

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON
WEDNESDAY 19 SEPTEMBER 2019 AT TATE LIVERPOOL

Present:	Lionel Barber John Akomfrah John Booth Farooq Chaudhry, OBE Tim Davie Dame Jayne-Anne Gadhia, DBE Dame Moya Greene, DBE Katrin Henkel Anna Lowe Dame Seona Reid, DBE Roland Rudd James Timpson, OBE Jane Wilson	Chairman (by conference call)
Staff Attendees:	Dr Maria Balshaw, CBE Alex Farquharson Samuel Jones Helen Legg Frances Morris Stephen Wingfield	Director Director, Tate Britain Secretary to the Board of Trustees Director, Tate Liverpool Director, Tate Modern Director of Finance & Estates
Observer:	Prue Skene	

1. WELCOME AND APOLOGIES & DECLARATIONS OF INTEREST

- a. Apologies were received from Anne Barlow and Michael Lynton.

2. MINUTES OF THE MEETING HELD ON 3 JULY 2019 & MATTERS ARISING

- a. The minutes of the meeting held on 3 July 2019 were approved as a true record.
- b. The Chairman welcomed Farooq Chaudhry to his first meeting as a Trustee.
- c. He introduced Prue Skene, undertaking a Review of Non-Executive Governance and observing the meeting as part of that.

3. DIRECTOR'S DISCUSSION TOPICS

- a. Trustees discussed the recent incident at Tate Modern, expressing their shock at the nature of events. A full report on the incident will be presented to Audit Committee.
- b. Tate is in contact with the police liaison team and updates on the progress of the little boy and his family have been given through public announcement on the family's behalf.
- c. Trustees noted the role played by staff in managing the response to the event, thanking and commending those involved. *Information has been exempted under Section 36 of the Freedom of Information Act¹*

- d. Trustees were informed of inspections following the incident undertaken as part of due diligence. *Information has been exempted under Section 36 of the Freedom of Information Act¹ and Section 38 of the Freedom of Information Act² and Section 31 of the Freedom of Information Act³*
- e. *Information has been exempted under Section 36 of the Freedom of Information Act¹ and Section 38 of the Freedom of Information Act⁴ and Section 31 of the Freedom of Information Act⁵*
- f. Trustees were informed of strong exhibition performance over the summer. They noted that *William Blake* at Tate Britain had opened to strong reviews.
- g. Trustees were informed of preparation for the Year 3 project, noting safeguarding measures put in place.
- h. They were informed of ongoing work in respect of people and culture, with a report to Trustees scheduled for November. The staff tracker survey had revealed a positive response to the vision and direction of travel, with improvement in the number reporting that provisions in place meant that they had the tools to do their job.
- i. Trustees were updated on the recruitment of a Director of Collections, British Art to succeed Ann Gallagher. They noted that Judith Nesbitt will step down as the Director of National and International Partnerships in January and thanked her for her long service to Tate.
- j. Trustees were presented with information on Tate's global reach, noting the extent of international activity across all four Tates and the international touring programme. They noted the success and duration of individual exhibitions, an example being *Soul of a Nation*, which has toured for two years. They discussed the importance of international touring, noting the work undertaken to facilitate this. Partners are vital in realising exhibitions, a good example being *Keith Haring* in Liverpool.
- k. Trustees were informed of continuing work on the consultancy with the Pudong Museum of Art. *Information has been exempted under Section 43 (2) of the Freedom of Information Act⁶*
- l. Trustees were updated on Tate's work on sustainability. An audit to track the carbon footprint is underway. They noted the importance of international museums acting collectively to reduce the environmental impact of transport and loan conditions.
- m. The Chairman updated Trustees on concluding discussions with donors. *Information has been exempted under Section 43 (2) of the Freedom of Information Act⁶*
- n. Trustees were updated on discussions with the curatorial team at the National Gallery. They noted that the regular meeting between the Directors of the two galleries had been scheduled for October. The relations between the two institutions and the respective teams are good.

4. TATE LIVERPOOL

- a. The Director of Tate Liverpool updated Trustees on progress at the Gallery.
- b. The vision of the programme is to explore modern and contemporary art through the lens of the north. Forthcoming exhibitions include *Theaster Gates*, developed in

partnership with the Palais de Tokyo, which will reflect on social histories and craft practices. This will be Gates' first major exhibition in the UK and will be a moment at which to engage different communities. Other highlights include an edition of the Don McCullin exhibition. *Information has been exempted under Section 22 of the Freedom of Information Act*⁷

- c. Trustees noted the display of recent acquisitions. *Information has been exempted under Section 22 of the Freedom of Information Act*⁷
- d. Trustees discussed education work, noting Ideas Depot, a flagship project in cultural education displayed on the first-floor galleries and designed with primary school teachers, invited to select works that offer different approaches to curriculum subjects. This was designed to give teachers greater confidence in working with the displays: the outcome has been greater use of art in a range of lessons. *Information has been exempted under Section 43 (2) of the Freedom of Information Act*⁶
- e. Trustees were updated on Tate Exchange in Liverpool, noting the participation of 116 different groups. The range of issues covered includes HIV/Aids, refugees and asylum seekers, mental health and arts in the curriculum. They were appraised of the importance of Tate Exchange in partnerships with Higher Education.
- f. The Director of Tate Liverpool discussed the operations of the gallery and its business model. *Information has been exempted under Section 43 (2) of the Freedom of Information Act*⁶
- g. Trustees were informed of recent discussions with DCMS. *Information has been exempted under Section 43 (2) of the Freedom of Information Act*⁶
- h. The Chairman of Tate Liverpool advisory Council noted that support is given from London sites, but that there is a need to systematise this, particularly in development and learning.
- i. Trustees welcomed the commitment to place in the Vision for Tate Liverpool and discussed the potential to bring this out in the displays and their communication.
- j. Trustees congratulated the Director of Tate Liverpool on the work done thus far in her tenure and welcomed the direction of travel.

5. FINANCE REPORT

5.1 Report from Finance & Operations and Audit Committee meetings

- a. The Chair of the Finance and Operations and Audit Committees reported on the recent meeting noting a good financial position. The exhibition frameworks had been reviewed from a financial perspective and the Committee was satisfied that they were balanced: site directors will present trustees with artistic programmes in coming meetings.
- b. Costs are monitored closely. *Information has been exempted under Section 43 (2) of the Freedom of Information Act*⁶
- c. The Chair of the Finance and Operations Committee informed Trustees that the Pudong consultancy will be scrutinised by the Committee, with the business being overseen by Tate Enterprises Ltd. *Information has been exempted under Section 43 (2) of the Freedom of Information Act*⁶

- d. Trustees noted work underway in Technology. *Information has been exempted under Section 43 (2) of the Freedom of Information Act⁶*

5.2 Update on 2019/20

- a. Trustees welcomed the news that Grant in Aid for 2020/21 has been confirmed at current levels with a 1.8% increase to reflect inflation.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act⁶*
- c. Trustees noted an update on Tate Foundation reserves. *Information has been exempted under Section 43 (2) of the Freedom of Information Act⁶*

5.3 Bank Account closure

- a. Trustees authorised the closure of the Hoare's bank accounts as detailed in the papers and authorised certain parties to sign all relevant documentation. *Information has been exempted under Section 31 of the Freedom of Information Act⁵*

5.4 Acquisitions Financial Statement

- a. Trustees noted the Acquisitions Financial Statement.

6. APPOINTMENTS TO COUNCILS AND COMMITTEES

- a. Trustees approved the reappointment of Laurie Fitch to the Finance and Operations Committee and the Audit Committee for a term of four years, from 18 November 2019 to 17 November 2023.
- b. They approved the reappointment of Jules Sher to the Ethics Committee for a one-year term, from 21 November 2019 to 20 November 2020.
- c. They approved the reappointment of Simon Palley to the Investment Committee and his appointment as Chair of the Committee for a term of two years, from 21 October 2019 to 20 October 2021.
- d. Trustees noted appointments and reappointments to Tate's subsidiaries and connected entities:
- The reappointments of David Young and Duncan Ackery to the Tate Enterprises Limited Board for a term of four years, to 31 August 2023.
 - The appointment of Roland Rudd, Deputy Chairman, as Tate Foundation Director and Trustee with effect from 20 June 2019. Roland has been elected Chair of Tate Foundation replacing Franck Petitgas who is retiring as Chair but will remain on the Executive Committee as Director and Trustee, taking up an honorary position as Tate Foundation President. They noted the success of this transition.
- e. Wendy Fisher and Kim Shirley had been appointed Tate Americas Foundation Trustees with effect from 2 May.

7. KEY POINTS FROM MINUTES OF COUNCILS AND COMMITTEES

- a. Trustees were updated on discussion at the Tate Britain Advisory Council. The family spaces have been developed to ensure that visitors to Year 3 are adequately provided for. *Information has been exempted under Section 22 of the Freedom of Information Act⁷*

- b. Trustees were informed of the matters raised by Tate Members Council in respect of databases and noted budget allocated accordingly. Teams were congratulated on the success of Tate Collective, membership having passed 100k.
- c. Trustees were informed of discussion at Tate Modern Advisory Council of audiences and buildings. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000⁶*
- d. They were updated on the meeting of Tate Liverpool Advisory Committee, which had featured discussion of the insights from research into Tate Collective.

8. ANY OTHER BUSINESS

- a. Trustees discussed preparation and planning for this year's edition of the Turner Prize. *Information has been exempted under Section 36 of the Freedom of Information Act¹ and Section 43 (2) of the Freedom of Information Act 2000⁶*

9. DATE OF NEXT MEETING

- a. Wednesday 20 November 2019, Tate Britain, 09.00 – 13.00

Endnotes

¹ **Section 36** of the Freedom of Information Act 2000 provides that: Information is exempt if its disclosure under this Act would be likely to have any of the following effects:

1. prejudice collective Cabinet responsibility;
2. inhibit the free and frank provision of advice and exchange of views for the purposes of deliberation; or
3. prejudice the effective conduct of public affairs

² **Section 38** of the Freedom of Information Act 2000 provides that:

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to
 - (a) endanger the physical or mental health of any individual, or,
 - (b) endanger the safety of any individual

³ **Section 31** of the Freedom Information Act 2000 provides that: Information is exempt if disclosure would prejudice:

- the prevention or detection of a crime, apprehension or prosecution of offenders; administration of justice etc
- an investigation by the authority into illegality, improper conduct, anyone's professional/managerial fitness or competence
- protection of charities against misconduct or mismanagement; the protection or recovery of the property of charities
- an investigation of an accident; ensuring the health, safety and welfare of employees; protecting the health and safety of other persons

⁴ **Section 38** of the Freedom of Information Act 2000 provides that:

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to
 - (c) endanger the physical or mental health of any individual, or,
 - (d) endanger the safety of any individual

⁵ **Section 31** of the Freedom Information Act 2000 provides that: Information is exempt if disclosure would prejudice:

- the prevention or detection of a crime, apprehension or prosecution of offenders; administration of justice etc
- an investigation by the authority into illegality, improper conduct, anyone's professional/managerial fitness or competence
- protection of charities against misconduct or mismanagement; the protection or recovery of the property of charities
- an investigation of an accident; ensuring the health, safety and welfare of employees; protecting the health and safety of other persons

⁶ **Section 43 (2)** of the Freedom of Information Act 2000 provides that: Information is exempt if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it)

⁷ **Section 22** of the Freedom of Information Act 2000 provides that:

- (1) Information is exempt if –
 - (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
 - (b) the information was already held with a view to such publication at a time when the request for information was made, and
 - (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a)
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).