

**Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 21 May 2008 at 9:00 am at Tate Modern**

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|---------------|--|---|
| Present       | Paul Myners<br>Helen Alexander<br>Lord Browne<br>Sir Howard Davies<br>Jeremy Deller<br>David Ekserdjian<br>Patricia Lankester<br>Franck Petitgas<br>Monisha Shah | Chair   |
| Staff present | Sir Nicholas Serota<br>Alex Beard<br>Masina Frost<br><br>Julian Bird   | Director<br>Deputy Director<br>Head of Director's Office and Secretary<br>to the Board of Trustees<br>Chief Operating Officer |
| From Item 7   | Vicente Todolí<br>Dr Stephen Deuchar   | Director, Tate Modern<br>Director, Tate Britain   |

The Chair noted Jon Snow was joining the Board meeting as an observer, and to share his valedictory thoughts with Trustees, as he had been unable to attend the Board meeting in March. It was also noted that in light of timing constraints, item 7 would be considered as the first item on the agenda, prior to the Director's Report.

**1 Apologies**

- a. Apologies were received from Anish Kapoor and Fiona Rae.

**2 Confirmation of Minutes**

- a. It was noted that in the last Board of Trustees' meeting it had been agreed that, in light of the importance of the autumn exhibitions to Tate, a short report would be shared regarding the planning and activities around these exhibitions. It was agreed that this would be added to the list of outstanding items and that it would be brought to the July board.
- b. The Trustees CONFIRMED the minutes as a true record and the minutes were signed by the Chair.

**3 Matters Arising**

- a. The Director informed Trustees that a dinner had been held in appreciation of the d'Offay gift on 30 April 2008 at Tate Britain with the National Gallery of Scotland, the d'Offay family and those who had been involved in the negotiations, and that it had been considered successful. It was also reported that following an open competition Lucy Askew, Assistant Curator of International Art at Tate, had been appointed as Curator for the ARTIST ROOMS. Finally, it was reported that the first meeting of the working group will take place in Liverpool this month, that the group appears to be working well together, and that the first exhibitions of ARTIST ROOMS across the country will commence in summer 2009.

- b. The Chair welcomed Jon Snow, who had been unable to attend the March Board meeting, and said that it had become Tate convention for departing Trustees to have chance to share their thoughts with colleagues.
- c. Jon Snow shared his valedictory thoughts with the Board. Jon said that he was surprised when he joined the Tate Board that the same enthusiasm for the London galleries is also evident in St. Ives and Liverpool, both of which have evolved extraordinarily during his time on the Board. Jon thought that the Board worked extremely well and that the rich mix and multiplicity of Trustees, including the valuable contribution and views of the Artist Trustees, had helped to make his experience an invigorating and informing one in which he felt privileged to have played a part. Jon shared his view that it is rare to meet an institution with as superb a future as a past, and that it had been a great privilege to serve with a Director whose sense of purpose and drive contributed to perhaps the greatest period in the development of art in Britain since, and perhaps even more than, the time of the Great Exhibition. Jon also praised the quality of the Directors and staff, who at all levels are enthusiasts of – and proud to be at – Tate. Although leaving during the development phases of Tate Modern and Tate Britain, Jon expressed confidence that the projects would be delivered successfully.
- d. The Director expressed the view that the burden of a Liaison Trustee is heavy, requiring both time and consideration to support Tate and the National Gallery well. The Director thanked Jon for his tireless work, the generosity with which he had shared his time, and his enthusiastic willingness to attend a myriad of events and advocate for Tate in all parts of country. It was highlighted that this effort had been much noticed, and appreciated, by Tate's staff. The Chair also expressed gratitude for Jon's contribution to the Board; it was also noted that he will remain close to Tate as a member of the Tate Foundation and the Tate Modern Council.

#### **4 Conflict of Interest Declarations**

- a. There were no conflict of interest declarations made.

#### **5 Director's Report**

##### **5.1 Trustee Appointments**

##### **5.1.1 Current Process**

- a. Trustees were informed that a very strong field of over 30 applications had been received for the current vacancy on the Board of Trustees, and that the Chair and the Independent Assessor, Dr Ann Robinson, would meet to agree an interview short list. It was noted that a number of Trustees had made suggestions of people whom they thought may have an interest, and whose attention might be drawn to the vacancy. *Information has been exempted under Section 36 of the Freedom of Information Act 2000*<sup>1</sup> It was noted that the interviewing panel had been agreed and that it is hoped that interviews will take place during June. It was also agreed that those who had suggested candidates who might have an interest in applying would be kept up to date as to the status of those applications.

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<sup>1</sup> *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*

- b. The Chair drew attention to the difficulty involved in having to turn away candidates of extraordinary calibre in order to bring the list of candidates to a manageable number. It was also noted that there are opportunities to build on the interest demonstrated, for example as there will be two new Trustee positions as well as potential for exploring other opportunities for applicants to become more closely involved with Tate.

### **5.1.2 Expansion of the Membership of the Board of Trustees**

- a. Trustees confirmed that the Order has been granted to expand the membership of the Board of Trustees. It was also noted that the role specifications for the two new positions had been discussed by the Nominations Committee and would be submitted to the Minister for approval ahead of the Parliamentary summer recess, with a view to interviewing for the positions in the early autumn.

## **5.2 Charity Commission / DCMS Conflict Guidance**

- a. Trustees noted the Conflict of Interest guidance, which had been sent to Trustees on 11 April 2008, and the comparison of the guidance with current Tate practices.

## **5.3 DCMS Risk Assessment and Funding Agreement**

- a. Trustees were updated on progress regarding the Funding Agreement with DCMS which, it was reported, would be tailored around the individual risk assessments conducted for each of the DCMS sponsored organisations. Trustees discussed Tate's risk assessment. It was also reported that Tate would consider the possibility of additional performance measures later in the year.

## **5.4 Capital Projects Update**

### **5.4.1 Transforming Tate Britain Update**

Trustees noted that the scope of the scheme is under review in light of dependencies on the National Art Collections project. Trustees were informed that the scope of the scheme would be discussed in more detail at the July Board of Trustees' meeting. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup>

Lord Browne left the meeting.

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(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).

#### 5.4.2 NACC Update

- a. Trustees were updated that Stage D designs will be complete at the end of May 2008, after which the reserved matters on planning will be submitted to the Southwark Borough Council *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>

#### 5.4.3 QAMH Update

- a. Trustees were updated on progress regarding QAMH. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>
- b. A verbal update was also given on St. Ives. It was reported that the emerging option has both operational and planning advantages, as it expands the amount of social housing and preserves the car park. Trustees welcomed the news that the scheme is receiving much more enthusiastic support from key stakeholders than previously. Options related to the scheme are currently under discussion with the Cornwall County Council. Trustees were informed that the Chair and Director of Tate National will meet shortly with the Chief Executive of the SWRDA to discuss thinking on the options.

#### 5.5 Tate for All Diversity Update

- a. The Director informed Trustees that the Tate for All work is being led internally by the Director of Tate National, Director of Human Resources and Director of Tate Media, and the purpose of the report is to keep Trustees up to date on activities. It was reported that Munira Mirza, a Fellow with the Cultural Leadership Programme, who had been working with Tate on a review of internships and work placements, would be leaving Tate to become a policy advisor on arts and culture to the new London Mayor, Boris Johnson. Trustees commented that completing Tate Modern in 2012 had been a key objective under former mayor Ken Livingston, and that it was hoped that this would remain a priority under the new administration.
- b. Trustees welcomed the initiative to professionalise the internship programme and to present genuine learning and entry experience opportunities in the sector. Trustees also welcomed and encouraged the idea of reciprocal international exchanges which, it was noted, is also linked to Tate's international activity. Finally, it was discussed that the Tate for All Strategy lays out a number of benchmarks for the development of Tate's activities in the area, and that it is a long-term strategy aimed at fundamental change.

#### 5.6 Update on Turner Tour

- a. An update was provided to Trustees regarding Turner Tour insurance, following discussion of the matter at the March Board of Trustees' meeting. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup> Trustees noted that a systematic review of Tate's policy regarding the issue would be conducted in light of wider industry practices and that the topic would be brought to Trustees for review.

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## 5.7 Proposed legislation relating to deaccessioning of spoliated items

- a. Trustees were informed that the Government will bring forward legislation to allow deaccessioning of works of art when it is the wish of a claimant that a work be restituted. It was reported that, while Tate has the power to deaccession in some circumstances, other galleries such as the British Museum and National Gallery do not and that the legislation reinforces the principle that the national institutions are prepared to return works in certain situations.
- b. It was emphasised that the matter has been dealt with very effectively in this country relative to many others thanks to the DCMS' Spoliation Advisory Panel, made up of historians, curators and conservators and chaired by Sir David Hirst. It was noted that the panel receives evidence and makes recommendations and reports on every case, that this has contributed significantly to the establishment of case law in this area, and that the system is now seen as a model for other European countries.

## 5.8 Exhibitions Schedule

- a. Trustees noted the Exhibitions Schedule. Trustees also asked to receive a report for discussion on the criteria and thinking behind the Director's decisions regarding the programme. It was agreed that a paper would be submitted for discussion at either the September or November 2008 Board meeting, and the Tate curators closely involved in these decisions would also be present for the discussion.

## 5.9 Sponsorships and Donations

- a. Trustees noted the report on Sponsorship and Donations. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>

## 5.10 Staff

- a. The Director informed Trustees that Tate was sorry to lose Brian Gray, Tate's Director of Operations. Trustees were informed that a strong field of candidates had come forward for the Director of Visitor Services and Operations role. It was noted that a separate role of Director of Capital Projects would also be advertised.

## 6 Finance Report

- a. The Chair highlighted that in the future more time would be spent discussing financial and operational performance and that the Director of Finance would attend Trustee meetings for this item in the future. It was noted that the form of the report will be reconfigured to a focus on management information more broadly.

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- b. A report was given on Tate's year-end results. It was reported that the NAO is undertaking Tate's end of year audit, which is currently underway, and that as a result the numbers in the report may be subject to minor adjustments. It was reported that 7.7m visitors had attended Tate's galleries, a number just short of the record set in the previous year. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup> Trustees were also alerted to a recent fire at Bluecoat, which damaged much of the recently installed kitchen. It was noted that Trustees will kept informed of the situation. Trustees were also informed that April results were slightly but not significantly under budget, and that the Peter Doig show at Tate Britain had been the most successful contemporary show since the Lucian Freud exhibition of 2002. Trustees welcomed and emphasised the importance of a management information flash report.

## **Business Items for Discussion**

*(Due to a timing constraint, this item was considered prior to the Director's Report.)*

Christopher Jonas and Jacques Herzog joined the meeting.

## **7 Transforming Tate Modern Designs**

- a. Christopher Jonas reported on the current designs for Tate Modern. It was reported that, following the design presentation and subject to Trustees' approval of the design concepts, more work would be done between May and July 2008 to ensure buildability. Christopher Jonas emphasised that the timeline was under increasing pressure, and that design approval would be required in July. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>
- b. The Director highlighted that the team was reformed in January, that much progress had been made since then, and that the team is now working well together. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup> Trustees agreed that the objective of opening in 2012 remained highly desirable in light of attracting both support and coinciding with the Olympics. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>

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Vicente Todoli and Sheena Wagstaff joined the meeting.

- c. Jacques Herzog presented the designs and the following key points were noted:  
*Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>
- d. Christopher Jonas highlighted the amount of work that must be completed in the coming six weeks, cautioned against unrealistic optimism, and emphasised the importance of settling the design to avoid later cost overruns. Trustees commented that the engineering challenge should not be underestimated, and that it would be wise to have a high degree of certainty on the engineering concept before finalising the design. Trustees also discussed the need to weigh the potential for higher costs against the benefits of the current timetable.
- e. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>
- f.. The Director communicated that the designs were evolving quickly. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>. The Director also said that the inside of the building works very well and that there will be a rich range of spaces in which to show art.
- g. It was agreed that Masina Frost would inform Trustees of the date of the next Project Board meeting, should they wish to attend.
- h. The Trustees

APPROVED the requested funds to complete Stage C designs.

## **8 Building the Collection – Progress**

- a. Trustees agreed the need to more clearly communicate the broad range of activities Tate undertakes to build the public Collection. It was requested that a detailed report be prepared in light of this, highlighting progress on each of the different activity fronts against the previously agreed priorities areas for building the Collection.

## **9 Tate Britain Progress on Contemporary Remit**

- a. Stephen Deuchar introduced the item and said that this item follows discussions held with Trustees in 2006 regarding the profile of the Contemporary remit, in comparison with the great success of the historic shows, at Tate Britain. Trustees commented that Tate Britain is not seen as a venue for contemporary British art despite the quantity of contemporary activity, that there is lingering public confusion about the difference in the remits between Tate Britain and Tate Modern, and that the success of the historic programme continues to define the gallery in the public mind.

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- b. Judith Nesbit presented an overview of the range of activities at Tate Britain, drawing attention to changes in practice. The following points were noted:
- Art Now has been moved from the North Galleries to occupy two galleries off the central octagon of the Duveen Galleries;
  - The policy of mounting mid-career contemporary exhibitions has been reviewed, with the Peter Doig representing the first in a series of more regular mid-career exhibitions. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup>
  - British contemporary acquisitions have been shown in a more coherent way;
  - The Collection Displays will be expanded and promoted this summer as there will be only one paying exhibition in the Linbury Galleries;
  - A number of works from the ARTIST ROOMS will be displayed next year;
  - David Hockney's *Bigger Trees Near Warter* will be displayed;
  - The Linbury Galleries will be used to showcase a number of works from the Collection during the summer of 2009;
  - The Gulbenkian Foundation is supporting the Tate Triennial;
  - Due to space limitation, there is continuing tension between the use of the '79 extension galleries for contemporary displays vs. for temporary exhibitions;
  - The Duveen Commission, running since 2000 and drawing on a longer history, would be an annual event that would begin with an innovative commission by Martin Creed;
  - The character of Tate Britain is largely conditioned by the Duveen Galleries and this space will be used with more conviction in the future;
  - The Turner Prize continues to be an important part of the contemporary programme and will be shown in the Linbury Galleries for the first time;
  - Lightbox, located near the Manton Entrance, presents a wider range of work with five film and video projections annually;
  - Late at Tate has been incredibly successful and opportunities for further expanding the opening hours of Tate Britain would be examined, as would the opening hours at the other galleries.
- c. Trustees welcomed the efforts to build on the success of Late at Tate. In addition, Trustees encouraged the idea of artists working with the Collection and Archives, as this is consistent with new and exciting exhibitions and with Tate's ambitions for the Collection displays.

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- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup> It was also emphasised that communications should be accessible and seek to capture the public interest.
- e. It was noted that that the Turner Prize Retrospective had not caught the public imagination as had been hoped, and that the show might have taken a more provocative curatorial stance. The issue of the titling of a number of recent contemporary exhibitions was also discussed.
- f. The Director commented that it was increasingly difficult to get press coverage of smaller, single-artist shows. It was agreed that it would be important to raise awareness of the contemporary programme at Tate Britain and, since the contemporary offer is scattered around the building and this has the potential to lessen its overall impact, to find a way to better signal the range of contemporary art on show once visitors are in the building.
- g. *Information has been exempted under Section 36 of the Freedom of Information Act 2000*<sup>1</sup>
- h. *Information has been exempted under Section 36 of the Freedom of Information Act 2000*<sup>1</sup>

## 10 Managing Conflicts of Interest

- a. It was noted that the issue had been considered by the Ethics Committee. Trustees agreed that maintaining accurate records was very important, as was mandatory training and the ability to build a culture of awareness. It was also noted that, to ensure its usefulness, guidance should be comprehensive, but also of a reasonable length.
- b. It was suggested that a clause be added to the policy to clarify Tate's position on the authentication and valuation of works of art owned by private individuals. Finally, it was requested that the Ethics Committee consider the issue in one year's time to review progress and identify opportunities for further improvement on and reinforcement of the principles outlined.
- c. The Trustees

APPROVED the Ethics Policy, subject to the addition of a clause on attributions.

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## Formal Business

### 11 Development Prospect for Review

- a. The Trustees discussed issues related to capital fundraising. It was agreed that further discussions would be held with a number of current and potential supporters of Tate, in order to better ascertain the range of potential options available for maximising value to the organisation.

### 12 Acquisitions Financial Statement

- a. Trustees were updated on the Rubens campaign. It was noted that the NHMF had visited Tate Britain, that a mail appeal sent to Members had also contributed to the funds raised, and that an additional members' contribution might be considered. The possibility for partnership, and the circumstances in which this might be pursued, was discussed, as was the possibility of committing additional funds. The Directors of Tate and Tate Britain underscored the importance of the painting for Tate Britain and its future ambitions.

- b. The Trustees

NOTED the Acquisitions Financial Statement.

### 13 Acquisitions for Noting

- a. The Director informed Trustees that a dinner had been given in appreciation for the generous loan of Gerhard Richter's Cage Paintings, which are now on display at Tate Modern. Gratitude was also expressed for the key role that Fiona Rae played in the negotiation process.

- b. The Trustees

NOTED the Acquisitions.

## ACQUISITIONS BRITISH ART PRE 1900

### Gift

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## **ACQUISITIONS BRITISH ART POST 1900**

### **Gift**

**Linder** born 1954  
*She/She* 1981/2007

### **Purchased by the Director**

**Gerald Leslie Brockhurst** 1890-1978  
*Portrait of Margaret, Duchess of Argyll* c.1931

**Harold Cohen** born 1928  
*Vigil Completed* 1966

**Margaret Harrison** born 1940  
*Son of Rob Roy* 1971  
*Dumped On* 1971  
*Little Woman at Home* 1971  
*Banana Woman* 1971

**Carol Rhodes** born 1959  
*Airport* 1995

**Hew Locke** born 1959  
*Vita, Veritas, Victoria* 2007

**Vong Phaophanit** born 1961  
*What Falls to the Ground but Can't Be Eaten* 1991  
*'All that's solid melts into air (Karl Marx)'* 2006

**Rebecca Warren** born 1965  
*In The Bois* 2005

**Tony Swain** born 1967  
*Jesus Help Me Find My Property* 2007

**David Shrigley** born 1968  
*Light Switch* 2007  
*Stop It* 2007

**Carey Young** born 1970  
*Body Techniques (after A Line in Ireland, Richard Long, 1974)* 2007  
*Body Techniques (after Parallel Stress, Dennis Oppenheim, 1970)* 2007  
*Body Techniques (after Lean In, Valie Export, 1976)* 2007  
*Body Techniques (after Sculpture II, Kirsten Justesen, 1969)* 2007  
*Body Techniques (after Dance or Exercise on the Perimeter of a Square [Square Dance], Bruce Nauman, 1967-68)* 2007  
*Body Techniques (after Encirclement, Valie Export, 1976)* 2007  
*Body Techniques (after Hartford Wash: Washing, Tracks, Maintenance: Outside, Mierle Laderman Ukeles, 1973)* 2007  
*Body Techniques (after Circles, Ulrich Ruckriem, 1971)* 2007  
*Product Recall* 2007

**Nigel Cooke** born 1973  
*New Accursed Art Club* 2007

**E3 4RR** print portfolio 2007

**Jo Bruton** born 1967  
*Capitaine Can Can* 2007

**Fiona Crisp** born 1966  
*Norwegian series # 3* 2007

**Willie Doherty** born 1959  
*Non Specific Threat (Production Still)* 2003

**Jimmie Durham** born 1940  
*Our House* 2007

**Susan Hiller**  
*The Fight* 2007

**Melanie Jackson** born 1968  
*The Scavenger's Loot* 2007

**Nathaniel Mellors** born 1974  
*Time Surgeon Performers' Mask* 2007

**Mike Nelson** born 1967  
*Heroin Room, (The Coral Reef)* 2000, Print date 2007

**Avis Newman** born 1946  
*Infinity Doubled* 2007

**Hayley Newman** born 1969  
*Valcano Lady* 2007

**David Osbaldeston** born 1968  
*A Trade Double* 2007

**John Riddy** born 1959  
*Muizenberg (Sea View)* 2003 (Print 2007)

**Matthew Tickle** born 1964  
*Nowhere*, 2007

**Suzanne Treister** born 1958  
*Alchemy/ The Sun 19<sup>th</sup> April* 2007 2007

**Alison Turnbull** born 1956  
*Plant Bands and Systematic Sections* 2007

## **ACQUISITIONS INTERNATIONAL ART**

### **Purchases for Decision**

**Thomas Schütte** born 1954  
*Vier Schwestern im Bad* 1989

**Chen Zhen** 1955-2000  
*Cocon du Vide* 2000

### **American Fund**

**Collection of Modernist Brazilian Photography**  
**José Yalenti** 1895-1967  
*Iron Tentacles* 1950s

**José Yalenti** 1895-1967

*Architecture no.7* 1957

**Eduardo Salvatore** 1915-2006

*Forms* c.1950

**André Carneiro** born 1922

*Rails* 1950

**Dalmo Teixeira Filho**

*Working in the Sky* 1950s

**Paulo Pires** born 1928

*Structure-Cathedral* 1954

**Osmar Peçanha**

*Equilibrium* 1951

**Dan Flavin** 1933-1996

*the diagonal of May 25, 1963 (to Robert Rosenblum)* 1963

**Simryn Gill** born 1959

*Dalam* 2001

### **American Acquisition Committee**

**Rudolf Stingel** born 1956

*Untitled* 1993

### **Asia Pacific Acquisitions Committee**

**Yayoi Kusama** born 1929

*The Passing Winter* 2007

**Susumu Koshimizu** born 1944

*From Surface to Surface* 1971/1986

### **Gifts**

**Robert Frank** born 1924

*Mary and Pablo in high grass* c.1956

*Mary holding Pablo while sitting on bench in gardens* c.1951

*Mary watering flowers with Andrea and Pablo* mid-1950s

*Pablo holding flowers with a girl* c.1956

**Robert Frank** born 1924

from *Contact sheets from The Americans* 1955-1956

*Contact Sheet from The Americans* 1955-1956

*Contact Sheet from The Americans* 1955-1956

*Contact Sheet from The Americans* 1955-1956

*Contact Sheet from The Americans* 1955-1956

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**Braco Dimitrijevic** born 1948  
*Resurrection of Alchemists* 2006

**Juan Muñoz** 1953-2001  
*The Prompter* 1988

**Matthew Pillsbury** born 1973  
*Slides in the Turbine Hall, Tate Modern, London, 2007* 2007

**João Pedro Vale** born 1976  
*The Party Was Great, Yes* 2006

### **Purchased by the Director**

**Dieter Roth** 1930-1998  
*Containers:*  
*Cassette* 1971-73  
*Portfolio* 1971-73  
*Budweiser* 1971-73  
*(Hi, Fred?) Licorice* 1971-73  
*Cash (Exhaust)* 1971-73  
*Nudle (nudol)* 1971-73  
*Chinese Paper-Japanese* 1971-73  
*Waterdogs* 1971-73  
*Pickles Parade* 1971-73  
*Mast. Viking* 1971-73  
*Big Trolleys* 1971-73  
*Legs* 1971-73  
*Hearts* 1971-73  
*Atlas* 1971-73

**Albert Oehlen** born 1954  
*Loa* 2007

**Florian Pumlhösl** born 1971  
*Programm* 2006

### **ARCHIVE**

#### **Gifts**

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(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).

**David Page**

*Hornsey Sit In*

Material relating to the 1968 Hornsey college of Art sit-in

**Artist Placement Group (APG) material 1976-85**

This small collection derives from Nicholas Tresilian's participation as chairman, key negotiator and theoretician of the APG and will complement the APG archive previously purchased in 2004.

**Conroy Maddox**

Personal papers of Conroy Maddox

**Munich Olympics**

Collection of twenty two lithographic posters commissioned for the Munich Olympics, 1972

**Purchases**

**James Dickinson Innes**

Slade sketchbook, c.1907-15 (various artists)

**LOANS**

**Long Loans In**

**Cayley Robinson 1862-1927**

*Orphans* 1915

*Orphans* 1915

*The Doctor* 1915-1920

*The Doctor* 1915-1920

**Wassily Kandinsky 1866-1944**

*Lake Starnberg* 1908

**14 Acquisitions for Decision**

- a. Trustees discussed acquisitions of works by five artists, including the prices and circumstances under which the works might be acquired.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>3</sup>

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<sup>3</sup> *Section 43 (2) of the Freedom of Information Act provides that: Information is exempt information 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).*

**15 Annual Appraisal of Board Effectiveness**

- a. It was agreed that while the annual appraisal of Board effectiveness was generally positive, there were a number of areas identified where more could be done. The Chair highlighted that it would be important to balance time spent on formal business with the desire for more discussion on certain topics as well as more interaction with staff and other Trustees. It was noted that the Chair would individually address Trustees to ascertain their willingness to spend additional time on Tate matters, and to explore options for using time most effectively. It was agreed that a note would be circulated to Trustees following these discussions.

**16 Remuneration Committee**

- b. The Trustees

AGREED the proposed changes to the Remuneration Committee.

**17 Risk Register**

- a. It was noted that a re-evaluation of Tate's risk management process is currently underway. Trustees were encouraged to speak with the Chief Operating Officer, Julian Bird, should they wish to discuss this in more detail.
- b. The Trustees

APPROVED the Risk Register for Tate.

**18 Safety, Health, and Environmental Policy**

- a. The Trustees

APPROVED the Safety, Health, and Environmental Policy for Tate and authorised the Chair to sign the document on their behalf.

**19 Tate Policy on Due Diligence**

- a. Trustees were informed that Tate had been granted status as an "Approved" institution under Part 6 of the Tribunals, Courts and Enforcement Act of 2007, and that immunity from seizure had been granted for a small number of works in the forthcoming Klimt exhibition. It was also noted that the possibility for outsourcing some tasks related to the process would be considered in relation to certain exhibitions.
- b. The Trustees

APPROVED the Policy on Due Diligence and Provenance Research.

## **20 TTM Approval of Appointment of Project Manager**

- a. The Trustees

APPROVED the appointment of Gardiner & Theobald Management Services (GTMS) as Project Managers for Transforming Tate Modern; and

APPROVED the Section 106 agreement and authorised Alex Beard to sign the agreement on their behalf.

## **21 Approval of Trustees' Register of Interests**

- a. The Chair drew attention to the fact that the updating of registers of interests is not annual, but constant. Trustees were asked to notify Eleanor Pinfield of any changes to their circumstances throughout the year and to keep their register of interests up to date. It was also noted that the guiding principle in case of any doubt should be to disclose.

- b. The Trustees

NOTED that Registers of Interest are available to the public; and

APPROVED the Register of Interests for 2007-2008.

## **22 Appointments to Councils and Committees**

- a. The Trustees

APPROVED the appointments of David Ekserdjian to the Collection Committee, and the appointment of Louise Wilson to the Tate Modern Council, both for a period of three years.

## **23 Key Points from Councils and Committees**

- a. It was agreed that the key points from the Liverpool Council meeting at the end of January would be included in the Board Notes for the July Board of Trustees' meeting, as they had been unavailable for the March Board Notes and were not included in the May Board Notes.

- b. The Trustees

NOTED the Key Points from the Councils and Committees.

## **24 Minutes from Councils and Committees**

- a. The Trustees

NOTED the Minutes from the Councils and Committees.

**25 Any Other Business**

- a. The Chair apologised that the meeting had run over time, and thanked the Board for their hard work, extremely valuable advice, and service to Tate.

**26 Date of Next Meeting**

Wednesday 9 July 2008

Update on other Trustee meetings:

A separate session also held on 21 May but for Trustees only, discussed the Director's contract and terms of employment. Trustees agreed the parameters of the contract and a decision will be reported to the Board on 9 July.