



National Galleries of Scotland

Insurance and Indemnity Management Policy

Version/Date

Senior Management Team: Collections approved this policy: 12th February 2014

Principles

NGS ensures the objects in its care are exhibited and interpreted to the widest possible public, and is committed to increasing access to our collections.

Loans to and from NGS form part of this programme, and we ensure that all objects for which we are responsible and/ or have a duty of care are appropriately insured or indemnified to fulfil all legal and statutory obligations.

Definitions

Insurance and Indemnity Management: The documentation and management of appropriate insurance or indemnity for objects and object-parts where appropriate, both in the NGS collection and objects for which NGS is temporarily responsible.

GIS: Government Indemnity Scheme.

Legislation and ethics

NGS complies with the requirements for GIS and for its obligations on due diligence. Relevant statutory requirements and codes of ethics include:

- National Heritage Act 1980 Section 16 (as amended by the Museums and Galleries Act 1992, 'Green Guidelines')
- National Heritage (Scotland) Act 1985
- Tribunals, Courts and Enforcement Act 2007, Part 6, Section 136 (Due Diligence)

Standards

This policy is part of the Collections Management set of policies that form a requirement of PAS197 and Spectrum as part of the UK Museum Accreditation Scheme.

Control measures

NGS is recognised as a national institution for the provision of GIS. We meet its conditions as set out in the Green Guidelines of the National Heritage Act, including:

- allocate sufficient funds to cover our GIS liabilities, including bearing the costs of claims up to a limit of £5,000 per financial year
- ensure that values for GIS are in accordance with the GIS Green Guidelines and that open market values apply
- carry out a condition report on all objects and object-parts on entry, exit, and re-entry
- provide accurate and timely returns on contingent liabilities to the Scottish Government as and when requested



- provide accurate and timely returns on contingent liabilities to ACE (Arts Council of England) twice annually in April and October

If a borrower has an obligation to have an alternative insurance arrangement, or if there are compelling circumstances to use different insurance cover, this must provide for 'Values Agreed', 'All Risks' and 'Nail to Nail' cover.

We store securely GIS and insurance documentation, including valuations.

Notice periods

For all loans out from NGS, in addition to the minimum notice required for loans (6 months UK, 12 months international), the borrower must submit insurance or indemnity arrangements to NGS for approval at least 4 weeks in advance of the exhibition opening. A copy of the policy must be with NGS at least 2 weeks before the loan leaves NGS.

Assignment of responsibility

NGS takes the default position, subject to the terms and conditions outlined in the Green Guidelines of the National Heritage Act, as follows:

- Objects on loan to NGS: we offer UK Government Indemnity cover; for long-term loans we review this with the lender at least every 3 years
- Objects on loan from NGS to venues outside the UK: subject to negotiation between NGS and the borrower
- Objects received on approval for purchase: owner or vendor bears the risk.
- Objects brought in for opinion: owner bears the risk
- Objects brought to NGS and then offered as a gift: owner bears the risk until NGS formally accepts the offer
- Objects bequeathed to NGS: covered by GIS until the executor(s) are in a position to confirm legal transfer of title to NGS
- Objects allocated to NGS by the Acceptance in Lieu Scheme (AIL): not covered by GIS, and are accepted at our own risk
- Loan or non-NGS objects: any interventive or restoration processes undertaken are not covered by GIS

Related policies

The following are related NGS policies:

- Object Entry and Pre-Entry Policy
- Loans In and Loans Out Policy
- Acquisition Policy
- Location and Movement Control Policy
- Art Handling and Technical Assessment Policy
- Art Transport Policy
- Conservation and Care Policy
- Rights and Reproduction Management Policy



- Risk Management Policy
- Valuation Control Policy
- Damage and Loss Policy
- De-accession and Disposal Policy