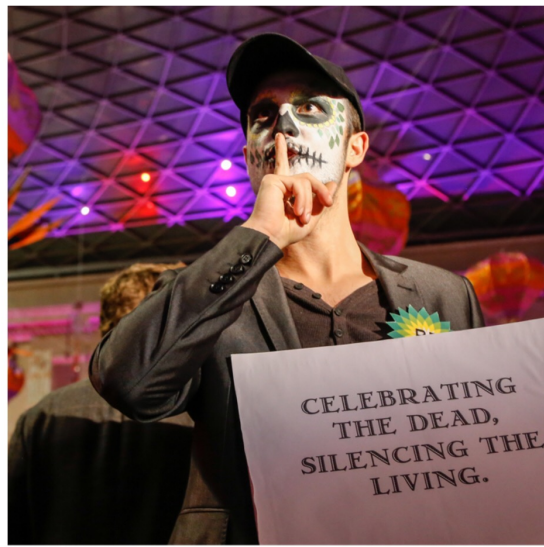


Did the British Museum break its own rules in renewing BP deal?



Art Not Oil coalition, 1st October 2016



Summary

On 28th July 2016, BP announced it had renewed its 5-year sponsorship deal with the British Museum and three other major cultural institutions, despite mounting criticism of the relationship from culture professionals, scientists and academics, staff, museum-goers, high-profile actors, charities and arts funders.ⁱ

We used the Freedom of Information Act to ask the British Museum how it made its decision. The information we received revealed that:

- The **decision-making process** on BP sponsorship, as assured by former director Neil MacGregor, was **not adhered to**. He previously told staff that, *'Any ethical questions which arise in the context of the Museum's activities or sponsorships are discussed and decided by the Board of Trustees'*.
- The **trustees were not involved in discussing or making the decision**, which was left in the hands of new director, Hartwig Fischer. Trustees were merely 'informed' just before the announcement was made.
- The museum has **no ethics committee**, and **scrapped its dedicated ethics policy** on the same day that a major BP-sponsored exhibition opened.
- The museum claims that the ethics policy available on its website until recently **was never official**, and removed it from the site following a damning Art Not Oil report.
- The museum does not appear to have fully **assessed the ethical issues** related to BP's sponsorship, including the risks it poses to the museum's reputation.
- The museum claims that **no correspondence took place between staff and BP** in the months leading up to the announcement.

The Museums Association's Code of Ethics for Museums – which the British Museum claims it follows – states that museums should *'seek support from organisations whose ethical values are consistent with those of the museum. **Exercise due diligence in understanding the ethical standards of commercial partners** with a view to maintaining public trust and integrity in all museum activities.'*ⁱⁱ

This new information suggests that the museum did not exercise due diligence in reviewing its contract with BP – nor had it made sufficient provision to do so. Specifically:

- **Putting in place a dedicated ethics policy and ethics committee** should be the minimum standard for a leading museum of international standing. Tate – whose BP sponsorship will end early next year – has both.
- The Museums Association recommends that museums should *'conduct thorough and well documented research to demonstrate that they have understood the nature of the company's business, and any claims made against it'*. By leaving the trustees out of the decision, the museum failed to carry out this thorough and more accountable assessment of the claims made against BP and its suitability as a sponsor.
- The British Museum's 'Standards of Conduct Policy' states **that trust and confidence in the museum 'depends on the Museum's reputation for acting ethically, with integrity, and to the highest professional standards.'** By failing to exercise due diligence in this case, the museum failed to act to the highest professional standards.
- The museum's trustees and senior management need also to act consistently with Nolan's Seven Principles of Public Life – as all public office-holders must, and as stated in the museum's own policies - including on **accountability, objectivity and openness**ⁱⁱⁱ.

Given these findings, we **believe the deal is illegitimate, and the decision should be revisited by the museum**, incorporating a thorough and independent investigation into BP's activities, including meaningful consultation with staff, museum-goers, experts and trustees.

Quotes

'Last year, we wrote to Neil MacGregor with the PCS Culture Sector's concerns about BP sponsorship at the British Museum. He assured us that any ethical questions arising around sponsorship are discussed and decided by the Board of Trustees, and that they take this very seriously. We are now finding out that the Trustees were merely "informed" rather than taking the decision. This is very disappointing. When we carried out a survey of staff at the museum in March this year, 62% thought oil sponsorship was not ethical.^{iv} It is time for Big Oil to become persona non grata in our museums, just as tobacco companies are. Climate change is happening now and these fossil fuel corporations shouldn't be given a license to build a reputation as philanthropists rather than the climate wreckers they are.'

- Clara Paillard, President of the PCS Union Culture Sector which represents British Museum staff

'Since 2010, there are a lot more graves in the Gulf of Mexico than there were before, and that's just the truth. So anytime we see arts organisations take on BP as a sponsor, we want to make sure those institutions understand that they are sponsoring death. They are sponsoring death in our communities.'

- Cherri Foytlin, a resident of the Louisiana Gulf Coast

'There is clearly an ethical chasm at the heart of the British Museum. If the museum had subjected BP to proper ethical scrutiny, there's no way its sponsorship could have been renewed. Without an ethics policy, an ethics committee or active oversight by its trustees, the museum has overlooked BP's role as one of the world's most destructive fossil fuel companies and ignored the damage it is doing to the museum's reputation. This decision meets neither the ethical standards expected of museums nor the ethical standards being demanded by the public. The BP deal is illegitimate and must be dropped.'

- Jess Worth, Art Not Oil coalition

'BP is of great interest to many Australians who are concerned with its proposals to start oil drilling in the deep seas of South Australia. Many of us are deeply concerned about the opening of new oil fields in an era of accelerated climate change. We are also deeply worried about the potential for another catastrophic oil spill like that overseen by BP in the Gulf of Mexico. The British Museum is one of the greatest cultural institutions in the world. We ask it to no longer take sponsorship from BP. which is destroying our global climate, and destroying beautiful places like the Great Australian Bight.'

- Lyndon Schneiders, Director, Wilderness Society Australia

Contents

	Page
1. What did we know about the decision to renew the BP deal?	5
2. Did the board of trustees 'discuss or decide' upon the ethical questions around BP sponsorship?	6
3. Did the director consult an ethics committee or test his decision against an internal ethics policy?	7
4. Did the director scrutinise BP's ethical standards and the claims made against it?	7
5. Has the museum previously had an ethics policy? If so, what happened to it?	8
a. Why were there two different ethics policies?	
b. What was the status of the ethics policy that was on the museum's website?	
c. Why was the ethics policy dropped?	
d. When was the policy dropped?	
e. Does the museum have other policies relevant to BP sponsorship?	
6. What are the Museums Association's expectations of the museum?	10
7. What ethical issues should the museum have considered before renewing the deal?	11
8. References	12
9. Appendix: source materials	13

1. What did we know about the decision to renew the BP deal?

Last year the PCS union, which represents staff at the British Museum, formally wrote to the outgoing director, Neil MacGregor, asking how the decision on whether to renew the museum's five-year sponsorship deal with BP would be taken. In his response, dated 23 November 2015, MacGregor outlines the museum's official process:

'Any ethical questions which arise in the context of the Museum's activities or sponsorships are discussed and decided by the Board of Trustees. This is a responsibility that they take very seriously and they regularly review these issues. It is well-established in the Museum that the Trustees wish to hear the views of all staff on matters of concern. Our Chairman, Sir Richard Lambert, addressing all staff in the context of the appointment of the new Director, made this very clear and shared with them his private email address.'

Should any member of staff be concerned by the Museum's activity in any area, including sponsorship, then they should write in the normal way to the Chairman. He and the other Trustees will take those comments into account in making their final decision.'

Following the announcement of the British Museum's renewed sponsorship deal with BP, we have made Freedom of Information requests to the museum, asking what ethical scrutiny of BP it conducted in the context of renewing the contract.

The answers we have gained paint a picture of minimal, if any, consideration of:

- The destructive practices and controversial business interests of BP in locations around the world featured in the exhibitions and events the company sponsors in the museum (recent examples include Australia, Egypt and Mexico)^v
- The company's significant contribution to climate change through the continued extraction of fossil fuels and its lobbying against climate legislation and clean energy, despite scientific advice that we must leave at least 80% of known reserves in the ground and limit global temperature rise to a safe level as agreed at the Paris climate conference^{vi}
- The sustained damage to the museum's reputation arising from high-profile criticism over the museum's choice of sponsor, or consideration of how much further damage this association could cause over the lifetime of the new deal, which is planned to continue until 2022
- The influence BP has been exerting over the museum's exhibitions and events, for example the scheduling of a 'Days of the Dead' Mexican culture festival at BP's request, which allowed BP to network with high-level Mexican government officials just as the company was bidding for lucrative new oil leases in Mexico's Gulf^{vii}

See page 11 for more details on BP's controversial operations.

All the British Museum documents referred to can be found in the Appendix at the end of this report.

Names of the British Museum's staff members have been redacted out of respect for their personal information along with some details which were disclosed as part of a request that is currently subject to internal review.

2. Did the board of trustees ‘discuss or decide’ upon the ethical questions around BP sponsorship?

No. The British Museum have told us that:

“The decision regarding renewal of sponsorship was delegated to the Director and the Board of Trustees was informed prior to the announcement of the renewal.”

Counter to MacGregor’s claim, the museum does not appear to have taken seriously the responsibility of the trustees to review these issues. The potential renewal of BP’s sponsorship provided a crucial moment for demonstrating a commitment to thorough ethical scrutiny, but this failed to happen.

This also raises the question of how the decision was delegated to the director and who by. Was it the trustees, and if so, how recently? Given the escalating controversy around BP sponsorship in recent years, particularly over the last six months, it is extraordinary that they were not given a say. Earlier this year, the Art Newspaper rated oil sponsorship as the number one challenge facing Hartwig Fischer when he started his new role as director in April 2016.^{viii} This followed a letter, signed by 100 cultural and scientific luminaries, encouraging Dr Fischer to end the deal with BP.^{ix}

‘The job of trustees is to stand guard over the integrity of an institution in the face of tricky decisions on sponsors.’

- Liz Forgan, British Museum trustee during panel discussion on partnerships

The PCS Union, which represents many museum staff, officially opposes oil sponsorship. The BP deal is also unpopular with the public; a survey of

Londoners in March 2016 found that more opposed than supported the British Museum’s relationship with BP^x, and hundreds of museum-goers have submitted official feedback forms urging the British Museum to drop the oil company. BP or not BP? has performed inside the museum 20 times – most recently with a 200-strong ‘Splashmob’^{xi}, and Greenpeace recently climbed the columns of the museum’s facade, hanging banners highlighting the irony of BP’s sponsorship of the current ‘Sunken Cities’ exhibition.

Despite all of this representing a significant reputational risk posed by BP sponsorship, the museum failed to follow what MacGregor had claimed would be its standard practice.

The board of trustees^{xii} includes many respected figures with specific experience that makes them well placed to scrutinise the ethical issues around BP’s sponsorship. It is conceivable that they may have detailed concerns of their own with regard to retaining BP as a sponsor:

- **Lord Nicholas Stern**, a highly respected economist and author of the groundbreaking Stern Report into the economics of climate change, which argued that the costs of inaction vastly outweigh the costs of action. He is Chairman of LSE’s Grantham Research Institute on Climate Change and the Environment. His latest book, ‘Why Are We Waiting? The Logic, Urgency, and Promise of Tackling Climate Change’ argues that the risks and costs of climate change are worse than he’d previously estimated — and far worse than implied by standard economic models. He argues that continuing to rely on past, fossil-fuel-based technologies, methods, and institutions will lead to chaos, conflict, and destruction^{xiii}.
- **Lord Adair Turner**, who early in his career worked for BP, went on to become Chair of the government’s Committee on Climate Change. Now Chairman of the Institute for New Economic Thinking (INET), he is another leading figure advocating for the rapid shift to

a low carbon economy. In 2014, he wrote a blog entitled *'Please steal our fossil fuels'*, lamenting the fact that we *are 'cursed with fossil fuels in dangerous abundance'*^{xiv}. He is an advocate for strong public policies on climate change that will leave two thirds of fossil fuels in the ground^{xv}.

- **Dame Liz Forgan**, former Chair of the Arts Council of England and, until very recently, the Scott Trust, which owns the Guardian. She said in response to a question about BP sponsorship at a recent British Museum event that *'the job of trustees is to stand guard over the integrity of an institution in the face of tricky decisions on sponsors.'*^{xvi}

- **Sir Paul Nurse** is former [President of the Royal Society](#) and Chief Executive and Director of the [Francis Crick Institute](#). He believes that scientists should speak out about science in public affairs and challenge politicians who support policies based on pseudoscience, including on climate change.^{xvii}
- **Dame Nemat (Minouche) Shafik**, who was Permanent Secretary of the Department for International Development (DFID) in a period when the UK Government increased its support to countries affected by climate change at scale
- **Professor Amartya Sen**, who has written widely about the multifaceted threats that environmental dangers pose, including climate change.^{xviii}

3. Did the director consult an ethics committee or test his decision against an internal ethics policy?

No. The British Museum have told us that:

"The museum does not have a committee with specific responsibility for considering ethical issues."

And that:

"The museum does not have an ethics policy."

Tate – which earlier this year announced the end of its sponsorship deal with BP – has both a dedicated ethics policy and an ethics committee. Surely this should be the minimum standard for a leading museum to exercise effective ethical scrutiny?

4. Did the director scrutinise BP's ethical standards and the claims made against it?

We can find no evidence of this.

On its website, the Museums Association outlines the process of ethical scrutiny a member museum, such as the British Museum, should undertake when offered money by a controversial sponsor:

'The museum will need to conduct thorough and well documented research to demonstrate that they have understood the nature of the company's business, and any claims made against it.'

We requested the disclosure of correspondence between British Museum staff and BP relating to the renewal of the sponsorship deal between May and August 2016. The British Museum informed us that it did not hold any such material – despite the deal being announced to the press in July 2016.

This suggests either that the British Museum has either failed to disclose material, or that the deal was renewed in an informal fashion, behind closed doors, and with little accountability, consultation or transparency.

5. Has the museum previously had an ethics policy? If so, what happened to it?

An ethics policy was previously available on the British Museum's website at <http://www.britishmuseum.org/pdf/ethics.pdf>, at least until the publication in April 2016 of Art Not Oil's report raising concerns about BP's undue influence over the museum.^{xix} But the ethics policy disclosed by the British Museum under the FOI Act, which it says became defunct in July 2012, was in fact much shorter than the version that had been available on its website, which has since been removed.

This raises a series of questions:

a. Why were there two different ethics policies?

Why did the museum disclose a different version of the policy from that which had been publicly available on its website? The museum's response to our FOI request adds little clarity.

It says:

'The Museum does not have an ethics policy. There are no previous versions of these policies: this information is therefore not held. The Standards of Conduct policy replaced a former Ethics Policy which is no longer current and is therefore no longer publicly available. A copy of this policy is attached.'

b. What was the status of the ethics policy that was on the museum's website?

It is much more detailed than the version disclosed. What was its status and purpose? Why was it not disclosed to us?

c. Why was the ethics policy dropped?

The museum claims that ethics are now covered by the trustees' and staff Standards of Conduct Policy, the Anti-Money Laundering Policy, the Fraud, Bribery and Corruption policy and the Whistleblowing policy – but none of these policies address relationships with sponsors.

Furthermore, the Standards of Conduct Policy treats all representatives of the museum as having similar or equivalent duties with respect to ethical behaviour. In reality, an effective ethics policy needs to differentiate more clearly between the distinct role of directors, trustees and senior staff in carrying a greater ethical duty and taking responsibility for the institution's wider reputation and decision-making.

A version of the museum's Donations Policy was disclosed to us but appears to only cover donations from individuals, not sponsors. However, it does acknowledge that:

'The Museum will not accept donations...which it judges to be capable of adversely affecting the Museum's reputation'.

But this policy is also not available on the museum's website, nor referred to as currently operational in the museum's FOI response, so its status is unclear.

Potentially relevant clauses can also be found in the museum's Anti-Money Laundering Policy but again, this is aimed solely at avoiding implication for the museum in criminal activity, rather than governing its entry into sponsorship contracts, so is an inadequate substitute for a thorough ethical fundraising policy or dedicated ethics policy which specifically addresses sponsorship.

d. When was the policy dropped?

The timing of 19th July 2012, when the museum's Standing Committee met and took the decision, is concerning – it coincided with the opening day of the museum's first major BP-sponsored exhibition since signing its current 5-year deal.^{xx} This exhibition ('Shakespeare: Staging the World') was part of the BP-sponsored World Shakespeare Festival, an event that was already facing high-profile protests and criticism at that time.

Creative protests against BP sponsorship of culture had increased following the 2010 Deepwater Horizon spill and the growth of awareness of the urgency of climate change and the obstructive role oil companies were playing. The issue was receiving particularly high coverage around this time, due to Liberate Tate's powerful performance interventions around BP sponsorship in Tate,^{xxi} the emergence of theatrical protest group BP or not BP? (then known as the Reclaim Shakespeare Company) in April 2012 to target BP's sponsorship of the World Shakespeare Festival,^{xxii} and a high-profile 'Greenwash Gold' campaign against BP's role as 'Sustainability Partner' of the London 2012 Olympics.^{xxiii} The museum was subsequently the target of protest performances by BP or not BP?, including a 200-strong flashmob inside the museum's Great Court.^{xxiv}

e. Does the museum have other policies relevant to BP sponsorship?

The museum does have a sustainable development policy, which states that:

'The British Museum is committed to sustainable development throughout all the aspects of its operation... The British Museum will endeavour to incorporate sustainable development issues into future policy decision making at all levels.'^{xxv}

Art Not Oil has uncovered evidence of how BP's sponsorship strengthened the company's hand when attempting to secure new drilling licenses in Mexico, which would lead to the extraction of unburnable fossil fuels.^{xxvi} The renewal of BP's sponsorship suggests this policy is being disregarded when it comes to questions of funding.



BP or not BP?'s first flashmob inside the British Museum, in November 2012.
Photo by David Hoffman.

6. What are the Museums Association's expectations of the museum?

The MA Ethics Committee, in response to the concerns about BP's influence raised in our recent report, explained that:

'The Committee understands that the museums involved in this case have made a commitment to upholding the principle [of due diligence] through their internal ethics committees or similar means of ethical oversight, and encourages them to carefully scrutinize all sponsorship deals in light of the recently revised Code of Ethics for Museums to ensure that the values of the museum and the sponsor are aligned and that public trust is maintained.'^{xxvii}

On its website, the Museums Association covers the issue of how a museum should apply its new Code of Ethics with regards to an oil sponsor, in a case study.

'Should a museum be sponsored by an oil company? This question has been one of the most high profile ethical dilemmas facing the museum sector in recent years...

The Code of Ethics states in para 3.6 that museums should "carefully consider offer of financial support from commercial organisations and other sources in the UK and internationally and seek support from organisations whose ethical values are consistent with those of the museum. Exercise due diligence in understanding the ethical standards of commercial partners with a view to maintaining public trust and integrity in all museum activities."

As such, the museum ought to actively seek out support from organisations whose values chime with those of the museum, rather than those whose values appear at odds with those of the museum. The museum will also need to conduct thorough and well documented research to demonstrate that they have understood the nature of the company's business, and any claims made against it.

The museum must also make a judgment about whether the involvement of the oil company is a reputational risk that will damage the museum's standing with the public. This judgment might vary depending on how closely the museum's activities overlap with those of the company.

In this case, the use of oil company funds to promote an exhibition on a culture that the oil company may be responsible for damaging risks inviting substantial criticism and protest. Even if the institution is struggling financially – is this the best way to revive it?

...It may be useful for the museum in this case to consider whether it also wishes to put certain industries 'off-limits', and to establish clear criteria for doing so based on the museum's values and mission.'^{xxviii}

We believe that the British Museum **has not demonstrated a commitment to upholding the principle of due diligence, or undertaken what should be reasonably expected as standard practice** for dealing with a highly controversial corporate sponsor.

Art Not Oil's member groups have already committed to stepping up their critiques and creative protests of the sponsorship deal.^{xxix} The public's trust in the museum will continue to be undermined and its reputation tarnished if the museum's relationship with this highly-carbon-intensive company continues through to 2022.

7. What ethical issues should the museum have considered before renewing the deal?

There is a long list of ethical problems with BP. These include:

- BP has made the **third biggest contribution to climate change** of any company in history.^{xxx}
- Its business plan **involves continuing to explore for and extract new sources of fossil fuels**, despite the fact that we need to leave 80% of known reserves in the ground to have a chance of keeping global temperature rises under 2 degrees, more if we are to hit the safer 1.5 degree target agreed to at the Paris climate negotiations.^{xxxii}
A recent report by Oil Change International calculates that, to hit agreed Paris targets, no new fossil fuels must be explored for or extracted.^{xxxii}
- New areas of exploitation for BP **include ultra-deep offshore drilling** in vulnerable areas like the Gulf of Mexico and Great Australian Bight (a whale nursery and internationally recognised marine reserve); more highly-polluting **tar sands extraction and fracking**; drilling in the **Russian and Canadian Arctic**; and projects in areas of **political instability and state oppression** such as Mexico, Egypt and Azerbaijan.
- The company is not a neutral provider of a product. It is a **powerful lobbyist** in favour of the continued use of fossil fuels, topping the list of firms obstructing climate action in Europe.^{xxxiii}
- Specifically, it has **successfully blocked laws** to regulate tar sands, cut power plant pollution and accelerate the uptake of renewable energy.^{xxxiv}
- The company famously received the **biggest fine in corporate history** for its 'gross negligence' in causing the Deepwater Horizon spill in the Gulf of Mexico. It has so far paid out a staggering \$60 billion in fines, clean-up costs and damages, but the Gulf ecosystem and those who depend on it for their livelihoods are still suffering.^{xxxv}
- There is **opposition to its operations from frontline communities** around the world, including Indigenous communities in Australia (opposing drilling in the Great Australian Bight), West Papua (opposing its support for the repressive Indonesian military), and Canada (opposing tar sands extraction). For short films of people from the frontlines of these and other struggles against BP around the world, see BP or not BP?'s disobedient exhibition, *A History of BP in 10 Objects*: www.historyofbp.org
- BP uses sponsorship of culture to maintain and enhance what is known as its '**social license to operate**' in order to continue pursuing high-risk drilling projects and fuelling global climate change. This 'social license' comes from fostering the belief among key audiences, especially socio-political elites, that BP is a legitimate and socially responsible company. BP needs to appear as a good corporate citizen, doing its bit for the cultural life of the UK, in order to counteract the increasingly bad press its activities around the world are attracting – not least the ongoing pollution of the Gulf of Mexico. Arts sponsorship has proved to be a cheap and effective means of burnishing its image – **just 2 hours of BP's profits in 2016 would have covered its sponsorship of Tate**. It also comes with the added benefit of accessing iconic British institutions for corporate events and political networking.^{xxxvi}

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^{xvii} <http://www.theguardian.com/science/2014/sep/04/sir-paul-nurse-criticises-figures-distort-scientific-evidence>

^{xviii} See Sen talking about what we can do about climate change here:
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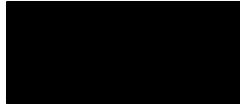
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OFFICIAL

Dear Sir,

Thank you for your request for information from the British Museum. Your request has been dealt with in accordance with the terms of the Freedom of Information Act (2000).

Your request, received in the Museum on [REDACTED] was:

The British Museum has announced that it will renew its sponsorship deal with BP at the end of the current partnership for a further five years.

- 1) Please indicate the means and process by which this decision was reached. Specifically, please identify whether the decision was discussed and/or approved by the museum's board of trustees, and whether it was tested against any internal policies on ethics and sustainability by the trustees. Please identify those policies, documents or criteria by which this new arrangement was tested.
- 2) Was the deal subjected to any kind of ethical scrutiny by an internal ethics committee or other body within the museum? If so, please identify the format, remit and powers of that body, and how members are appointed to that body. As above, please indicate which internal policies were used to scrutinise the ethical suitability of renewing the sponsorship deal with BP and provide copies of them.
- 3) Please disclose copies of any communications between the museum and BP in relation to the renewal and launch of the new sponsorship deal which have taken place in the months May to August 2016. This should include, but not be limited to, members of the development, security and director's office teams.
- 4) Please confirm the start/end dates of the sponsorship deal, the exact focus for BP's support (e.g. temporary exhibitions, long-term posts within the museum) and the amount that will be paid by BP. Given that the publicly stated amount of BP's payments to four publicly-funded institutions is £7.5 million over a period of five years, it is within the public interest to understand the distribution of that money between the respective institutions and the reasons for doing so.

I am happy to receive the response to this request in a digital format.

These are the responses to your request:

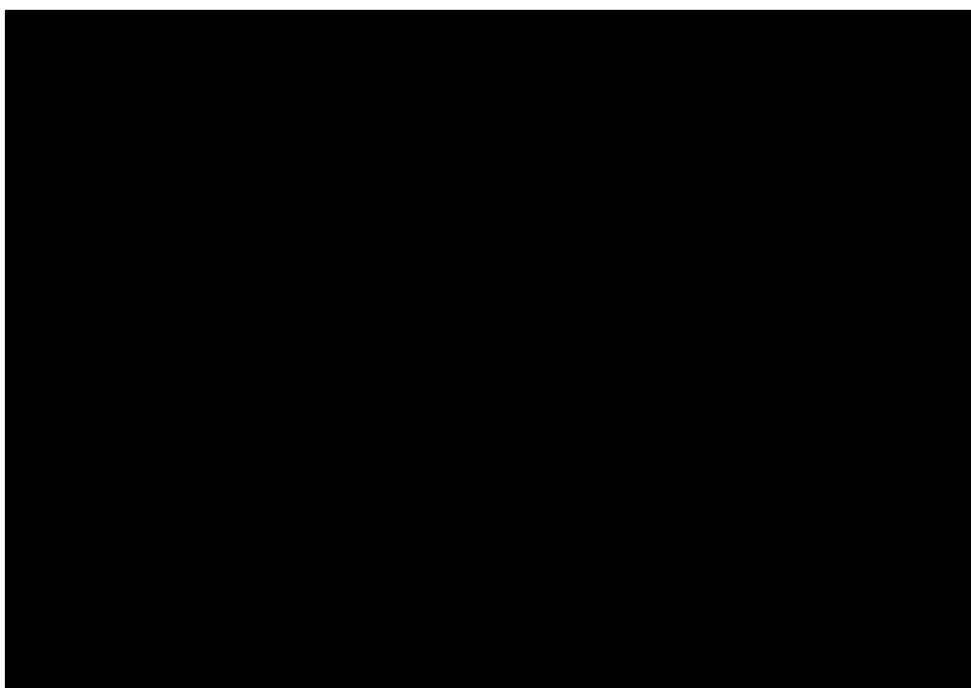
- 1) The announcement of the decision to renew this sponsorship deal was made by BP plc, the British Museum, the National Portrait Gallery, the Royal Opera House and the Royal Shakespeare Company. The British Museum's Board of Trustees Governance Policies and Principles document (which is published on the [website](#)) sets out the role of the Board, the delegated authority to the Director and the Board's reserved powers. In making decisions, the

Trustees, the Director and staff adhere to the British Museum's Standards of Conduct policy (which is published on the [website](#)), and its Anti-money Laundering policy, Fraud, Bribery and Corruption Prevention policy and Whistleblowing policy (see attached). The decision regarding renewal of sponsorship was delegated to the Director and the Board of Trustees was informed prior to the announcement of the renewal.

2) The Museum does not have a committee with specific responsibility for considering ethical issues. The Trustees Standards of Conduct policy (published on the [website](#)) sets out expectations of its representatives – all those who work for the Museum including Trustees. It includes an expectation that staff and Trustees adhere to ethical standards including those set by ICOM and the Museums Association.

3) The Museum holds no copies of any communications between any member of Museum and BP in relation to the renewal or to the launch of the new sponsorship deal between May and August 2016.

4) The sponsorship agreement is for five years from 2018: this information is already in the public domain. The focus for BP's sponsorship is temporary exhibitions. The amount that will be paid by BP to the Museum under the terms of this agreement and how the announced figure will be divided between the four institutions is information which is exempt from disclosure under s. 43(2) of the Freedom of Information Act where this is information would, or would be likely to prejudice the commercial interests of the Museum and of the other institutions included in this sponsorship arrangement, two of which are public bodies.



This concludes the response to your request. I hope this information is helpful. If you are dissatisfied with this response and you wish to make a complaint about how we handled your request, please contact me in the first instance. Your complaint will be handled under our internal complaints procedure and you will receive a response within 20 working days of receipt.

If you remain dissatisfied with the way your request has been handled following the outcome of our internal review, you have a further right of appeal to the Information Commissioner. To

make such an application please contact

FOI/EIR Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

You can also contact the ICO Helpline on 0303 123 1113 or visit the Information Commissioner's Office website at <https://ico.org.uk/concerns/getting/>

Yours sincerely,



Legal Services

The British Museum

Anti-Money Laundering Policy

1. Introduction

This Policy gives guidance on what British Museum trustees and staff are expected to do to ensure that the Museum fulfils its legal obligations to help counter money laundering. All charities, including museums, are at risk of being exploited by criminals and terrorists. Money laundering is the process by which criminals attempt to conceal the true origin and ownership of the proceeds of their criminal activity. There are legal obligations for reporting suspected money laundering and the suspected provision of support to terrorist organisations. Anyone who breaches these obligations could face criminal sanctions.

2. Vigilance and Checks

- 2.1. In order to be satisfied that donations (including objects) to the Museum are from a credible source the following questions should always be asked before acceptance about any unusual donation or offer of support, or any donation or offer of support over £25,000:
 - 2.1.1. What support is being proposed by the donor or sought by the Museum and how closely does it fit the Museum's requirements or aspiration?
 - 2.1.2. Who is the donor and where are the funds or support coming from?
 - 2.1.3. What sort of terms is the donor wishing to impose?
 - 2.1.4. What is the motive for the offer and what will be the effect of accepting it?
 - 2.1.5. Is there an actual or potential risk of detriment to the Museum? If so, what is the extent of the risk and the likelihood of it materialising?

Heads of department should ensure that all staff receiving donations create a written record confirming that they have considered the above questions; that no suspicions of money laundering or other criminal activity arise; and that a copy of the record has been passed to the Development Operations Manager for entry into a centralised database of donations.

- 2.2. Particular vigilance should be applied to offers of support in which:
 - 2.2.1. donations are offered in the form of a loan;
 - 2.2.2. donors ask for all or part of a donation to be returned at a later date;
 - 2.2.3. donations are offered for a specific project where the donor insists that a particular third party is used as a partner or supplier on the project;
 - 2.2.4. donations are offered which are conditional upon the donor having a control over a revenue or investment benefit from the donation, such as a share of income generated by the donation or the transfer of surplus capital at the donor's behest;
 - 2.2.5. payments from any organisation (including partners in a research project) are to be held in a Museum bank account for a period of time and then returned to

the organisation or passed onto another organisation (known as conduit funding);

2.2.6. donations have unusual or disproportionate conditions attached; or

2.2.7. there are grounds for suspicion that a donation may represent the proceeds of crime.

2.3. The same vigilance should be used when working with third parties abroad in circumstances in which it is proposed that the Museum should make offers of financial or other support or loans of property or facilities.

3. Reporting

3.1. Suspicions of criminal activity regarding any donation, grant, transfer of funds or contact with third parties should be reported to the appropriate head of department and the Head of Legal Services.

3.2. Heads of department and the Head of Legal Services will be responsible for assessing the risk of any matter reported and deciding whether or not to refer the matter to the Director or Deputy Directors. The Director or Deputy Directors will be responsible for determining whether any matter should be referred to the Trustees

3.3. Any suspicion that any person or organisation is providing funds or support to a terrorist organisation shall be reported to the Head of Legal Services. The Head of Legal Services will consider in consultation with the Director/Deputy Directors whether to notify the relevant authorities.

4. Training

Staff in the Finance and Development departments and other staff likely to encounter money laundering will be provided with training.

5. Refusing Donations

Before refusing any donation, the appropriate Head of department should be consulted.

5.1 Donations made in foreign currencies on condition that all or part of the principal sum should be returned to the donor in sterling should be refused, unless there is written approval from the Director.

5.2 Donations should be refused where satisfactory answers to investigations carried out, as outlined in 2.1 above, are not received.

5.3 Further to the principles set out in the Museum's Standards of Conduct policy, the Museum will not accept funds in circumstances where:

5.3.1 The donation is made anonymously, through an intermediary who is not prepared to identify the donor to anyone at the Museum, unless the intermediary is reputable and willing to certify and guarantee that the donor is acting in good faith; or

5.3.2 The donor is believed to have acted illegally in the acquisition of funds, for example where funds are tainted because they may be the proceeds of crime; or,

- 5.3.3 When acceptance of the funds would significantly damage the effective operation of the Museum in delivering its mission, whether because such acceptance would:
- i. Harm the Museum's relationship with other benefactors, partners, visitors or stakeholders;
 - ii. Create unacceptable conflicts of interest;
 - iii. Damage the reputation of the Museum; or
 - iv. Detrimentally affect the ability of the Museum to fulfil its mission in any other way than is mentioned above.

This Policy was adopted by the Standing Committee on 5 September 2013 and will be reviewed not later than 2016.

The British Museum

Fraud, Bribery and Corruption Prevention Policy

1. Policy Principles

- 1.1 The British Museum requires all Trustees, staff, volunteers, contractors and any other authorised representatives to act with honesty and integrity and to safeguard the public resources for which the Trustees are responsible.
- 1.2 The Museum will not accept any level of fraud, bribery or corruption; consequently, any instance or suspected instance of fraud or bribery will be thoroughly investigated and dealt with appropriately.
- 1.3 The Museum will respond to and manage the risks from fraud, bribery and corruption through a system of internal control which identifies principal risks, evaluates the nature and extent of those risks and manages them effectively.
- 1.4 As a Non-Departmental Public Body, the Museum follows Annex 4.9 of the Treasury's *Managing Public Money* in relation to fraud.
- 1.5 Further guidance on this policy can be found Prevention of Fraud, Bribery and Corruption Procedure (Annex A), the Finance Operating Manual, Standards of Conduct Policy, Code of Conduct for Staff and the Disciplinary Procedure.

2. Definitions

- 2.1 Criminal offences involving fraud are encapsulated in the Fraud Act 2006. However, the term "fraud" is generally used to describe action which involves depriving someone else of something by dishonesty. It may refer to deceitful acts such as deception, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment or dishonest alteration of material facts and collusion.
- 2.3 Offences in relation to bribery are set out in the Bribery Act 2010. The Act is applicable to bribery within the UK and internationally and includes an offence of negligently failing to prevent bribery within an organisation.

3. Responsibilities

- 3.1 The Director in his role as the Accounting Officer is responsible for establishing and maintaining a sound system of internal control that supports the achievement of Museum policies, aims and objectives.
- 3.2 Overall responsibility for managing the risk of fraud, bribery and corruption has been delegated to various officers of the Museum as detailed in the Prevention of Fraud, Bribery and Corruption Procedure.

4. Prevention of Fraud, Bribery and Corruption Procedure

- 4.1 The Museum maintains a Prevention of Fraud, Bribery and Corruption Procedure setting out the process for reporting suspicions and conducting investigations.

5. Gifts and Hospitality

- 5.1 Paragraphs 2.16–2.17 of the Code of Conduct for Staff set out the responsibilities and obligations of Museum staff when accepting gifts, rewards, hospitality and awards. Further Guidance is contained in the Finance Operating Manual.

This Policy was adopted by the Standing Committee on 5 September 2013 and will be reviewed not later than 2016.

Policy on Whistleblowing¹

1. This Policy protects British Museum employees against victimisation or dismissal if they raise concerns about fraud, bribery or other malpractice at the Museum provided that they have acted responsibly. Any member of staff is encouraged to take action if:
 - 1.1 s/he has a concern that s/he is being required to act in a way which:
 - (i) is illegal or involves deliberate maladministration, fraud, bribery or misuse of public funds;
 - (ii) is in breach of a professional code applicable to her/him;
 - (iii) is otherwise inconsistent with the Museum's Standards of Conduct policy or other applicable policies; or
 - (iv) is improper, unethical or raises a fundamental issue of conscience for her/him.
 - 1.2 evidence comes into her/his hands that others within the Museum are being required to engage in, conceal, or are actually engaging in action which falls within paragraph 1.1 above.
2. This policy is not an alternative to the disciplinary and grievance procedures. Nor does it override the Museum's Anti-Money Laundering Policy, which shall prevail whenever it applies.
3. The Museum nominates members of staff and the Chairman of the Audit Committee as "investigators" in its Whistleblowing Procedure and entrusts them with the confidential duty of investigating concerns raised by staff ("complainants") under this Policy and the Whistleblowing Procedure.
4. Investigators will be provided with the necessary training to ensure that they fully understand this Policy and the Whistleblowing Procedure, the need for confidentiality, and the protection of complainants from discrimination or unfair treatment.
5. A copy of this policy will be supplied to the trades union and to any staff counselling service operated by the Museum. This Policy will be published on the Museum's intranet.
6. The overriding principle is that staff are subject to an implied or explicit contractual term of trust and confidence (which is also set out in the Code of Conduct for Staff and Standards of Conduct Policy, and which prevents them from disclosing the Museum's confidential information except in the public interest in accordance with the Freedom of Information Act 2000). Nothing in this Policy should undermine that.
7. Individuals about whom a concern is raised shall:
 - 7.1 be offered appropriate counselling and/or advised to consult with a Trade Union representative if they belong to a recognised Trade Union; and
 - 7.2 have the normal rights and protection appropriate to any subsequent disciplinary procedures.
8. Disciplinary procedures will be invoked if:
 - 8.1 An employee victimises or deters another employee from raising concerns under this Policy.

¹ Having regard to the Public Interest Disclosure Act 1998 and Managing Public Money Paragraph 19.1 of ANNEX 7.2

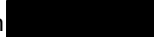
- 8.2 A complainant abuses this Policy by maliciously raising unfounded allegations.
9. Disciplinary action will not be taken against a complainant, even if no evidence can be found to substantiate his/her concern, providing s/he has acted on this Policy in good faith. The decision whether or not a complainant acted in good faith in raising a concern will be made by the investigator on the basis of their investigation.

This Policy was adopted by the Standing Committee on 5 September 2013 and shall be reviewed not later than 2016.



Dear 

Thank you for your request for information from the British Museum. Your request has been dealt with in accordance with the terms of the Freedom of Information Act (2000).

Your request, received in the Museum on  was:

Under the Freedom of Information Act 2000, I request that you disclose the following information.

1) To identify the British Museum's current or active policies/codes as related to ethics, sustainability/sustainable development and staff conduct, and where these are located on the museum's website. If these policies are not publicly available, I request that an explanation is provided for why this is the case and that both the most recent editions, and the preceding versions of these policies, are made available.

2) To confirm the dates of when these policies were last reviewed or revised and the process by which they were reviewed, including details of the relevant parties consulted.

3) It is my understanding that the British Museum has a committee that considers

ethical issues and reports to the museum's board. I request that you disclose details of

that committee, including:

a) The composition of that committee e.g. number of members, who sits on the committee (by job role/title), how members are recruited or selected for that committee (voluntarily, by election, by selection etc.)

b) Details of the committee's official/constitutional role within the museum. For example, is it advisory or can it make binding recommendations to the board? Are potential conflicts of interest assessed?

c) A description of the remit and scope of the committee and its relative powers for requesting information within the museum. Also, to indicate any lines of accountability or larger reporting structures that the committee fits within.

c) To disclose the dates and minutes of the committee's meetings which have taken place in 2015-16.

d) To disclose any correspondence the committee's secretary or chair has had with members of BP staff or with members of museum staff in relation to BP.

I am happy to receive the response to this request in a digital format.

These are the responses to your request

1. The Museum policy on Sustainable development and the Standards of conduct policy are available on the British Museum website at http://www.britishmuseum.org/about_us/management/museum_governance.aspx. The Museum does not have an ethics policy. There are no previous versions of these policies: this information is therefore not held. The Standards of Conduct policy replaced a former Ethics Policy which is no longer current and is therefore no longer publicly available. A copy of this policy is attached.

2. The Sustainable Development policy was reviewed and approved by the Trustees Standing Committee on 1 November 2007. The Standards of Conduct policy was reviewed and approved by the Trustees Standing Committee on 19 July 2012. The minutes and associated papers for each of these agenda items are attached.

3. The Museum does not have a committee that considers ethical issues. The Museum therefore holds no information in respect of parts (a), (b), (c), (c) [*sic.*] and (d) of part 3 of your request.

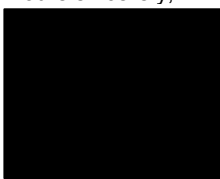
This concludes the response to your request. I hope this information is helpful. If you are dissatisfied with this response and you wish to make a complaint about how we handled your request, please contact me in the first instance. Your complaint will be handled under our internal complaints procedure and you will receive a response within 20 working days of receipt.

If you remain dissatisfied with the way your request has been handled following the outcome of our internal review, you have a further right of appeal to the Information Commissioner. To make such an application please contact

FOI/EIR Complaints Resolution
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Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

You can also contact the ICO Helpline on 0303 123 1113 or visit the Information Commissioner's Office website at <https://ico.org.uk/concerns/getting/>

Yours sincerely,



Legal Services

THE BRITISH MUSEUM ETHICS POLICY

1. Introduction

The policy sets the standards of conduct which the Museum expects from its "representatives", that is to say, its trustees, staff, authorised volunteers and advocates and those working within The British Museum Company Limited. It is supplemented by the Museum's Procedures on Fraud and Whistle-blowing.

2. Ethical Principles¹

2.1 The Museum's success depends on the trust and confidence of all those with whom the Museum and its subsidiaries come into contact. That trust and confidence depends on the Museum's reputation for acting ethically, with integrity and to the highest professional standards. Therefore the Museum expects its representatives to strive at all times to avoid acting in such a way as would, accidentally or otherwise, bring the Museum into disrepute.

2.2 In all actions, activities and relationships the Museum expects its representatives to act from the highest standards of integrity and professionalism.

2.3 The Museum expects its representatives to:

2.3.1 discharge its functions reasonably, according to and with respect for applicable domestic and international law, ethical standards and the provisions of any relevant trust or legal condition;

2.3.2 apply the ethical standards governing their particular professions;

2.3.3 act with honesty and integrity, and never knowingly mislead any person;

2.3.4 recognise and acknowledge the contributions of others to the work and support of the Museum; and

2.3.5 be impartial, i.e.: (i) ensure that they declare and make known personal interests and do not give or receive inducements which could be, or could be seen to be, corrupt, in conflict with the interests of the Museum or as devices intended merely to avoid a tax liability; (ii) adhere to the Seven Principles of Public Life; (iii) offer or provide services to any donor to the Museum on terms more no more beneficial than those on which services are made available to other donors; (iv) promote objectivity in research and public knowledge relating to the collection by working, where appropriate, with professional colleagues throughout the world regardless of their national, regional, local, ethnic, religious or political identity

2.4 In furtherance of these principles trustees and senior officers of the Museum shall make known to the Board or the Director (as the case may be):

2.4.1 any actual or potential conflict between their own and the Museum's interests that might arise or might be perceived to arise in the mind of an impartial observer; and

¹ This policy incorporates the *Seven Principles of Public Life* (Nolan Committee; March 1996); it also takes account of the Cabinet Office *Model Code of Conduct for staff of executive non-departmental public bodies* and the Museum Association's *Code of Ethics* (including the draft 4th edition dated 2001), *Code of Conduct for People who work in Museums* and *Code of Practice for Museum Governing Bodies*, as well as the *Code of Professional Ethics* issued by the International Council of Museums (ICOM). In the event of conflict this policy shall govern.

2.4.2 any actual or potential pecuniary interest they or a member of their close family may have in any fundraising or investment dealing entered into or proposed by or to the Museum.

2.5 The Museum maintains registers of interests, donations and benefits (whether received directly or through the British Museum Development Trust, the American Friends of the British Museum, the British Museum Friends or a Departmental Friends group).

2.6 The Code of Conduct for Staff sets out the detailed rules for the application of these principles in the specific circumstances of Museum employees.

This Policy was approved by the Trustees of the British Museum on [] and will be reviewed no later than 2011.

Nolan's Seven Principles of Public Life

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

*Standing Committee
1 November 2007
For Approval*

Item: 12

**THE BRITISH MUSEUM
POLICY ON SUSTAINABLE DEVELOPMENT**

Recommendation

That the Standing Committee approve the Policy on Sustainable Development.

Directorate
October 2007

THE BRITISH MUSEUM

POLICY ON SUSTAINABLE DEVELOPMENT

1 Introduction

- 1.1 The British Museum recognises that its activities impact on society and on the environment at local, regional and global levels through the energy and water used, the waste it produces, the travel and work patterns it encourages amongst its staff and the products it buys.
- 1.2 The British Museum is committed to sustainable development throughout all the aspects of its operation, and in promoting sustainability in its educational and research activities. It will encourage environmental and sustainable development best practice throughout the Museum community and will demonstrate its commitment to continual improvement and innovation in all aspects of environmental management and sustainable development. It will seek to achieve this by: the efficient and effective use of energy; through the elimination or reduction of any detrimental impact that its activities might have on the environment; and by the integration of sustainable development into its procurement activities.

2 Principles

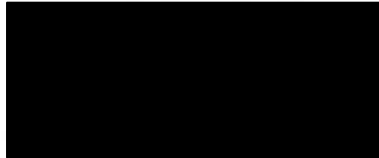
- 2.1 The British Museum will manage and control its environmental risks in a sustainable manner by complying with all relevant and applicable legislation and codes of practice, and will seek to operate within the Government's commitment to energy, sustainability and good environmental practice. The "framework for Sustainable Development on the Government Estate" sets out key objectives and criteria on which Sustainable Development activities should focus.
- 2.2 The British Museum will endeavour to incorporate sustainable development issues into future policy decision making at all levels.
- 2.3 The British Museum will support and encourage conservation of energy, water and natural resources, and reduction in waste, through re-use and recycling where possible.
- 2.4 The British Museum will ensure that the risk of any potential harmful effects through any of its actions are minimised wherever practicable, thereby aiming to reduce the impact on the environment.
- 2.5 The procurement of goods and services which have the least environmental impact in terms of their production, delivery / installation, use and disposal will be considered by The British Museum wherever practical and appropriate. Contractors and suppliers will be encouraged to develop environmentally preferable goods and services, and to be aware of sustainability issues.
- 2.6 The British Museum will undertake to Communicate its sustainable development policy to staff, and stakeholders. Educating and motivating its employees and contractors to understand the principles of sustainable development, to operate in an environmentally and socially responsible manner, and to conserve resources wherever practicable.
- 2.7 The British Museum undertakes to identify sustainable development priorities and to develop plans to address them.

Approved by:

Date of Adoption:

**The Trustees of the British Museum
The Standing Committee
10.30am, 1 November 2007
Hartwell Room**

Present:



The Director [REDACTED] the Deputy Director [REDACTED] the Head of
Planning and Programmes [REDACTED] and the Directorate Manager [REDACTED]
[REDACTED] were also present.

[...]

12. Policy on Sustainable Development

12.1 The Committee approved the Policy on Sustainable Development but noted that a more customised plan for the BM would be required in due course.

Standards of Conduct and Donations Policies

In response to comments from the Standing Committee, it is now proposed that the Ethics Policy is replaced with two separate policies:

- Standards of Conduct
- Donations

Standards of Conduct includes a reference to the 2010 policies on Money Laundering; the Prevention of Fraud, Bribery and Corruption; and Whistleblowing. An attachment includes the values expected of those in public life as outlined by the Nolan Committee.

The Donations Policy covers anonymous gifts and gifts-in-kind; and a paragraph on confidential information.

Trustees are invited to comment on and approve the policies.

THE BRITISH MUSEUM
STANDARDS OF CONDUCT - POLICY

1) Introduction

This policy sets the standards of conduct which the Museum expects from its "representatives", that is to say, its trustees, staff, authorised volunteers and advocates, and those working within The British Museum Company Limited.

It is supplemented by the Museum's Whistleblowing Policy; Fraud, Bribery and Corruption Prevention Policy; Anti-Money Laundering Policy; and related procedures and guidance notes.

2) Principles¹

2.1 The Museum's success depends on the trust and confidence of all those with whom the Museum and its subsidiaries come into contact. That trust and confidence depends on the Museum's reputation for acting ethically, with integrity, and to the highest professional standards. Therefore the Museum expects its representatives to strive at all times to avoid acting in such a way as would, accidentally or otherwise, bring the Museum into disrepute.

2.2 The Museum expects its representatives to:

- 2.2.1 discharge its functions reasonably according to and with respect for applicable domestic and international law, ethical standards and the provisions of any relevant trust or legal condition;
- 2.2.2 apply the ethical standards governing their particular professions;
- 2.2.3 act with honesty and integrity, and never knowingly mislead any person;
- 2.2.4 protect confidential information obtained in their roles as Museum representatives;
- 2.2.5 recognise and acknowledge the contributions of others to the work and support of the Museum; and
- 2.2.5 be impartial, i.e.:
 - i) ensure that they declare and make known personal interests and do not give or receive inducements which could be, or could be seen to be, corrupt or in conflict with the interests of the Museum;
 - (ii) adhere to the Seven Principles of Public Life²;

¹ This policy takes account of the Cabinet Office *Model Code of Conduct for staff of executive non departmental public bodies* and the Museum Association's *Code of Ethics, Code of Conduct for People who work in Museums* and *Code of Practice for Museum Governing Bodies*, as well as the *Code of Professional Ethics* issued by the International Council of Museums (ICOM). In the event of conflict this policy shall govern.

² *Seven Principles of Public Life* (Nolan Committee; March 1996);

(iii) offer or provide services to any donor to the Museum on terms no more beneficial than those on which services are made available to other donors;

(iv) promote objectivity in research and public knowledge relating to the collection by working, where appropriate, with professional colleagues throughout the world regardless of their national, regional, local, ethnic, religious or political identity

2.3 In furtherance of these principles trustees and senior officers of the Museum shall make known to the Board or the Director:

2.3.1 any actual or potential conflict between their own and the Museum's interests that might arise or might be perceived to arise in the mind of an impartial observer; and

2.3.2 any actual or potential pecuniary interest they or a member of their close family may have in any fundraising, investment or commercial dealings entered into or proposed by or to the Museum.

2.4 The Museum maintains registers of interests, donations and benefits (whether received directly or through the American Friends of the British Museum, the British Museum Friends, or a Departmental Friends group).

2.5 The Code of Conduct for Staff sets out the detailed rules for the application of these principles in the specific circumstances of Museum employees.

*This Policy was approved by the Trustees of the British Museum on
later than 2016.*

and will be reviewed no

Standards of Conduct Policy: Attachment

Nolan's Seven Principles of Public Life

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

THE BRITISH MUSEUM

DONATIONS - POLICY

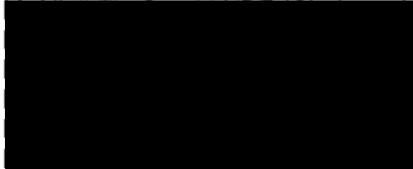
- 1.0 This policy sets out the Museum's approach to the acceptance of donations and gifts-in-kind.
- 2.0 It is supplemented by the Museum's Whistleblowing Policy; Fraud, Bribery and Corruption Prevention Policy; Anti-Money Laundering Policy; and related procedures and guidance notes.
- 3.0 Acceptance of Donations: In addition to the Anti-Money Laundering Policy:
 - 3.1 the Museum will not accept anonymous gifts (other than through the Museum's donation boxes) on behalf of a donor who is not prepared to be identified to the Museum. This will also apply to gifts in kind;
 - 3.2 the Museum will not accept donations or gifts in kind which it judges to:
 - (i) be offered by someone who has acted, or is believed to have acted, illegally in the acquisition of funds (for example when funds are tainted through being the proceeds of criminal conduct);
 - (ii) create an unacceptable conflict of interest or expectation of reward; or
 - (iii) be capable of adversely affecting the Museum's reputation; and
 - 3.3 the Museum reserves the right to redirect or return donations subsequently found to have been accepted in breach of this Policy.
- 4.0 Any exception to any of the principles set out in paragraph 3 must be approved by the Chairman and the Director.

*This Policy was approved by the Trustees of the British Museum on
later than 2016.*

and will be reviewed no

The Trustees of the British Museum
Minutes of the Standing Committee
Thursday 19 July 2012

Present:



In attendance:



8. Standards of Conduct and Donations Policies

- 8.1 The Committee discussed the Standards of Conduct policy and approved it, subject to the inclusion of a preface which would be approved by the Chairman and the Deputy Chairs. The Committee recommended that the policy should be reviewed every two years and should be read by every employee.

Action: 

- 8.2 The Committee approved the Donations Policy, subject to the approval of lawyers to a proposed amendment to section 3.

Action: 

**The Trustees of the British Museum
Minutes of the Standing Committee
Thursday 6 September 2012**

Present:



- 3.3.4 Item 8.1, Standards of Conduct Policy: the Committee decided that the proposed preface would be more appropriate to the Donations Policy and that the Standards of Conduct Policy as submitted to the Committee on 19 July should stand.
- 3.3.5 Item 8.2, Donations Policy: [REDACTED] reported that there were no legal implications arising from the amendment proposed at the July meeting. The Committee approved the policy, subject to the inclusion of the agreed preface.

The following Ethics Policy and Code of Conduct for Staff had remained available on the British Museum's website until earlier this year.

British Museum

Ethics Policy and Code of Conduct for Staff

1 Introduction

1.1 Objective: The objectives of this document are to provide a clear and concise set of statements of ethical policy, and to set the standards of conduct which the Museum expects from its staff and others, namely:

- All Museum staff including those working within British Museum Company Limited and British Museum Great Court Limited.
- The Board of Trustees
- Volunteers working in the Museum.

1.2 This document is made available to the Museum's stakeholders and public in order that they may be informed of the ethical standards it sets for itself.

1.3 Background: This document is informed by the *Seven Principles of Public Life* enunciated by the Nolan Committee in March 1996 (see below) which bind the Trustees and all staff within the Museum. It also takes account of the Cabinet Office *Model Code of Conduct for staff of executive non-departmental public bodies* and the Museums Association's *Code of Ethics, Code of Conduct for People who work in Museums* and *Code of Practice for Museum Governing Bodies*, as well as the *Code of Professional Ethics* issued by the International Council of Museums (ICOM). In the event of conflict this document shall govern.

1.4 This Policy informs and is supplemented by the Museum's Procedures on Fraud and 'Whistle Blowing'.

2. Ethical Principles

2.1 Maintaining the trust and confidence of all those with whom the British Museum and its subsidiaries come into contact is critical to the Museum's success. That trust and confidence depends on the Museum's reputation for acting ethically, with integrity and to the highest professional standards. Therefore the Museum, its Trustees and its members of staff shall strive at all times to avoid acting in such a way as would, accidentally or otherwise, bring the Museum into disrepute.

2.2 In all actions, activities and relationships the Museum its subsidiaries, its Board of Trustees and the members of its staff will act with the highest standards of integrity and objectivity. Specifically they will:

- a discharge the public functions of the Museum reasonably and according to the law, respect then current international law and treaties, then current laws and regulations of any country in which the Museum is operating and the provisions of any trust or legal condition relating to the collections or operation of the Museum;
 - b recognise the ethical standards governing particular professions;
 - c act with honesty and integrity, and never knowingly mislead any person;
 - d give due recognition to those who have contributed to Museum undertakings;
 - e be impartial, ensuring that they declare and make known personal interests and do not give or receive any inducement which could, or could be seen, to be corrupt or conflict with the interests of the Museum;
 - f hold the collections, assets and information of the Museum in public trust and use them efficiently and effectively and only in the furtherance of the interests of the Museum; and
 - g be objective in presenting the collections to illuminate the culture and communities from which they come.
- 2.3 Although these ethical principles govern all actions by or on behalf of the Museum, the Code of Conduct for Staff sets out the detailed rules for the application of these principles in specific circumstances.

3. Code of Conduct for Staff

- 3.1 The Museum does not proscribe limits to or interfere in the way staff chose to enjoy their private time. However staff must be aware that, in the eyes of the public, any Museum-related activity in which they are involved cannot be wholly divorced from their association with the Museum, and therefore may reflect on the Museum or be attributed to it. In any situation in which they are or may appear to others to be acting on behalf of the Museum, staff shall take care to ensure not only that personal motivations and interests do not conflict with those of the Museum, but also that they do not appear to do so to the perception of an outside observer. Staff, and others in a close relationship with them, shall therefore uphold the Museum's Ethical Principles in all situations where they might reasonably be regarded as representing the Museum. *[Informative: These principles should be applied even after staff have left the employment of the Museum for so long as their names and reputation may in the public perception reasonably be associated with the good name and reputation of the Museum].*
- 3.2 In carrying out their duties staff are required to adhere to the following rules at all times:

- 3.2.1 Staff shall consult the Head of Legal Services (or the Director of Human Resources in the case of employment issues) if they are in any doubt as to the legality or propriety of any course of action. Staff who travel abroad (for fieldwork or otherwise) or who export materials shall ensure that they understand and respect any relevant local laws and obligations which govern their activities.
- 3.2.2 Staff shall not arrange or procure the acquisition by the Museum of objects in contravention of the Museum's Acquisitions Policy, nor shall they arrange or procure the display of loaned objects where there are reasonable grounds to believe that the objects would not have been acquired by the Museum had they been freely offered to it. Where staff have reason to believe or suspect that an object has been illegally or illicitly acquired, transferred, imported or exported they shall immediately inform their Keeper or Director who will arrange for the Museum to inform the appropriate authorities. Except when co-operating with those authorities, staff shall not give any identification or authentication of that object to a third party.
- 3.2.3 Staff shall ensure that any information provided to donors or foreign governments is, to the best of their knowledge, accurate and relevant. Requests for information from the public shall be answered courteously and promptly within the constraints of time and resources available.
- 3.2.4 Staff are encouraged to share their professional knowledge and expertise with both professional colleagues and the general public. However:
- a written certificates of authenticity or valuation (appraisals) shall not be given;
 - b opinions on the monetary value of objects may only be given to, and on official request from, other museums, the HM Revenue & Customs or other competent government departments and recognised public bodies or charities;
- 3.2.5 In any situation in which they are or may appear to others to be acting on behalf of the Museum, the relationships and communications between staff and third parties shall always be courteous, both in public and in private. Differences of opinion shall not be expressed in a personalised fashion and no member of staff shall engage in any correspondence with any third party in any official format which is or may be associated with the Museum unless directly related to the Museum's purposes and objectives.
- 3.2.6 The processes for the selection of suppliers and contractors shall be competitive, fair, objective and open so that potential suppliers can be confident that their bids will be held confidential and the business will be awarded solely on the grounds of merit.

- 3.2.7 Staff shall not undertake other paid or unpaid employment outside the Museum or accept outside appointments which compromise the proper discharge of their duties and responsibilities to the Museum.
- 3.2.8 Notwithstanding paragraph 3.2.7, any member of staff who by virtue of his or her employment at the Museum or Museum employment-related knowledge, experience or contacts receives a request to: (i) participate in an external body; (ii) provide an advisory or consultancy service, (iii) teach, write or broadcast; or (iv) value or authenticate any object in a personal capacity shall not accept any such request without first obtaining the consent of the Museum which shall normally be granted where the activity enhances the reputation of the Museum and does not and would not appear to a reasonable disinterested third party to create a conflict of interest.
- 3.2.9 Staff shall not participate in dealing (buying or acquiring with the intent of selling their own or another organisation's for profit) in objects similar or related to the objects collected by the Museum.
- 3.2.10 Staff may buy objects with the intent of long term personal ownership, but must always put the interests of the Museum before their own. If the object they wish to acquire is one that in their professional judgement might properly form part of the Museum's collection (whether of their own department or another department), they should first offer it for acquisition to that department, or, if this is impossible at the time of purchase, offer it at the price they paid at the first available opportunity. Similarly, staff wishing to dispose of any object in their possession that in their professional view might properly form part of the Museum's collection (whether of their own department or another department), should first offer it for purchase by that department at a price to be determined by an independent third party. Staff intending to buy objects or build collections for future gift or bequest to the Museum should put their intention in writing to the Director and gain written approval.
- 3.2.11 Staff owe their primary professional and academic allegiance to the Museum. The intellectual property in all information which is not in the public domain, and which is connected with work within the Museum, is acquired on official duties or relates to the subjects covered by the work of the Museum, belongs in law to the Museum and should primarily be applied in furtherance of its interests. If staff wish to use the Museum's intellectual property for purposes which are not primarily in the furtherance of the Museum's interest then they must first obtain written permission from the Museum to do so.
- 3.2.12 Staff owe a duty of confidentiality to the Museum, and shall protect from disclosure to third parties information which is designated as confidential.

Staff must also protect confidential information relating to the source of material owned by or loaned to the Museum, as well as information concerning the security arrangements of the Museum, or the security arrangement of private collections or any place visited in the course of official duties. The disclosure of information which is confidential to the Museum must be authorised and given only in compliance with the Museum's Information Management procedures

3.2.13 When negotiating to raise funds staff shall exercise the utmost care not to enter into any obligation with donors which would be seen to be partial to the interests of the donor but in conflict with any Museum policy, priority or objective or otherwise affect adversely the wider interests of the Museum. In return for sponsorship or donations in kind staff shall never undertake to award contracts to donors or any entity in which any donor has a significant interest.

4. Responsibilities

- 4.1 Staff shall at all times be familiar with, understand and act in accordance with this Ethic Policy and Code of Conduct and all the approved policies and procedures of the Museum. Particular attention is drawn to the Procedures on Fraud and "Whistle Blowing". It is the responsibility of staff to inform management if they feel that they are under pressure to act illegally, unethically or improperly whether contrary to the Ethics Policy, the Procedure on Fraud or otherwise. If they do not feel they can discuss the matter with their management they shall raise the matter with the Head of Legal Services or the Head of Human Resources whether under the "Whistle Blowing" procedure or informally.
- 4.2 Directors, Keepers and Heads of Departments shall ensure that the Ethics Policy and Code of Conduct are communicated to and implemented by all members of their staff. The implications of each shall be openly discussed.
- 4.3 The Director, Keepers and Heads of Department shall determine whether to approve the activities of their staff where the Ethics Policy and Code of Conduct so require. They in turn must seek the approval of the Director as appropriate for their own proposed activities.
- 4.4 The Finance Director shall provide advice on the resolution of issues arising and adjudicating whether the action taken is appropriate. The Director, Keepers and Heads of Departments are required to consult the Finance Director whenever a potential conflict of interest arises.

4.5 The Accounting Officer shall provide overall assurance to the Trustees and the DCMS that the Ethics Policy is understood, being implemented and that the assets under the Museum's control are being used with regularity and probity.

5. Assurance

5.1 Each year Keepers and Heads of Departments shall confirm formally to the Accounting Officer that they have made their staff and (insofar as may be relevant) any volunteers working within their departments aware of the Ethics Policy and Code of Conduct and report any issues arising which come to their attention.

5.2 Any breaches of this policy (including any disciplinary action taken) shall be reported to the Accounting Officer.

5.3 If any member of staff has reported a matter pursuant to paragraph 4.1 and believes that the response does not represent a reasonable response to the grounds of his or her concern he or she may report the matter in accordance with the "Whistle Blowing" procedure for further investigation or action.

**British Museum
Ethics Policy: Appendix:**

Nolan's Seven Principles of Public Life

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.