

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 19 September 2012 at Tate Liverpool, Fourth Floor, Auditorium

Present	Tom Bloxham, MBE Tomma Abts Lionel Barber Maja Hoffmann Patricia Lankester Monisha Shah	Chairman
Staff present:	Sir Nicholas Serota Alex Beard Caroline Collier Dr Penelope Curtis Chris Dercon Samuel Jones Deirdre Robertson Andrea Nixon Francesco Manacorda	Director Deputy Director Director, Tate National Director, Tate Britain Director, Tate Modern Secretary to the Board of Trustees Chief Operating Officer Executive Director, Tate Liverpool Artistic Director, Tate Liverpool

1. Apologies

Lord Browne, David Ekserdjian, Mala Gaonkar, Elisabeth Murdoch, Franck Petitgas, Bob and Roberta Smith, Wolfgang Tillmans and Gareth Thomas.

2. Confirmation of Minutes

Trustees confirmed the minutes of the meeting of 4 July 2012 as a true record, and the minutes were signed by the Chairman after the meeting.

3. Matters Arising

Following discussion at the July meeting, the Trustees authorised the Investment Committee to select an investment manager and approved the appointment of *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹ they also authorised any two Trustees to sign all necessary authorisations for Tate and the Knapping Fund.

4. Conflict of Interest Declarations

As a trustee of Tate Foundation, Sir Nicholas Serota declared a conflict of interest in respect of item 14.

5. Director's Report

5.1 Tate Britain Project Update

- a. Trustees were informed that the Tate Britain Millbank Project is proceeding well and that the full extent of demolitions was complete. The executive agreed to circulate to Trustees an image of the original mosaic that has been uncovered on the floor of the rotunda. Trustees noted that the project is on track to deliver the new galleries. *Information has been exempted under Section 22 of the Freedom of Information Act 2000²* They were also updated that the Director, Tate Britain has convened a 2013 delivery group to plan the opening and associated communications. They were informed that the old board room and offices have been reconstituted as a single room, The River Room, which will give Tate Britain an excellent space for seminars and events.
- b. Trustees were informed that the outdoor café would remain in situ until the opening and that the temporary café in Gallery 62 is trading well.

5.2 Tate Modern Project Update

- a. Trustees were updated that work on Tanks and programme has gone well and that public reception has been very good, with a new and younger audience attracted.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹ and Information has been exempted under Section 40(2) of the Freedom of Information Act 2000³*
- c. Trustees were updated on the preconstruction of concrete panels for the façade, *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- e. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- f. Trustees discussed public communications in respect of the opening date and recommended that reasonable headroom be allowed between the target date for completing construction and the opening date.
- g. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

5.3 Update on Reserves and Contingency

Trusted noted the update on reserves and contingency.

5.4 Tate St Ives Project Update

- a. Trustees were updated on proposals made by Jamie Fobert Architects and Evans and Shalev. They noted that decisions would be made on refining these proposals in advance of their presentation at the November Board.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹ and Information has been exempted under Section 41 of the Freedom of Information Act 2000⁴*
- d. Trustees noted their excitement in respect of the project. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

5.5 Incident at Tate Modern

- a. Trustees expressed sadness at the incident in July and thanks to all staff involved for their professionalism and kindness.
- b. They also discussed the ensuing press coverage. *Information has been exempted under Section 41 of the Freedom of Information Act 2000⁴ and Information has been exempted under Section 36 of the Freedom of Information Act 2000⁵*
- c. *Information has been exempted under Section 31 of the Freedom of Information Act 2000⁶ and Information has been exempted under Section 36 of the Freedom of Information Act 2000⁵*

5.6 Summer Activity in London

- a. Trustees were updated on a strong summer programme, noting the high attendance of *Damien Hirst*, ongoing success of *Munch* and the strong showing during the Olympics.
- b. They also noted that the success of *Another London* at Tate Britain confirmed a public appetite for photography.

5.7 Outdoor Sculptures/Metal Theft

- a. *Information has been exempted under Section 40(2) of the Freedom of Information Act 2000³*
- b. They noted that Tate has reviewed and inspected metal sculptures on loan from the collection and has sought assurances from the borrowers of adequate security measures, insurance provision and risk assessment.

- 5.8** *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

5.9 Memoranda of Understanding

- a. Trustees were informed of the signing of Memoranda of Understanding with the Ministry of Culture and Heritage in Oman and the Pinacoteca de Estado de São Paulo over the Summer.
- b. Trustees discussed that such collaborations should be considered for their benefits in respect of reciprocity and learning. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- c. *Information has been exempted under Section 40(2) of the Freedom of Information Act 2000*³

5.10 Governance Review

- a. Trustees noted the establishment, role and composition of Executive Group and the new format of Directors' Group.

5.11 Non-Executive Review

- a. *Information has been exempted under Section 36 of the Freedom of Information Act 2000*⁵

5.12 Worlds Together Conference

- a. Trustees were updated on the success of the Worlds Together Conference at Tate Modern organised in association with the British Museum, the National Theatre and The Royal Shakespeare Company.
- b. They noted that the event had attracted 400 delegates from across the world and discussed the benefits of collaboration with the performing arts and the good basis that the conference had provided for further work in this area.
- c. The importance of the conference was discussed in the context of current debates about the curriculum and Trustees noted the international enthusiasm for the event, with the Brazilian delegation aiming to repeat the conference on the occasion of Rio 2016.

5.13 Trustee Benefit

- a. Trustees noted that authorisation has been given by the Charity Commission in respect of the payment of a license fee for the use of work not owned by Tate in a television collaboration with Channel 4, and noted that due procedure has been communicated within the institution.

5.14 Trustee Re-appointment

- a. Trustees noted with pleasure the reappointment of Elisabeth Murdoch for a second term from 17 August 2012.

5.15 Family Conference Update

- a. Trustees were informed that Dame Fiona Reynolds has agreed to speak at Tate's Family Conference. They discussed the significant change in direction and membership that she has achieved at the National Trust, and welcomed the contribution that she will make at the Family Conference.

5.16 Staff Update

- a. Trustees noted the appointment of Stephen Wingfield as Finance Director.
- b. Trustees thanked Deirdre Robertson for her contribution to Tate.
- c. Trustees were informed of a review of the Modern and Contemporary curatorial teams at Tate Britain, noting that there is no loss of headcount and the improvement to coverage of the chronological range of the collection.
- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- e. Trustees noted the pressure that the government imposed pay freeze places on staff and morale, and welcomed Tate's decision to pay 1% to all staff, backdated to 1 April.
- f. Trustees congratulated staff on recent awards on equality and inclusion, and in continued delivery on the Diversity Strategy.

5.17 Sponsorships and Donations

- a. Trustees noted the papers presented.

5.18 Tate Programme Schedule 2012

- a. Trustees noted the programme schedule.

5.19 Key Meetings Schedule 2013

- a. Trustees noted the key meetings.

5.20 Key Papers for Forthcoming Meetings

- a. Trustees noted the key papers for forthcoming meetings.

6. Key Points from Minutes of Councils and Committees

- a. Trustees noted the key points.
- b. Trustees were informed that membership has passed 103,000 and congratulated the membership team.

- c. It was requested that the Board should be provided with an update on the timetable for implementing the recommendations of the McKinsey review at the November meeting.
- d. Trustees noted the recommendation of Nominations and Governance Committee that eCommerce expertise be more strongly represented on the Tate Enterprise Board.
- e. Trustees noted discussion at Tate Britain Council of the need for each Council to have its own Vision, supportive of that for the wider Tate family. It was also agreed that Nominations and Governance Committee would discuss the issue of continuity of composition of Councils to ensure that there was a good flow of information between the Board and Councils. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

7. Finance Report

7.1 Report from Chair of Finance and Operations Committee

- a. In the absence of the chairman of Finance and Operations Committee, the Vice-Chairman updated trustees on the proceedings. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

7.2 Management Information Pack

- a. Trustees noted the content of the Management Information Pack and that the success of *Damien Hirst* had contributed to the current position.
- b. Trustees discussed audience trends at Tate Liverpool. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- c. Trustees noted the importance of Tate Liverpool's performance in respect of diversifying Tate's overall reach.
- d. Trustees were further informed that the new Programme Framework for Liverpool includes the kind of shows that have the high profile desired. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

8. Tate Vision

- a. The Trustees were presented with the latest version of Tate's long term Vision.
- b. It was noted that the current draft is in accordance with the discussion of May and that it is progressing well. Trustees recommended that a clearer summary statement of the Vision be developed.
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

- d. Trustees discussed the tone of the document and the need to express ideas simply. They recommended that it should specify what the role of each site is in respect of the Vision.
- e. Trustees discussed that artists should be involved in communicating the Vision.

9. Tate Gallery Programme Frameworks

9.1 Tate Liverpool Programme: Framework, Plans, Changes

- a. Trustees were presented with the programme framework for Tate Liverpool.
- b. They noted the aim to be the most popular art gallery outside London and were updated on the recent structural review, particularly the integration of learning and curatorial.
- c. Trustees were informed of Tate Liverpool's varied audience and the need to support both Tate's national ambitions and the city's regional ambitions. They were updated on partnerships, including the Liverpool Arts Regional Consortium (LARC), the local healthcare trust, MerseyCare, a number of city institutions (such as the parks department in respect of *Turner, Monet, Twombly*) and of growing relationships with Liverpool's universities, noting encouraging relationships between Tate, the Liverpool Biennial and the universities.
- d. Trustees were informed that the programme will follow a number of principles, including simultaneous programming, a central thread of contemporary art, the collection as a vocabulary and research as a driver for the programmes. Trustees noted the use of a magazine metaphor in the conception of the programme, and the basis of related 'articles' to help the audience move confidently between different parts of the programme. They were also informed of the use of seasonal shows to respond to different audiences. The spring show will experiment with the Collection, drawing out issues relevant to today; there will be a major summer solo show; and in the autumn, half of the fourth floor exhibition space will be dedicated to a contemporary artist, the rest to a group show to introduce audiences to new content. Trustees noted that this addressed a desire to show more work by mid-career artists.
- e. Trustees were updated on plans for *Glam* in Spring 2013, which will be accompanied by the first retrospective of the feminist painter Sylvia Sleigh.
- f. Trustees noted the principle of inserting contemporary art into the institutional mechanism, asking artists to design particular ways of displaying works, examples include Doug Aitken's work extending the programme into the city and Luca Frei designing the installation for *Keywords*.
- g. Trustees noted that the programme aims to build the audience's confidence to explore work, using constellations based on key works to connect to other periods and geography.
- h. Trustees noted that research and learning will be placed at the core of the programme, examining how new knowledge can be generated from exhibitions and measuring wider impacts.

- i. Trustees noted work with younger audiences, for example collaboration with 11-14 year olds and Tate Collective and with LARC to deliver a festival for young people in Liverpool 2014. They also discussed the value of Tate Liverpool as a space in which to test new approaches
- j. Trustees noted the importance of ensuring that Tate Liverpool is accessible and legible to people coming from the city and that the programme must resonate with local audiences. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- k. Trustees were updated on the recent appointment of a member of staff shared with Liverpool John Moores University, teaching at the latter and working with Tate Liverpool to generate content.
- l. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- m. Trustees noted that plans will be made to celebrate the twenty-fifth anniversary of Tate Liverpool.
- n. The Director updated Trustees on the Liverpool Biennial and the director Sally Tallant's vision of it as a progressive intervention in the city over three or four editions.
- o. Trustees were updated on Tate Liverpool's partnership with other organisations associated with Liverpool's Waterfront in thinking about the long-term future of the area.
- p. Trustees discussed the possibility of advertising in different languages to domestic and overseas audiences and the pricing of tickets.

The meeting adjourned for lunch at which Trustees were joined by members of Tate Liverpool Council and Sally Tallant, Executive Director of the Liverpool Biennial.

Trustees rejoined for the meeting.

9.2 Tate Britain Programme: Framework, Plans, Changes

- a. Trustees were presented with the programme framework for Tate Britain.
- b. Trustees were updated on the building, how the programme will relate to it, and its relationship to the local community and developments in Millbank.
- c. Trustees noted the manageable size, logic and symmetry of Tate Britain in helping people around the building. They discussed the importance of enfilade to the programme and its appeal to supporters. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- d. Trustees noted the aims in the programme to work with schools, colleges and universities who can relate their teaching material to work on show.
- e. Trustees were updated on the focus displays at the centre of the building. They noted that they allow for both seasonal display changes and for the curators to work on specific and researched shows. They were also informed of the aim to

use these spaces to encourage repeat visits. They also noted that the focus galleries would allow the exhibition of fragile works that cannot be displayed for long. They noted that the focus rooms would also enable Tate Britain to work with specific artists, allow Tate to target specific demographics more efficiently and refresh aspects of the programme more regularly. Trustees were also informed that the focus galleries will allow single projects and exhibits that would not on their own sustain paying exhibitions, but are important for Tate to show.

- f. *Information has been exempted under Section 22 of the Freedom of Information Act 2000²*
- g. Trustees were informed of the ambition to promote the idea of the whole Collection, creating one, rather than two audiences, focused respectively on historic and contemporary art. They were also told of the intention to invite artists and others involved in visual culture to respond to collection through the Duveen Commission, reaching audiences and commentators from different sectors.
- h. The Director, Tate Britain informed Trustees that the programme aims to examine harmonies across works in the collection from different periods. It was discussed that this approach does not require prior knowledge or understanding of art history and would promote the distinctiveness of Tate Britain.
- i. Trustees were updated on the international ambitions of the programme, for example of the *Schwitters* show in spring.
- j. Trustees also noted that, alongside monographic shows, the programme will include thematic shows. *Information has been exempted under Section 22 of the Freedom of Information Act 2000²*
- k. *Information has been exempted under Section 22 of the Freedom of Information Act 2000²*
- l. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹* The Director, Tate Britain clarified that *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹* the Duveens Commission will continue. Furthermore, the circuit of the Collection will conclude with the present day, with the aim being to reflect new acquisitions by changing the six final modules more regularly. It was commented that the contemporary displays should invite artists to make new work as well as reflect on the collection. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- m. Trustees welcomed the ideas behind the emphasis on the collection, noting the premium that must be placed on marketing expertise and communicating the message. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- n. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

- o. Trustees discussed the critical moment of the opening and the press response to it and noted the need to plan marketing around this in detail, particularly in respect of communicating Tate Britain's message.
- p. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

9.3 Tate Modern Programme: Framework, Plans, Changes

- a. Trustees were presented with the programme framework for Tate Modern.
- b. Trustees were updated on plans to open the new building. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*²
- c. Trustees were informed that major shows featuring well-known artists would be connected to new works, and new themes. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*²
- d. Trustees were updated on the inclusion of new photographic exhibitions, building on public appetite for photography. Simon Baker's success and contribution in building the photographic collection was recognised and Trustees noted the significance of Tate's photographic holdings. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- e. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*²
- f. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*² They were also informed that, using the Tanks, film will be central to the programme.
- g. Trustees noted the show devoted to Choucair in 2013 which will combine Western Modernism and Sufi, Arab and Islamic culture and enable Tate to address a new audience based on a concurrent Arabic festival in London. They noted a series of international monographic shows including Mira Schendel, Ibrahim El-Salahi and Meshac Gaba, all of which will include recent acquisitions. They discussed the acquisition of Gaba's 'The Museum of Contemporary African Art'.
- h. Trustees were informed that the works on Transforming Tate Modern necessitate the closure of the Turbine Hall. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*²
- i. Trustees welcomed the programme and the balance between major exhibitions and new expression.
- j. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

9.4 Programme Framework: Summary

- a. The Director, Tate National summarised the Programme Frameworks. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

- b. Trustees noted the fluctuations of the external environment, and also the internal environment in respect of risk.
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹* It was also discussed that competitor benchmarking is valuable. Trustees noted that other national institutions use similar benchmarking.
- d. TRUSTEES ENDORSED the three programme frameworks of Tate Britain, Tate Modern and Tate Liverpool. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

Maja Hoffmann left the meeting.

10. Acquisitions Financial Statement

- a. Trustees noted the Acquisitions Financial Statement and that it would be more fully discussed at Collections Committee.

11. Acquisition for Discussion

- a. Trustees were informed that this item had been brought to the Board because the Collections Committee was not scheduled to meet until the autumn and this was the first available opportunity for discussion by Trustees.
- b. Trustees were updated on the context of the proposed gift, and subsequent presentation of the documentation surrounding it.
- c. Trustees viewed the photographs and documentation.
- d. Trustees noted that the gift had, like all other proposed donations, been considered by Tate's internal Collections Group. They also noted that it had been discussed with the Chair of the Collections Committee.
- e. Trustees endorsed the recommendation of Collections Group that the documentation surrounding the gift should be accepted into the archive as a record of action at Tate Modern, but that the proposed gift of the turbine blade should be declined.
- f. Trustees noted that Tate will liaise with the donor to arrange for its collection.

12. Appointments to Councils and Committees

- a. Trustees RATIFIED the appointments of Raif Jacobs to the Finance and Operations Committee and of Councillor David Biggs to the Tate St Ives Advisory Council.

- 13.** *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

14. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

Sir Nicholas Serota declared a conflict of interest for this item

15. Signing of Tate St Ives Lease

- a. TRUSTEES APPROVED the adoption of a new long-term lease for Tate St Ives.

16. Minutes from Councils and Committees

- a. Trustees noted the minutes from Councils and Committees.

17. Date of Next Meeting

Wednesday 21 November 2012, at 9 am at Tate Britain

Endnotes

¹ **Section 43 (2)** of the Freedom of Information Act provides that: Information is exempt information if its disclosure under this Act would, or would likely to, prejudice the commercial interests of any person (including the public authority holding it).

² **Section 22** of the Freedom of Information Act provides that:

- (1) Information is exempt information 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 the 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).

³ **Section 40(2)** of the Freedom of Information Act provides that: Information is exempt where either:

- 1) disclosure would contravene the Data Protection principles, or would be likely to cause damage or distress, or
- 2) the data subject would not have a right of access/right to know under the Data Protection Act

⁴ **Section 41** of the Freedom of Information Act provides that:

- (1) Information is exempt information if—
- (a) it was obtained by the public authority from any other person (including another public authority), and
 - (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.
- (2) The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.

⁵ **Section 36** of the Freedom of Information Act provides that: Information is exempt information if its disclosure under this Act would be likely to have any 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

⁶ **Section 31** of the Freedom of Information Act 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