The large number of donations to the Hendrik Conscience Heritage Library in Antwerp, and the inevitable expenditure of time involved in dealing with them, gave rise to the author’s research into this form of acquisition, and in turn to publication of a guide outlining the most efficient way of handling them. The article outlines and explains the steps which should be taken to manage donations, bequests and transfers from other libraries, from basic advice such as including a section on donations in the library’s collection development policy, to the importance of efficient record-keeping in order to avoid disputes.

Introduction

Since 2003, I have had the good fortune to be able to work in one of Flanders’ most beautiful heritage libraries: the Hendrik Conscience Heritage Library, known until recently as the Antwerp City Library. Its history extends back to 1481, and over the last two hundred years a consistent collection policy has been conducted in the area of Flemish history and Dutch-language cultural life, with an emphasis on Dutch literature.

A great many of the books from the collection are the result of donations, bequests and transfers from other libraries. The figures recorded over the last few years by the Catalogue Department clearly show that these account for a large share of the acquisitions: for example, between 2001 and 2006 donations accounted for almost three quarters of the monographs. This fact was the reason for the research which I carried out in 2004.

My initial information search delivered almost exclusively American references. In order to be able to compare the results that emerged with the situation elsewhere in Flanders, telephone enquiries were also made to about 20 librarians.

My thesis was in its turn the starting point for a guide to dealing with donations to libraries. This publication is the second part of the
<table>
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Figures for the donations received by Antwerp City Library between 2001 and 2006 (expressed as the number of titles), showing how the numbers have risen.

The series Armarium: publicaties voor erfgoedbibliotheken. The series is one of the results of the Overlegplatform Erfgoedbibliotheken Vlaanderen (Flemish Heritage Library Consultation Platform), a project which was started in April 2005 on the initiative of An Renard, director of the Hendrik Conscience Heritage Library, and Pierre Delsaerdt of the University of Antwerp. As part of this project, work was carried out to establish the concept of a heritage library, an initial impetus was given for mutual collaboration between Flanders' collecting libraries, and a great deal of work was put into obtaining structural support from the Flemish Government. Libraries hardly ever identify themselves primarily as heritage libraries. The sector includes institutions with a wide variety of core tasks, but they are all responsible for housing 'special collections'. In the Anglo-Saxon world, this means libraries of rare books and manuscripts, or special collection libraries. The project has since ended, but in the Flemish Government's New Cultural Heritage Act space has been created for a structural collaboration under the title De Vlaamse Erfgoedbibliotheek (The Flemish Heritage Library).

The fact that a great many considerations come into play when dealing with donors was the direct motivation for writing the guide. The acceptance and processing of donations involves a legal component but equally an organisational and not least a communication aspect. In other words, the donation process is a complex one with many potential pitfalls along the way. The guide aims to stimulate some reflection on the whole process in order to make sure that the problems which can arise are effectively anticipated.

The basis: the collection policy

The publication Goed gegeven! Gids voor schenkingen aan bibliotheken deals with some of the problematic issues associated with donations to libraries. This gives a starting point for a broader study of collection policies. After all donations are a form of acquisition and, for that reason, are also part of the collection policy. It is essential to recognise this fact, because donations are actually only valuable if they contribute to the anticipated development of the collection.

The collection policy describes the library's intentions with regard to the development of its holdings. The existing and the desired collection level are determined for each discipline, as are the types of material which will and will not be included. In this way, the plan is a reference point which in turn constitutes the basis for sustained decision-making and continuity.

A donated book is still not a free book

Donations are very positive for a library. They frequently mean a welcome addition to the shrinking book budget, often include valuable out-of-print editions and can replace missing or
damaged works. Any duplicates may also have a value if they are used as exchange copies or are sold. Nevertheless, librarians are also familiar with the greatest disadvantages of donations, namely that they demand a great deal of time, effort and storage space. One has to contact the donor and clarify the library’s general donation policy, transport must be arranged, agreements made, the goods safely stored and sorted, the catalogue closely scrutinised for duplicates, comparisons made with the library’s own collection in order to replace damaged copies, sometimes the conservation department has to be called in, and so forth. Consequently, many more stages of activity are involved than with regular purchases. It is therefore surprising that, in practice, almost everything is accepted. The fear of negative public relations is most probably one of the reasons for this.

Another feature of donations is that they are often an additional burden on top of the regular work. This results in their processing being given low priority, the detrimental consequence of which is the emergence of hidden collections and backlogs.

Caution is advised!

In Flanders, donations are generally finalised by means of an oral agreement, a handshake and a letter of thanks. In general, this is sufficient, but the American literature warns that, since the 1980s, a climate of trust has been giving way to a climate of caution. This may at first sight seem somewhat exaggerated, but it cannot be denied that in addition to their cultural value, publications sometimes also have considerable financial value of which other possibly entitled parties are also aware. In order to avoid all subsequent dispute, it is advisable to observe a number of rules when accepting donations.

Almost every library has to deal with donors and donations. The frequency with which this happens differs considerably from case to case, and it seems that this is proportional to the size of the institution, although the degree to which a relevant policy is pursued certainly also plays a role.

Donations can assume various forms, from a couple of books to the takeover of an entire library, but also from financial support to the donation of property. Even volunteer work can be regarded as a form of donation. The size of the donation also varies, from a gift simply passed from hand to hand to a major bequest. Generally, only 25% of the books received as donations are included in the library collection. The most obvious reasons for this relatively small figure are that a part of the donation does not fit into the collection profile or that many of the donated books are duplicates of the library’s own collection.

Dealing with donors requires considerable diplomatic skill on the part of the member of library staff who is involved. The donation co-ordinator needs to develop a sixth sense for this: what are the donor’s wishes (sometimes unexpressed)? Do they just want to get rid of the books or is there a desire to establish a sort of monument for a much-loved deceased person? Bibliophiles sometimes want to be involved in determining what happens to their books. Is it possible to comply with these wishes or not? If the offer is not appropriate, how do you communicate this without offending the donor, or do you just accept everything and then accommodate it somewhere else afterwards?
Managing the donation process

How, in practice, does one keep donations under control and limit the negative aspects? The key to this is the professionalism with which the donation process is managed. The condition for such successful management is for the library to develop a plan of approach. This can be achieved by means of a multi-step system. The first thing that should be done is to include a section on donations in the library’s collection policy plan, since the donation policy is a part of it. This section can cover both internal and external aspects of handling donations.

The internal part is a manual for the staff and the external is aimed at the user.

![Diagram of Collection policy flowchart]

**Collection policy**

- **Donation policy**
  - Internal component
  - Template documents
  - External component
  - Brochure or web page

**Donation policy**

It is through this policy that the institution determines its position regarding donations. Generally, the section on donations in the policy document begins with the clause that as soon as the donation has been transferred to the library, the library may make free use of its ownership in line with its mission and collection policy. It is fundamental to state that the acceptance of a donation does not entail that everything will be included in the collection, as is the fact that the only donations which will be accepted are those which fit into the collection profile. If this is not going to be the case, it is better to refer the donor immediately to a more suitable host institution. In addition, the criteria which the library adopts in accepting and refusing donations must also be described. For example, the poor condition of the material can be given as an explicit reason for refusal.

It is mainly custodians of old works who find themselves approached from time to time with indirect enquiries concerning valuations. The position of the library regarding such matters can also be clarified.

In anticipating possible questions from donors, a stance can be adopted regarding which usage limitations can be accepted and which cannot. For example, it used to be agreed that the books from the donated collection had to be placed alongside one another. However, this is a condition which is no longer feasible today.

**Internal manual**

The internal component is a manual for the staff in which the procedures for attracting, registering and handling donations are described in detail. It can take the form of a plan in which the donation process is explained step by step. Of essential importance is the information concerning who is responsible for what. Who is the first point of contact? Who takes the ultimate decision regarding acceptance and is this dependent on the size or value of the offer? Who signs the letters of thanks?

In addition, one can also make a note of the questions which should be asked of the donor and the information which must be available as a minimum before taking a well-founded decision on whether to accept the donation or not. It is beneficial to set up a referral system in the event of unusable offers. How is the management of duplicates organised? What exchange agreements does the library have, and how and when does one organise a sale of surplus stock?

It is also advisable to formalise in advance the manner of thanking the donor so that this occurs in a consistent and uniform way. A standard letter of thanks is always best, although for major donations there may also be other options, such as a mention in the annual report or in the newsletter, a ceremonial reception or even an exhibition.

**User information**

In addition to the internal manual, an external equivalent can also be derived from the donation policy document. This should familiarise the potential donor with the donation procedure and the library’s collection profile, and can appear on the website or as a brochure. The information should contain a summary of the types of donation (books, periodicals, financial contributions, property) the library will accept. It must be clear for the potential donor that the library wants to make use of the donation at its own discretion, but also that the proceeds from a possible sale and the exchange of duplicates will go to the library. In the ideal scenario, the potential donor will be able to determine in advance whether their donation will be of any use to the library or not. In any case, they will be better able to anticipate a rejection and the
task for the donation co-ordinator then becomes somewhat less delicate. A short explanation of how, when and by whom the donation is evaluated, which forms are used and how a potential sale and exchange will be arranged, puts the donor’s mind at rest. Various inspiring examples of such web pages can be found.

Types of donation

There are of course different types of donation. One of the chapters in the guide deals with a situation that frequently occurs, the simple gift from hand to hand. Other sections deal with donations subject to private agreements, donations via solicitor’s deed, bequests and joint bequests and loans. Bequests are donations that follow the death of an individual. Loans are in many ways similar to the organisation of donations, the greatest difference being that a loan does not become the full property of the library and may only be a part of its collection for a limited period of time. These situations do not come within the scope of this article.

In Flanders, the most important difference between hand-to-hand gifts and donations by solicitor’s deed is in relation to donations of movable property. In the case of donations, the law prescribes that a deed must be drawn up in the presence of a solicitor and that gift tax must be charged on the value of the donated item. The hand-to-hand gift is an exception to this and can be made perfectly legally by physically handing over the item in question and in principle no taxes are paid. Such hand-to-hand donation naturally only concerns tangible movable property.

With hand-to-hand gifts, there is a distinction to be made between unconditional and conditional donations, i.e. simple gifts and those where the donor attaches certain conditions to the donation. Such conditions may vary considerably; for example, stipulating that a list must be drawn up or that the library may not loan the donation for exhibitions, etc. In such cases, it is a matter of a private agreement. This still constitutes a hand-to-hand gift on which no taxes have to be paid and which does not have to be registered by a solicitor.

The simple hand-to-hand gift

In the case of the commonly occurring simple hand-to-hand donation, it is not strictly necessary to draw up a written document. Nor, in principle, is its value limited. However, in order to protect both the donor and the recipient, it is advisable to stay within certain limits. Such limits are relative and depend on the total wealth of the donor. After all, as a donor one does not have complete freedom to give away what one wants. In Belgium, certain heirs – the reserved heirs – enjoy inheritance protection. The available portion of the legacy differs according to the category of protected heir and the number of heirs. Another fact which urges caution is the fact

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that upon the death of the donor, the taxman looks back retrospectively in order to calculate the fortune: a donation which was made ten years ago and which in the meantime has risen spectacularly in value will be assessed according to its current value.

Doubt can also easily be cast upon a hand-to-hand gift: 'it wasn't the intention to give it away, we didn't know its value'. The intention of generosity on the part of the donor is never deemed to be self-evident. That is to say that in the event of a dispute, the donee is required to provide the requisite evidence. The library must therefore make sure that it possesses such proof. This can be achieved very simply by means of an exchange of letters in which the donor confirms to the librarian in an ex-parte, signed letter that the item in question has been donated. The library can prepare for this by drawing up a template letter. On the other hand the library for its part acknowledges receipt of the gift via the standard letter of thanks. Thanks to this form of correspondence, the existence and date of the hand-to-hand donation can always be retrieved.

There is a further argument for this correspondence in Belgium. In principle, no gift tax is paid on hand-to-hand donations, but if the donor dies within three years of making the donation, inheritance tax must be paid. Documents dating the hand-to-hand gift may therefore be important from a fiscal point of view as proof that it took place more than three years before the death of the donor. Similar precautions are necessary in other countries.

Conclusion

There are numerous topics which there has not been space to cover here, but which are addressed in the guide, such as the relationship between donation and exchange, the process of dealing with unusable donations (or parts of them), the biblio-historical concern with the reconstruction of private collections, and so on.

One has the impression that the field of philanthropy is undergoing certain changes. In Belgium, beneficiary institutions are primarily in the area of social welfare, followed by development co-operation and culture. The Anglo-Saxon method of fundraising serves as an inspiration for the cultural sector in Flanders.

References


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