

ALLIANCE REFERENCE GUIDE

Developing an Institutional Code of Ethics

This reference guide aims to help museums develop an institutional code of ethics. A code of ethics is one of the five documents designated as core because they are fundamental for professional museum operations and embody core museum values and practices.

This guide explains what an institutional code of ethics is, why it is important, and what to consider when developing one. It reflects the standards of the field that all museums should adhere to and aligns with the requirements of the Alliance's [Core Documents Verification](#) and [Accreditation](#) programs.

What It Is

Codes of ethics establish a core set of principles and shared values for a museum, ensuring that the interests of the public will be prioritized and that decisions will be made systematically rather than based on individual judgement. A code of ethics is a single document, not a compilation or list of references to other documents, and is approved by the museum's governing authority.

An institutional code of ethics, sometimes called a code of conduct, describes a series of values that demonstrate the museum's commitment to public accountability and ethical practices. It explains how these values influence the museum's policies and the behaviors and choices of staff, governing authority, and volunteers. The document addresses collections-related ethics and personal and professional conduct, and it references the museum's adherence to applicable laws.

Why It Is Important

Operating in an ethical manner is a fundamental part of being a museum. Having a formalized code of ethics demonstrates to the public a commitment to accountability, transparency in

operations, and informed and consistent decision-making. It positions the museum as reputable and trustworthy, which can strengthen relationships with stakeholders and the community.

Ethics are well-founded principles that help people make choices about what they ought to do. Ethical practices are based on rights, obligations, benefits to society, fairness, or other values. Acting ethically means adopting behaviors that, if universally accepted, would lead to the best possible outcomes for the largest possible number of people. Therefore, ethical standards encourage people to act beneficially and for the common good.

A museum's code of ethics is founded on public accountability, public trust, and public service. For museums and their staff, operating and acting ethically means making decisions with these fundamentals at the forefront and ensuring that no individual associated with the museum personally benefits (especially financially) as a result. It is important for museums to not only have a code of ethics but to foster a culture of ethical practice and behavior.

Acting ethically is different from acting lawfully. Laws usually reflect ethical standards that most citizens accept. "But legal standards," as noted in the Alliance's [Code of Ethics for Museums](#), "are a minimum. Museums and those responsible for them must do more than avoid legal liability; they must take affirmative steps to maintain their integrity so as to warrant public confidence. They must act not only legally but also ethically."

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Required Elements of an Institutional Code of Ethics

Each core document has a set of required elements associated with it that are based on the [Core Standards](#). When writing or revising their codes of ethics, museums should ensure that they align with those standards and contain the required elements listed below.

Required Elements of an Institutional Code of Ethics:

- » Aligns with the Alliance's Code of Ethics for Museums and any other code of ethics appropriate to the museum's governance structure and discipline
- » States that the general ethical principles apply to the governing authority, staff, and volunteers and addresses issues specific to each group
- » Addresses both the institution's basic ethical responsibilities as a public trust and the conduct of individuals associated with the institution
- » Is a single document tailored to, and developed specifically for, the museum (i.e., is not just a copy of the Alliance's Code of Ethics for Museums, a copy of a parent organization's code, or a list of references to other documents)
- » Bears date approved by the governing authority

Institutions with collections:

- » Follows policies consistent with the established standards of the museum's discipline
- » Addresses collections-related ethical issues
- » Includes a statement on the use of funds from deaccessioning, limiting use to new acquisitions and/or the direct care of collections (language must be identical to that in the Collections Management Policy)

Anatomy of an Institutional Code of Ethics

Institutional codes of ethics should be consistent with the Alliance's [Code of Ethics for Museums](#), which outlines ethical standards that can be applied to all museums. A museum's code should be tailored to its particular circumstances and should not simply replicate the Alliance's code. Instead, a museum should use it to facilitate discussions that explore how the museum legally, ethically, and effectively carries out its responsibilities and then codify that information in its own code. It should be applicable to governing authority, staff, and volunteers and be approved by the governing authority.

Some discipline-specific associations have issued ethics statements or guidelines applicable to their disciplines or members. Museums should develop codes that are consistent with any code of ethics issued by a national museum organization appropriate to the museum's discipline (e.g., Association of Art Museum Directors' [Professional Practices in Art Museums](#), the American Association for State and Local History's [Statement of Professional Standards and Ethics](#), etc.). Moreover, museums may also choose to adopt codes from relevant organizations (e.g., Association of Fundraising Professionals' [Code of Ethical Standards](#)).

There is no one, perfect template for any document. Each of the museum's documents should be influenced by its unique history, community, collections, and governance. Policies and plans should be interrelated in order to contribute to a cohesive vision and mission. Codes of ethics vary in organization and in format, but most touch upon the following issues, addressing them differently in light of the museum's specific circumstances.

Introduction

It can be helpful to open the code with background information on the museum: its mission statement, its vision and values statements (if it has them), a short organizational history, etc. The code may have a diverse audience, from the staff to the governing authority to community members, so incorporating this information ensures that everyone starts with a basic understanding of the institution.

Guiding Principles

Guiding principles are ideas that influence how and why decisions are made. They inform discussions, clarify plans, and provide context for the policies outlined in the code of ethics. The museum can identify its specific shared values and then shape its codes around these core principles.

Ethical Duties

Serving the public over the interests of the individual and the institution is paramount.

Museums may outline ethical duties and obligations to preserve and protect the public trust, such as duty of loyalty.

Explaining the purpose of the code, who it applies to, and how it is used will provide context for the ethical duties listed in the code. This opportunity can be used to reiterate commitment to the museum's mission, and to fulfilling it in an ethical manner.

Governance

This section explains the responsibilities of the governing authority in ensuring the museum's commitment to public accountability. The code should highlight ethical responsibilities that specifically apply to members of the governing authority. This includes the relationship between the governing authority and the director and what responsibilities fall under whose purview.

Conflict of Interest

Conflicts of interest are circumstances that pose a threat to the museum's ability to fulfill its mission in an ethical and accountable way. The code should address several scenarios when conflicts of interest may arise and provide a clear roadmap for acceptable and unacceptable practice that applies to governing authority, staff, and volunteers. The Alliance's *Code of Ethics for Museums* states, "Loyalty to the mission of the museum and to the public it serves is the essence of museum work, whether volunteer or paid. Where conflicts of interest arise—actual, potential, or perceived—the duty of loyalty must never be compromised. No individual may use his or her position in a museum for personal gain or to benefit

another at the expense of the museum, its mission, its reputation and the society it serves." The following issues are often addressed in conflict of interest statements: any affiliations with other institutions; expectations regarding disclosure; receiving gifts and favors; loans; outside employment or volunteering; personal collecting; political activity; purchase of museum property; referrals; and the use of museum's name, assets, or information. Ethical considerations such as personal conduct, collections, and conflict of interest may also exist in other policies (e.g., a personnel policy or a collections management policy). If so, the museum should reference them in the code and ensure that they use consistent language.

Collections

This is how the museum manages, maintains and conserves its collections. Codes of ethics include the purpose of collections, how they support the museum's mission and public trust responsibilities, and how collections-related activity promotes the public good rather than individual or institutional financial gain. It is important for museums to explore how the museum legally and ethically acquires, deaccessions, cares for, and preserves objects and explain that in the code. In particular, a museum must address the use of proceeds from disposal of deaccessioned objects, limiting use to new acquisitions and/or the direct care of collections. This language must be identical to that in the museum's Collections Management Policy.

Museums should also consider mentioning several other collections-related issues: reasonable access to collections records and collections; the acquisition, care, and treatment of cultural property; adherence to

relevant laws; truth in presentation (the honest and objective representation of objects); and appraisals.

Museum Management Practices

There are other practices related to museum operations that may be outlined in the code of ethics. These include fundraising; commercial activity, such as a museum store; personnel practices and equal opportunity; commitment to professionalism; and ownership of scholarly material, which designates who has ownership of the work developed or created by staff while carrying out museum-related responsibilities.

Compliance with Laws

It is important to protect the museum and its reputation and to ensure that the governing authority, staff, and volunteers do not violate any laws. Often the museum will make a general statement that acknowledges

adherence to all laws, then specifically cite laws (e.g. NAGPRA) that are particularly relevant to the institution.

Staff and Volunteers

If all relevant issues have not been addressed in other sections, the code may include sections specifically dealing with ethical issues that may face staff and volunteers.

Implementation

The code of ethics may contain a section addressing how the code will be implemented and reinforced. Often, any ramifications regarding breach of the code will be mentioned. Many museums also provide a form with their code of ethics that includes acknowledgement or affirmation of the code, documentation of personal collecting activity, or disclosure of conflicts of interest.

Process

To write an institutional code of ethics, a museum must honestly consider the issues it is likely to face and determine what ethical principles are needed to guide its operations and protect its integrity. A well-considered policy provides the governing authority, staff, and volunteers with clear guidance and procedures to follow and reference, allowing them to act with consistency and prevent misunderstandings.

Keep in mind that:

- » The process of creating and implementing a code of ethics is as important and beneficial to the museum as the code itself. The code may seem like the end result but, in actuality, the end result is a broad understanding of ethics and ethical behaviors which then influences how the museum operates.

“A code of ethics is a part of the process of creating and maintaining an ethical institution. However, it is only part of the equation. An ethical museum is one in which all participants acknowledge the core values and where those values are discussed in the context of a museum’s mission. A museum’s public responsibility revolves around the ethical correctness of museum activities, including both the care and use of collections. Ethical responsibility is evidenced by interaction inside and outside the organization and by the way in which a museum conducts its activities.”
Gary Edson (*Museum Ethics*, 1997)

- » There are many different ways to create a code. Every museum has its own set of challenges which require thoughtfulness in its policy-making. Museums should take time to explore their circumstances and articulate them accurately in their codes.
- » Policy-making should be integrated in order to be effective. Each of the museum's official documents should speak to one another consistently and comprehensively to support the museum's mission.

Here are steps in the development of a code of ethics:

- » *Create a team.* Since the code of ethics influences museum operations broadly, it is important for the museum to assemble a multi-functional advisory team to make sure the code is comprehensive.
- » *Establish values.* Most museums have values that support their mission. Those writing the code of ethics may use those values to inform it or, if relevant, consider whether or not those values need to be revised. If values do not exist, the team may want to develop them. Those affected by the code of ethics can provide feedback about what they consider to be the museum's values. Afterward, applicable core principles can be identified to influence how the code of ethics progresses. It may be prudent for museums to send the final set of values to key stakeholders and to the governing authority for approval before moving forward.
- » *Draft the code and get governance endorsement.* The anatomy of an institutional code of ethics listed above may help a museum consider what its policy should cover. It is important to determine who will be responsible for dealing with conflicts of interest when they arise (most often it is the board chair or an ethics committee) and explore how the code of ethics will be enforced. After considering issues that face the museum, draft an outline of the proposed code and circulate it to relevant parties for review and comment. It may also be prudent to have it reviewed by legal counsel.
- » *Finalize and get governing authority approval.* Once feedback has been received, it should be incorporated into the code. It should then be finalized and submitted to the governing authority for approval.
- » *Revise other documents.* Since the code of ethics affects how museums operate and make decisions, other policies may need to be updated to reflect any changes in philosophy.
- » *Familiarize governing authority, staff, and volunteers with the code.* A code of ethics is only effective if ethical behavior is nurtured. Everyone associated with the museum should be encouraged to turn to the code for guidance on questions or concerns and educated on how to use it to act in the public's best interest. Leadership should cultivate ethical behavior so that staff and governing authority can make good decisions even when faced with situations or issues that the code does not directly address.
- » *Review frequently and revise as necessary.* A code of ethics is a living document; it should be reviewed at regular intervals and revised as necessary.

Where to Find Out More

- » [National Standards and Best Practices for U.S. Museums](#), edited by Elizabeth E. Merritt (AAM Press, 2008)

This guide is an essential reference work for the museum community, presenting the ideals that should be upheld by every museum striving to maintain excellence in its operations. It includes a full outline of the standards, including the overarching Characteristics of Excellence for U.S. Museums, the seven areas of performance they address and commentary. This publication is available as a [free PDF to all museum members](#).

- » [Sample Documents](#)

AAM's online sample document collection is a unique and valuable resource for Tier 3 member museums. The collection contains more than 1,000 samples of policies, plans and forms from museums of all types and sizes, most of which were written by accredited museums. Tier 3 museum members can use sample documents in order to stimulate a conversation about issues and challenges facing the museum and to explore how different museums approach different issues. Using the sample documents should not replace the process of joining staff, governing authority and stakeholders in fruitful and thoughtful planning and policy-making.

- » [A Practical Guide to Museum Ethics](#) by Sally Yerkovich (Rowman & Littlefield, 2016)

Grounded in a series of case studies, this book confronts the types of ethical dilemmas museums face and explores attempts to resolve them.

- » [Institute of Museum Ethics](#)

The Institute of Museum Ethics explores critical ethical issues facing museums and supplies museums with resources to help them make informed decisions about ethical matters.

Core Standards

Having a strong collections management policy helps museums adhere to standards for collections stewardship. Those standards and the other [Core Standards for museums](#) are available on the [Alliance's website](#).