



THE UNIVERSITY *of* EDINBURGH

University of Edinburgh  
Collections

A Guide to  
Commissioning

art

# 01

## **Commissioning Art**

**The University of Edinburgh has a reputation for world-class research and high quality teaching; it is a place for experimentation, innovation and risk taking, our activities challenge assumptions, inspire and make impact locally and globally. Our vision and ambition for art at the University is no different.**

Since 1582, the University has engaged with art and artists to add to the physical environment, enhance student experience, and shape intellectual landscapes.

In 400 years of collecting art, the University art collection has acquired over 8,000 works in a range of materials, spanning pre-First Century to the present day. The approach to collecting has been responsive to innovations in artistic practice, whilst being mindful of changing communities and developments in ethical and collections management standards.

From portraits in Enlightenment times, to contemporary site-specific sculptural responses to campus, the art collection has consistently commissioned work from living artists. This art has enabled us to showcase our values and identity, reflect our diverse communities and city, champion artists important to our time, and grow our unique Edinburgh offer.

Crucially, this commissioning and acquisition activity benefits a wider arts ecology and industry through the payment and support of individuals who often operate under precarious economic and employment conditions. Commissioning promotes sustainable growth, influences cultural activity and creates much needed economic benefit.

As the University looks to the future, we acknowledge the need to galvanise our leadership position in the national and international arts sectors, and to meet our strategic aim to be a key cultural contributor.

To achieve this we will:

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- 01** Adopt a per-cent for art scheme, in line with other leading global HEI's.

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  - 02** Commission and employ art to contribute to the development of a world-class estate and benefit our community.

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  - 03** Support and influence industry best practice and policy, e.g. through a Paying Artists Guidance, Code of Conduct, Equality, Diversity and Inclusivity activity and through the highest levels of collection care.

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  - 04** Embed commissioning activity to enrich our research, learning and teaching.

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  - 05** Acquire and commission ambitious art that celebrates critical thinking, pushes boundaries, and imagines creative futures.

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# 02

## Document Scope

**This document communicates the procedures and ethos for commissioning art at the University of Edinburgh. It is written with the understanding that commissioning art doesn't always follow a predictable pattern, and that outcomes are not always certain, but the process is exciting, inspiring and worthwhile.**

Commissioning is a practice that involves the engaging of an artist in the production of a new work of art. Historically this included paying artists to create statues, religious iconography or portraits of family members, but in the present day it covers an ever expanding range of materials, processes and possibilities.

The University of Edinburgh embraces a broad definition of 'art'. This includes, but is not limited to, painting, sculpture, installations, performing arts and works in the digital realm.

Artworks that are conceptual or time based might involve aspects such as the commissioning of an artist's time or instructions for an action, as opposed to the creation of a physical object.

### Policy

These guidelines refer and align to University of Edinburgh policy, including but not limited to the following:

- University of Edinburgh Strategic Vision (2030)
- Social Responsibility and Sustainability Strategy (2010-2020)
- Equality and Diversity Strategy (ongoing)
- Estates Strategy (2020)
- University of Edinburgh Collections Management Policy (2020 – 2030)
- Community Engagement Strategy (ongoing)
- Community Benefits Policy
- University of Edinburgh Procurement rules

### Review

The guidelines will be reviewed no later than 2025 and at a minimum of every 5 years thereafter in accordance with the University Collection Management Policy review periods.

### Further guidance links

The University of Edinburgh Art Collection Paying Artists Guidance (contact Collections directly to view).

The University of Edinburgh decommissioning and disposals procedure (contact Collections directly to view.)

Procedures for the Due Diligence Review of Donations: [www.ed.ac.uk/files/atoms/files/procedures\\_for\\_the\\_due\\_diligence\\_review\\_of\\_donations.pdf](http://www.ed.ac.uk/files/atoms/files/procedures_for_the_due_diligence_review_of_donations.pdf)

# 03

## How?

**Commissions can follow three main processes for selecting an artist:**

### 01 Limited competition

A detailed commission brief is drawn up. A carefully researched longlist of artists is put together by expert nominators on the basis of the brief. The selection panel shortlists 3 – 6 artists following agreed criteria. These artists are invited to participate and submit a proposal.

It is important to allow enough time for artists to negotiate the brief, visit site, view any reference material and develop ideas. Shortlisted artists are paid a fee for completing the submission process (please see Paying Artists Guidance). A successful proposal is chosen by a selection panel convened by the Art Collection team.

**Benefits:** This takes shorter amount of time than Open Competition and thoughtful appropriate longlist ensures good shortlist.

**Considerations:** Artists shortlisted and invited may not always be available.

**Note:** This route is the recommended option from the Art Collections team.

## 02 Open competition

A detailed commission brief is drawn up and distributed publically<sup>1</sup>. Any eligible artists, producers or creative group can submit a proposal for consideration. It is important to allow enough time for artists to negotiate the brief, visit site, view any reference material, and develop ideas. A successful proposal is chosen by a selection panel convened by the Art Collection team. It is recommended that any open competition follow a two-stage model whereby anyone can submit an in-process proposal for stage one, and a shortlist of artists are chosen to develop and hone their proposals in stage two. Shortlisted artists are paid a fee for completing the stage two submission process (please see Paying Artists Guidance).

**Benefits:** Wider pool of artists can be engaged, giving emerging or lesser-known artists the chance to be considered.

**Considerations:** the brief needs to be marketed and promoted widely and efficiently. It takes more time to deliver the commission. Budgets for paying artists who are submitting to competition can be difficult to secure. It is not guaranteed that the ‘best fit’ will be obtained.

<sup>1</sup> *Example organisations who could support distribution include Creative Scotland, Scottish Contemporary Art Network (SCAN) Arts Council England, British Council, Artist-Led membership networks (e.g. Embassy Gallery, Generator Projects and Transmission Gallery), Art Fund, A-N (Artist’s newsletter), and Scottish Artist Union.*

## 03 Direct invitation

Following advice and research from the Art Collection and external experts, the University may directly appoint an artist to a commission. In this case, the artist’s practice and work will be exclusively appropriate to the aims and objectives of the commission.

**Benefits:** Time taken to choose the artist can be shorter.

**Considerations:** There is no opportunity to see a range of possibilities from a variety of artists.

# 04

## What?

All commissions need:

**Artists Brief:** A clear, researched brief that is open enough to allow artists to respond creatively. Outlined within this is the vision, art form (when appropriate), context, budget and timescales for the commission. The Art Collection team will provide brief templates for reference and use.

**Selection panel:** The scale of the panel should be responsive to the nature of the project, and the procurement process undertaken, but all commissions should be approached as a collaborative endeavour.

Selection panels, regardless of size, should contain:

- Appropriate representation of the artistic form that is being commissioned e.g. if you are commissioning a piece of theatre, there should be theatre experts on the panel.
- A majority of arts expertise as well as representation from the University Art Collection team. Consideration should be given to working with a range of individuals to ensure a breadth of knowledge and viewpoints are achieved. Payment for external panel members should be built into budget planning.
- Estates, technical/practical representation, especially for artworks embedded into buildings, or within capital developments.

**Curator or commission producer:** Expert advice and planning support is essential for the success of the commission. The curator/producer can fulfil the role of project manager. This individual could be internal or external to the University.

**Note:** If appropriate commissions could involve learning opportunities for students across all disciplines (talks, studio visits, engagement activities, internships etc.) The artist's obligations in these activities should be agreed within the commissioning contract.

# 05

## When?

**Time:** A commission can normally take anything from 12 months to 3 years to initiate, develop and deliver. The Art Collection have schedules for each type of commissioning format and can provide advice.

**Golden rule:** the more time allowed for a commission, the better! This is especially the case for work commissioned as part of capital development or estates redevelopment and for permanent work installed on campus.

## How much?

It is important to remember that budget breakdowns should involve the following:

- Selection panel fees
- Access costs
- Artist fees (see Paying Artists Guidance)
- Other professional fees – e.g. engineer consultancy
- Hospitality – subsistence, launch event etc.
- Material, equipment and production costs
- Transport and installation costs
- Administration
- Documentation and publicity
- Maintenance
- Insurance
- Security (if necessary)
- Contingencies
- VAT



The Art Collection team can advise on financial breakdown for commissions. All commissions should be undertaken with care and consideration to be economically effective and ethical.

Who has overall budget management responsibility, whether the Art Collections team or direct commissioner, should be agreed in advance of the project starting

**Note:** Currently funds for commissioning do not sit with the Art Collections team. Funding sources can include College and School budgets, philanthropic donations (arranged through Development & Alumni to ensure ethical best practice), and external funding bodies.



# 06

## What else?

### **Procurement requirements**

As Public Procurement Regulations state, a contract award may be made following a transparent negotiated procedure without prior publication (i.e. tendering) when the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance. However, in instances where the award is £50k and above Procurement requires the University of Edinburgh to make a Public Contract Award Notice (i.e. publishing notice of the award on the Public Contracts Scotland Portal). You need to complete a non-competitive action justification to do this after you have selected your artist. The Procurement Category Head (IS) will provide the template letter for this. For Awards under £50k (up to £49,999) a local record of the evaluation, the competition and the award should be held locally for any audit requests.

### **Legal agreement or contract**

This should cover the timeframe for the project, a clear payment schedule, and an outline of expectations related to copyright, crediting, communications etc. The University Legal Services and Art Collection have developed a template agreement for use in commissioning. This is the University's preferred template is available from Legal Services team. Any changes to the template should be agreed with legal services.

### **Maintenance guide**

The University is responsible for the care of accessioned works for their lifespan. Legacy and maintenance of art should be considered and costed for at time of commissioning; not only to mitigate against unnecessary issues, but also to ensure a clear plan is in place and information has been shared.

A maintenance guide is required of all commissions, and the Art Collection team can provide an outline of requirements.

The agreement covers: cleaning and conservation requirements and costs, material specifications (where relevant) and information of supplier or manufacturer (where relevant). Where relevant, consultation with Estates operations and Sustainability teams should also be undertaken in advance of an agreement or plan being drawn up.

### **Location**

It is important to be aware that physical, historical or social contexts can be important factors in the concept or placement of an artwork. As such, consideration needs to be given to the placement and location of work when commissioned

A clearly recorded outline of the artist's understanding of the role of context and attitude to siting and re-siting needs to be established with the artist prior to installation.

## **Lifespan**

The lifespan of the work needs to be carefully considered at the time of conception. It is perfectly acceptable to commission an artwork for a fixed period. However, in this case a decommissioning agreement needs to be established with the artist prior to installation. The agreement should outline how long the artwork is expected to stay on campus before a review is undertaken or the work is removed. See also disposals procedure.

## **Ethics**

It is the responsibility of the commissioner, selection panel and Art Collections to reflect upon the ethics and potential impacts of the artwork being produced. At all stages risk assessments and consultations should be undertaken with historical, social, and political contexts in mind. Dialogue should be open and transparent, include all stakeholders, and give particular consideration to underrepresented voices or interests.

The ethics and sustainability of the materials selected for the artwork, as well as any long-term environmental impacts, should be considered prior to fabrication or installation. An EqIA should be completed where relevant.

An artist should not be engaged to commission work on multiple occasions and it is the role of the commissioner to avoid duplication or the favouring of an individual or group. This is to ensure a variety in the appearance, form and style of work, and to crucially enable a wider, diverse pool of artists to be supported by University funding.

## **Record retention and information management**

You must ensure that all aspects of the commissioning process are documented from selection to funding and correspondence. This is imperative for collection management, procurement and FOI purposes. Information needs to be gathered in writing and shared with the University Art Collection and collection management staff.

**Note:** Offers of art through donations, gifts and bequests must be assessed and approved by the Art Collection team and sit in line with the overall strategy and ambition of the Art Collection. Works will be assessed on their artistic merit, site suitability, appropriateness to the University context and implications regarding cost and materials now and in the future.



# 07

## Propositions

### 1. Consider the context

University of Edinburgh is an evolving and growing series of sites and diverse communities and we recognise the value of artists and art to help us navigate and create structures and spaces.

Artworks should be shaped by, and consider, the intellectual landscape, people, site, and situation.

*Why create something expected?*

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## 2. Take the time

University of Edinburgh recognises that innovative ideas take time to foster, and that creating artwork requires the building of knowledge and relationships.

Give consideration to the journey as well as the outcome.

*Be thoughtful. Allow for thinking.  
Have conversations.*

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## 3. Explore the experimental

University of Edinburgh embraces ambitious commissions that takes many forms, moving beyond an emphasis on work made in traditional materials or as architectural decoration, to exploring different types, styles and timespans for art.

Impactful works of art may not always conform to preconceived ideas of material, form, permanence, scale or location.

*Think not only bronze, stone or portraiture,  
consider poetry, video or dance.*

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## 4. Share the load

University of Edinburgh acknowledges that working with art and artists requires specialist support. Professional expertise offers valuable insights and brings quality and integrity to commissions.

Seek advice on ‘the who, how, when, what and where’ before you begin.

*Build a team. Why do it alone?*

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## 5. Think ahead

University of Edinburgh is committed to caring and protecting its art, but acknowledges that change is inevitable.

Take seriously the care and legacy connected to an artwork’s premise, material and location.

*An artwork is not just for festivities...*

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# 08

## Roles and Responsibilities

<b>Person / area</b>	Contributions and benefits to commission.
<b>Commissioner</b>	Creates brief in coordination with site community/ reps and curator/ commission co-ordinator. Secures financial resource.
<b>Site community/ audience</b>	Body of people e.g. department, building users that will engage with commission. Bring understanding of place, needs and existing opportunities (e.g. research initiatives, site histories).
<b>Artist/ creative practitioner</b>	Makes and displays work in response to brief, engages audience.
<b>Curator / commission co-ordinator</b>	Performs as an expert on commissioning process. Offers skilled guidance in selecting artist, finalising brief and liaising between commissioner and artist. Also responsible for information management around commission.
<b>Collections representative</b>	Offers insight into collections, long-term care and information management. Depending on the commission, the collections representative may also act as curator/ commission co-ordinator.
<b>Estates representative</b>	Performs as an expert on place and provides information on master planning, shares architectural and engineering contacts. Depending on the project the rep could be estate development manager, project manager, facilities manager etc.
<b>Legal</b>	Provides legal expertise on commissioning contracts. University has an existing template that can be amended depending on circumstances.
<b>Procurement</b>	Provide assistance on legal requirement to publish notice of the award on the Public Contracts Scotland Portal.
<b>Communications and Marketing</b>	Coordinates, in conversation with artist and curator, all communication internally and externally in promotion of commission.

# 09

## Get in touch

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