, digital media and written works.

The Dax Centre will maintain, preserve and catalogue support material in a database, for the purpose of research and display. This will include the history of the collection, books, journals, oral history and videos.

The Dax Centre Advisory Group will consider both primary and secondary criteria when making decisions regarding acquisitions. These criteria are:

Primary Criteria

1. Experience of the creator
Works are accepted from people who have experienced mental health issues and/or psychological trauma either prior to or at the time of making the work.
2. Educational potential

C1.1 Collection Policy

Works should help inform understandings of the experience of mental health issues and broader.

Secondary Criteria

3. Aesthetic merit
Works may be aesthetically significant for their “craftsmanship, style, technical excellence, beauty, demonstration of skill and quality of design and execution.”¹
4. Provenance
A history and ownership of all works must be established. Where available, contextual information about the artist and the Work(s) should accompany the donation.
5. Originality
Material will only be acquired if it is an original creative work, or one of a series of prints or photographs, copies will not be acquired.
6. Condition
The physical state of works will be taken in to account. Works in poor condition will only be accepted if interpretive potential of work is deemed exceptional.
7. Housing and maintenance
Works will only be accepted if they can be safely and securely housed and maintained in a cost-effective manner. A conservation and cataloguing fee may need to accompany acquisitions of substantial size.

6.3 Acquisition Process

The acquisition process consists of four key steps:

1. An Acquisition proposal is to be prepared by the Collection Manager in consultation with the potential donor and presented to The Dax Centre Advisory Group (see 6.1).
2. The Advisory Group will confer to make a recommendation regarding the proposal according to acquisition criteria (see 6.2). The Acquisition recommendation (including rationale) will be documented.
3. The recommendations will go to The Dax Centre Board for review at the next scheduled Board meeting. The Dax Centre Board will review the recommendation from The Dax Centre Advisory Group and make a recommendation for approval to CDC Pty Ltd.

¹ Heritage Collections Council (2001), *Significance* p28

C1.1 Collection Policy

4. The recommendations will then go to CDC Pty Ltd for approval, as per the Licence agreement between SANE Australia, CDC Pty Ltd and The Dax Centre Ltd, CDC Pty Ltd will not unreasonably withhold approval of recommended accessions.

Potential donors will be made aware of the options available to them in terms of the status of the work, copies of the Deed of Gift and accompanying information sheets will be provided for their consideration.

Once a decision has been made to accept an item into the Collection, a formal letter of acknowledgement will be sent to the individual.

Where works are accepted, the Collection Manager will arrange legal transfer of ownership of works to the Cunningham Dax Collection through a Deed of Gift.

Where works are not accepted, the Collection Manager will arrange the return of works to the owner within one-month of the decision.

6.4 Conflict Resolution

If there is a conflict between The Dax Centre Ltd Board and CDC Pty Ltd regarding accession of new works into the Collection, the party with the concern, either The Dax Centre or CDC, must outline this concern in writing and allow the other party not less than 60 days, after the day on which the concern is given in writing, to respond to the concern.

If the conflict cannot be resolved within 120 days of the conflict been raised, CDC and The Dax Centre will pursue a process of mediation with an agreed person as mediator and a period of 60 days for the meditation to be arranged and held.

7. Deaccessions

Deaccessioning is the process by which the Dax Centre may legally and officially dispose of items from the Cunningham Dax Collection. Deaccession proposals can only be made by the Director or Collection Manager.

All proposals for deaccession are to be undertaken with great caution, thoroughness and consideration.

Decisions regarding deaccessions will follow the same process as for accessions. In making its recommendations the Advisory Group recognises the aesthetic, socio-historic, and clinical significance of the works in the Cunningham Dax Collection. In addition, it acknowledges that the significance of many works is heightened by subject matter relating to the individual's lived experience and may be read as expressions of a person's emotional world.

C1.1 Collection Policy

7.1 Deaccession Criteria

Any work held by The Dax Centre in the Cunningham Dax Collection may be deaccessioned if it:

1. Is no longer relevant to the Acquisition Criteria
2. Is a copy or duplicate
3. Is damaged beyond repair
4. Lacks any supporting information to enable proper identification or to establish its relevance to The Dax Centre
5. The conservation and storage costs for it are beyond the means of The Dax Centre
6. Was made in a clinical context, has not been formally donated to the Cunningham Dax Collection by Deed of Gift, and its ownership can be established by the artist, or the executor of the artist's estate. In this instance, a formal application will need to be made to the Victorian Heritage Register (where applicable)
7. A substantiated request for the return of the work to its original owner/donor is received

7.2 Disposal

Deaccessioned objects may be disposed of by:

1. Return to the artist, or creator's family
2. Transfer to another appropriate institution
3. Reclassification as archival material
4. Destruction

7.3 Deaccession Process

Deaccession proposals are to be formally presented at an Advisory Group meeting. The Advisory Group will confer and make a recommendation according to deaccession criteria (see 7.1). Decisions (including rationale) will be documented.

The deaccession process consists of four key steps:

1. An deaccession proposal is to be prepared by the Collection Manager in consultation with the Director and presented to The Dax Centre Advisory Group (see 6.1).
2. The Advisory Group will confer to make a recommendation regarding the proposal according to deaccession criteria (see 7.1). The deaccession recommendation (including rationale) will be documented.
3. The recommendations will go to The Dax Centre Board for review and approval at the next scheduled Board meeting.
4. The recommendations will then go to CDC Pty Ltd for approval, as per the Licence agreement between SANE Australia, CDC Pty Ltd and The

C1.1 Collection Policy

Dax Centre Ltd, CDC Pty Ltd will not unreasonably withhold approval of recommended deaccessions.

Where all parties are in agreement to deaccession the work – procedures to dispose of the work (see 7.2) will be put on hold for 12 months to provide an adequate cooling-off period. The Collection Manager will be responsible for disposing of the work once the 12 months expires.

Staff, volunteers, committee members and their families are prohibited from purchasing, or otherwise obtaining, a deaccessioned object.

Any funds acquired from the sale of the deaccessioned item should be used for acquisitions or care of the collection.

Where all parties are not in agreement to deaccession the work, the work in question will remain in the Cunningham Dax Collection.

7.4 Conflict Resolution

If there is a conflict between The Dax Centre Ltd Board and CDC Pty Ltd regarding deaccession of works from the Collection, the party with the concern, either The Dax Centre or CDC, must outline this concern in writing and allow the other party not less than 60 days, after the day on which the concern is given in writing, to respond to the concern.

If the conflict cannot be resolved within 120 days of the conflict been raised, CDC and The Dax Centre will pursue a process of mediation with an agreed person as mediator and a period of 60 days for the meditation to be arranged and held.

8. Documentation

The Dax Centre strives to ensure complete and effective documentation for all Cunningham Dax Collection items for legal and Collection Management purposes. Donor forms, receipts, Registers, condition reports and catalogue information will be kept at the Dax Centre.

□ New Acquisitions

In all instances where objects are delivered to The Dax Centre as potential loans or donations to the Cunningham Dax Collection, receipts will be issued to the owner recording the object name, address of the owner and contact number and date. The same information is written on a temporary tag and attached to the object.

If the object is accepted donors sign two copies of the *Deed of Gift*, one for the Dax Centre and one to keep. A letter of thanks is sent to the donor.

A *Licence to Publish and Reproduce* will then be sought, either through an Agent or directly from the Artist.

C1.1 Collection Policy

Detailed provenance will be recorded once legal arrangements have been clarified.

New collection items will be recorded in the digital Cunningham Dax Collection database.

Acquisitions will be catalogued to ensure the best possible intellectual and physical record of all works ensuring the greatest potential for future accessibility as educational tools.

The following details will be entered into the Cunningham Dax Collection database:

Accession Number, Primary and Secondary Medium, Method of Construction, Dimensions, Description, Title, Artists Name, Contact Details and Artist Statement (if permission to obtain and attribute has been given), Copyright, Method of Acquisition, Source, Location, Condition, Supplementary Information (including Provenance details, Contextual material, Correspondences, Copyright Licence, Deed of Gift, Loans, Exhibitions etc).

□ **Deaccessions**

Decisions regarding deaccessions will be documented by The Dax Advisory Group.

Electronic records will be updated to reflect any changes.

□ **Loans and Exhibitions**

Loan Agreements will be put in place for all incoming and outgoing loans as specified at point 12. All movements of artworks will be entered into the Cunningham Dax Collection database.

9. Research

The Dax Centre is committed to high standards of ethical practice and research. Where possible, The Dax Centre aims to enrich the provenance records of the Cunningham Dax Collection with in-depth research. Additional detail relating directly to Ethics and Research Policies is comprehensively outlined in separate documents.

10. Reproduction

10.1 Copyright

The Dax Centre maintains a commitment to obtaining permission from each individual creator for the moral and legal rights to reproduce their work of art. A non-exclusive licence will be sought from each creator, where possible. See *Licence to Publish and Reproduce* agreement.

10.2 Fees

The Dax Centre aims to secure a reproduction fee for an artist each time a request is made for a work to be reproduced. The Dax Centre can only provide reproductions of Works by an artist/copyright holder (**Copyright Owner**) who has signed a **Permission for the Dax Centre to grant non-exclusive licence to reproduce Works** agreement (**Agreement**).

Any third party seeking to reproduce Works from the Cunningham Dax Collection must complete a Permission to Reproduce Works form. This agreement sets out the terms and conditions for the reproduction of works from the Cunningham Dax Collection. For all reproductions of works from the Cunningham Dax Collection by a third party/client a reproduction fee will be negotiated on behalf of the Copyright Owner. In all cases, the fee charged to the third party/client for the reproduction is returned to the Copyright Owner, less the Dax Centre's administration fees. The Copyright Owner will be advised of any likely payments and the Dax Centre will take responsibility for forwarding all monies.

11. Conservation and Care

Conservation is the ongoing process of preserving and maintaining a collection involving a range of preventive and restorative procedures in accordance with recognised conservation standards for museums.

The Dax Centre is committed to the conservation and maintenance of all items in its care in accordance with these standards, including the best possible care of all works.

At the same time, the Dax Centre is committed to providing access to its collections and services. The Dax Centre will provide environmentally stable and physically secure conditions and monitor these conditions on a regular basis. The Dax Centre will aim to digitise the majority of its collection to provide access in particular to more fragile works.

Advice will be sought from professional conservators where deemed necessary and any required treatments carried out as resources allow by people who are appropriately trained.

12. Loans

The Dax Centre will lend and borrow material to help meet its purpose. The Dax Centre holds separate forms for inward and outward loans.

C1.1 Collection Policy

□ **Incoming**

Long term loans to the Cunningham Dax Collection will be avoided.

The terms and conditions of incoming loans are set out in the Short Term Loan Agreement.

A record of all incoming loans will accurately monitored and maintained. A *Condition Report* must be completed on arrival and departure at the Dax Centre for each work on loan.

Inward loans shall only be accepted for specific exhibitions or research and for fixed periods of time. The Dax Centre accepts loans for a maximum period of 3-years.

Inward loans will be recorded in a separate Loans Register

A representative of both The Dax Centre and the lender will be required to sign a Short Term Loan Agreement. Each party will hold a copy of this agreement. This form will record conditions of the loan and the period of the loan.

Incoming loans will be accorded the same standards of conservation and care as detailed at point 11.

Loans shall remain in the possession of the Dax Centre for the time specified on the form.

The Dax Centre can request to renew loans if required. Documentation recording renewal must be signed by a representative of the Dax Centre and the lender.

□ **Outgoing**

Work from the Cunningham Dax Collection may be loaned to public or private institutions for research and/or exhibition purposes in accordance with the Dax Centre's mission.

Outbound loans must be accorded the same standards of conservation and care as detailed at point 11.

A record of all outgoing loans will be accurately monitored and maintained. A *Condition Report* must be completed on departure and arrival at the Dax Centre for each work and an *Outgoing Loan Agreement* be signed by both parties.

Works that are offered long-term to organisations other than galleries require the completion of a *Hire Agreement*. Contained within are conditions of hire, responsibilities and fee arrangements.

C1.1 Collection Policy

The Dax Centre will lend objects from the Cunningham Dax Collection to other museums and organisations holding collections.

Borrowers and a representative from The Dax Centre will be required to sign two outward loan agreement forms. Each party will hold a copy of this agreement. This form will record condition of the loan and the period of the loan.

The borrower must exercise care in the handling, storage and display of the loan object and must be prepared to meet the conditions outlined in the outward loan agreement.

The borrower will provide a secure display and/or storage area.

The maximum loan period is 12 months. Applications for extension of this period must be made prior to the loan expiry date.

Objects cannot be treated or altered in any way without the written permission of The Dax Centre.

Loans will remain in the possession of the borrower until returned to The Dax Centre.

14. Oral history policy

From time to time, the Dax Centre records and collects oral histories. An Oral History Agreement is signed by the person interviewed, which clearly states the purpose and intended uses of the interviews and what copyright provisions apply.

The Dax Centre abides by the Guidelines of Ethical Practice of the Oral History Association of Australia and will ask the person interviewed to sign an Audio/Video/Photograph Consent Deed.

15. Access

The Dax Centre Collection Policy is freely available on The Dax Centre website and is known by all staff members.

16. Review

This Policy is subject to a three year period of review.

Appendix 1 – The Dax Centre Advisory Group Terms of Reference

1. Title

- The Dax Centre Advisory Group (hereafter noted as “Dax AG”)

2. Purpose of the Advisory Group

The Dax Centre is a leader in the use of art to raise awareness and reduce stigma towards mental health issues. The art of the Cunningham Dax Collection has been created by people with lived experience of mental health issues or psychological trauma.

The Dax AG brings together people with expertise and experience in promoting mental health through the arts and education in Australia and internationally. The Dax Centre AG will provide The Dax Centre with broadly-based expert advice on the strategic direction of the Dax Centre. The AG will also critique, advise and comment on the strategic planning in context of their fields and experience. When required, members will offer general advice on the management and content of the Cunningham Dax Collection and its art works as well as academic and research uses in context of the strategic planning.

The key role of the Dax AG is to:

- Provide advice on strategic direction and general implementation of the Dax Centre’s strategic plan.
- Provide advice on how the Dax Centre can, through its work, further reduce the stigma experience by people living with mental health issues or/and psychological trauma
- Promote the importance of the intersection of the arts and education and the use of art to promote mental health.
- Provide advice on relevant policies and strategies.
- Provide advice and ideas for the Dax Centre’s academic advancement and research.
- Facilitate formal and informal communication and consultation processes with arts organisations, mental health organisations and within the education sector.
- Provide advice to The Dax Centre on issues relating to the arts, mental health and education and pertaining to the strategic direction of the Dax Centre across Australia and, where relevant, internationally.
- When required provide general advice on direction for acquisitions and deaccession of art works in order to keep the Collection current and relevant according to the members’ areas of expertise.
- Provide expertise and access to networks and key stakeholders, including strategies to help raise the profile of The Dax Centre and its branding reach within the arts, mental health and education sectors across Australia.

C1.1 Collection Policy

- Provide guidance on developing the Dax Centre's reach and reputation.

4. Membership

- The Dax AG has a core membership of the following: Six to nine (6-9) ordinary members, one of whom will be the Chairperson
- Other experts may be asked to attend Dax AG meetings and provide such input and advice as their expertise and experience offers for enhancement of the AG's work.
- The Director of The Dax Centre (ex-officio)
- As part of the membership selection process consideration will be given to the geographical location of the candidates, with an aim to have members from several different States and Territories and not just Victorian members.
- Suggestions for potential members will be tabled with The Dax Centre Board and the Board will decide who should be asked to join.
- Ordinary members should collectively be representative of the following experiences/expertise:
 - Lived experience of mental health issues or psychological trauma
 - A psychologist and/or a psychiatrist with an art-based focus
 - Senior curator and/or collection manager
 - Artists (including artists with and without lived experience)
 - Education experts with experience of teaching in primary and/or secondary schools
 - Academics from areas beneficial to The Dax Centre
 - Philanthropic expertise
 - A person with experience in government services (optional not a required area of expertise)
- In order to fulfil the purposes of the Dax AG, members are expected to:
 - Keep informed of current developments, issues and concerns in the arts and/or, mental health and/or education sectors that will be relevant to the Dax Centre's work;
 - Attain an awareness of the Dax Centre's activities, opportunities and challenges;
 - Prepare for and actively participate in the Dax AG meetings;

C1.1 Collection Policy

5. Term of Office

- The term is for a 2-year period and memberships will be reviewed biennially in consultation with the Dax Centre Board.
- Members must have a willingness to commit at least 2 hours per meeting (at a minimum of 4 hours per year).
- The Dax AG may also consider convening additional working groups as necessary to consider issues in depth. These working groups may co-opt or consult external experts to inform their discussions.
- Prospective members will be invited to apply and must demonstrate experience within one or more of the key areas listed under item 4. "Membership".

6. Chair

- The appointment of the Chair is by the DAX Board (for discussion) and for 2-4 year term

6. Meetings

- Meetings will occur at least biennially and generally be of approximately two (2) hours duration.
- The quorum for meetings will be at least half the number of members plus one, including the Chair.
- Meeting agendas and relevant documents will be prepared and circulated by the Dax Centre's Director at least 5 business days before each meeting.

7. Recommendations & Reporting

- Any reports and recommendations made by the Dax AG must follow standard Dax Centre approval processes before being fully endorsed and acted upon.

8. Management of the Dax AG

- The Chair will work closely with the Dax Centre's Director to manage the agenda for the Dax AG.
- The Dax Centre's Director, who will be responsible for assuring the preparation of meeting agendas, minutes, reports and for other administrative functions, will support the Dax AG.

9. Conflict of Interest

- A Dax AG member is considered to have a conflict of interest if the member:
 - Has a direct or indirect pecuniary interest in the matter; or
 - Is of the opinion that their interest in the matter may conflict with their proper performance duties in respect of the matter.

C1.1 Collection Policy

- In the event of a conflict of interest arising the member will disclose the interest and clearly state the nature of that interest at the meeting immediately and before the matter is considered.
- Depending on the nature of the conflict of interest the member may leave the room during the discussion and return to the room when notified by the Chair that the discussion is completed
- A declaration and nature of a conflict of interest must be recorded in the minutes of the meeting.

10. Public Statements

- ***Ordinary members of the Dax AG cannot make public statements on behalf of Dax Centre without prior approval of the Centre's Director.***

11. Review

- The effectiveness and membership of the Dax AG will be reviewed on a 2 yearly basis by the Dax Centre's Director and the Board of the Dax Centre.
- Members will be reviewed every 2 years.

12. Reporting to the Board

- The Committee must report to the Board of the Dax Centre in relation to all matters relevant to the Committee's role and responsibilities.