

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON WEDNESDAY 9 FEBRUARY 2022

Present:	Roland Rudd Tim Davie CBE Dame Jayne-Anne Gadhia DBE (items 5 and 6 only) Anna Lowe Lord Ed Vaizey Jane Wilson	Chairman
Staff Attendees:	Dr Maria Balshaw CBE Anne Barlow Vicky Cheetham Alex Farquharson Samuel Jones Helen Legg Kathryn Martindale Frances Morris	Director Director, Tate St Ives Managing Director Director, Tate Britain Secretary to the Board of Trustees Director, Tate Liverpool Chief Financial Officer Director, Tate Modern

Additional Attendees:

Jemima Pyne, Head of Audiences, (Tate Liverpool and Capital Update)
Ben Howarth, Director of Business Transformation (Tate Liverpool and Capital Update)

1. WELCOME AND APOLOGIES & DECLARATIONS OF INTEREST

- a. Apologies were received from: Farooq Chaudhry, Katrin Henkel, Michael Lynton and James Timpson.
- b. Trustees welcomed the appointment of five new Trustees and Ed Vaizey to his first meeting.

TATE LIVERPOOL AND CAPITAL UPDATE

- a. The meeting was preceded by a tour of the Gallery and the spaces in the building that will be part of capital redevelopment.
- b. The Director, Tate Liverpool introduced the ambitions for the gallery, based in its origins of a bold commitment to the redistribution of artistic wealth outside London. Tate Liverpool's original design and infrastructure anticipated 200,000 visitors p/a, which has been exceeded by 200% year on year for three decades. The original service infrastructure is no longer fit for purpose and costly to maintain. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- c. She noted financial challenges presented by the end of European funding and reductions in ticket income alongside rising costs.
- d. Trustees noted the vision of the project to ensure a world class offer for Liverpool and the north of England for the next 30 years and beyond. This will focus on four key strategic priorities: Place, People, Art and Sustainability.

- e. Trustees noted the project cost indicated by a 2019 feasibility study of £25m. Fundraising to date includes £10m confirmed from the Government's Levelling Up Fund. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹ A full project plan will be costed and revised for inflation.
- f. Trustees noted proposed timelines.
- g. The Director, Tate Liverpool updated Trustees on the appointment of a core design team and of a Capital Director to support the project.
- h. Trustees endorsed the vision, value and impact of the project and emphasised its potential for large-scale transformation.
- i. They highlighted the importance of working closely with the city and local partners.

2. MINUTES OF THE MEETING HELD ON 17 NOVEMBER 2021 & MATTERS ARISING

- a. The minutes of the meeting of 17 November 2021 were approved as a true record.
- b. Trustees noted the renewal of a lease for storage at Chadwell Heath, Tate Commerce's warehouse and distribution centre, approved by email outside of the meeting.
- c. They formally noted the removal of signage mutually agreed with the Sackler family.
- d. They noted the approval by email of appointments and reappointments to Tate's advisory councils and sub-committees.
- e. Trustees noted the updated Policy for Trustee and Committee Member Conflict of Interest Management, as due for biannual review and approved by email outside of the meeting.
- f. They noted the approval of the annual allocation from Trust Funds to support acquisitions.

3. DIRECTOR'S REPORT

- a. The Director informed Trustees of a forthcoming visit to Tate by HRHs Prince of Wales and Duchess of Cornwall in recognition of the 125th anniversary of the foundation of Tate.
- b. She noted discussions in respect of the Queen's Platinum Jubilee.
- c. The Director informed Trustees of strong performance in the Programme across all four sites, and strong levels of Membership retention. Conversion from Tate Collective is increasing the diversity of members.
- d. Tate Enterprises Ltd is performing strongly across all business areas; the Director noted particular success in the events business and close collaboration with site directors.
- e. The Director noted implementation of changes to the Tate Gallery pension provision and thanked members of the Finance & Operations Committee for their scrutiny and guidance throughout the process.

- f. Trustees were informed of the opening of *Light: Works from the Tate Collection* at Buk-Seoul Museum of Art, South Korea, following its highly successful run at MAP in Pudong. The exhibition will tour to a further four venues across the Asia-Pacific region.
- g. Trustees noted recruitment of a Director of Business Transformation and processes underway in respect of recruitment for a Capital Director and Director of Learning.
- h. Cornwall has announced its bid for City of Culture 2025, in which Tate St Ives is a partner.
- i. Trustees were formally updated on the hearing at the Supreme Court of the appeal brought by claimants in relation to the viewing platform at Tate Modern.
- j. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹ and Section 36 of the Freedom of Information Act 2000² and Section 41 of the Freedom of Information Act 2000³*
- k. Trustees noted the sad deaths of former Trustees, Lord Rogers, Lord Myners and Bamber Gascoigne.
- l. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

4. REX WHISTLER MURAL

- a. The Director, Tate Britain introduced this item. He noted the process for gathering and reviewing insight and making the final recommendations. He noted the parameters of the discussions: that the mural would not be materially altered or removed, nor would the room reopen as an entertainment space.
- b. Trustees noted the discussions held and the broad range of people in the groups convened, which included artists, art historians, cultural advisors, civic representatives and young creative practitioners. They noted the diversity of opinion and different points of view expressed throughout. It will be important to hold this complexity going forward; there is no obvious right answer, nor should Tate claim there to be.
- c. As part of the process, Tate colleagues were invited to share their views. This insight was added to that already shared, as well as comments from the public and from other key stakeholders.
- d. The proposal developed has two interrelated parts: a contemporary artist will be invited to create a new site-specific installation in the room, which will then open to visitors as a display space. The new work will be exhibited alongside and in dialogue with the mural, reframing the way the space is experienced. A new display of interpretative material will critically engage with the mural's history and content, including its racist imagery. It will also explore the artist's life and career, responses to the work over time, and connections to wider historical contexts.
- e. Trustees noted that it is envisaged that the route proposed will have the space to evolve and respond to future context and responses by audiences

- f. *Information has been exempted under Section 22 of the Freedom of Information Act 2000⁴*
- g. Trustees considered communications and the need to document the process in an accessible way.
- h. Trustees endorsed the work done and APPROVED next steps and implementation of the first commission and interpretation. They noted the planned reopening of the room to the public by the winter.

5. BUDGET 2022/23

Dame Jayne-Anne Gadhia joined the meeting.

- a. The Chief Financial Officer presented a balanced budget for 2022/23, noting the key planning assumption that the galleries will be open all year. Initial data suggests that disruptions from the Omicron variant have had a negligible impact on visitor numbers. As of January 2022, visits to the galleries were ahead of target; however Tate continues to be mindful of the external context, uncertainties and inflationary pressures on consumer spending as well as costs.
- b. Trustees were informed of the expected allocation of Grant in Aid for 2022/23; additional Covid support from government has yet to be announced. *Information has been exempted under Section 36 of the Freedom of Information Act 2000²*
- c. They noted strong performance in Membership and International Partnerships; budget targets for self-generated income have increased from 2021/22. Operating expenditure has increased. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- d. Trustees discussed Tate Enterprises income. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- e. They emphasised the importance of rebuilding reserves after the impact of the lockdown period. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- f. The Chair of the Finance and Operations Committee noted the thorough review of the budget by the committee. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹* Trustees were informed that Finance and Operations Committee recommends the budget for approval by Trustees with full support.
- g. Trustees noted a high volume of vacancies. The Director noted sector-wide recruitment challenges.
- h. Trustees considered the pay award for 2022/23 and the need to invest in Tate's people, given lower headcount. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- i. Trustees suggested more ambitious admission targets.
- j. The Chair of the Finance and Operations Committee noted that staff costs is a standing item on committee's agenda and will report back to Trustees regularly.

Trustees APPROVED the delegation of the pay award to the Remuneration Committee for resolution by the end of the financial year.

- k. Trustees APPROVED the 2022/23 budget.

6. FINANCE REPORT

6.1 Report from Finance & Operations Committee meeting

- a. The Chair of the Finance and Operations Committee updated Trustees on the recent meeting, the main item of which had been covered elsewhere in the agenda.
- b. She informed Trustees of work to devise a new format for the Management Information Pack.
- c. Trustees noted that the Investment Committee will be reformulated with new Trustee appointments in place.

6.2 Update on 2021/22

- a. Trustees noted updates on performance.

Dame Jayne-Anne Gadhia left the meeting.

7. ACQUISITIONS REPORT

- a. Trustees considered a gift to Tate's Archive. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹ and Section 22 of the Freedom of Information Act 2000⁴*
- b. Trustees noted and ratified the Acquisitions Report.

8. KEY POINTS FROM MINUTES OF COUNCILS AND COMMITTEES

- a. Trustees noted the key points from Councils and Committees.

9. ANY OTHER BUSINESS

- a. Trustees welcomed the ambition in Tate Enterprises Ltd and suggested this be brought to a future meeting for discussion.
- b. Trustees noted work on diversity at all levels of the organisation, endorsing its importance.
- c. Opportunities were highlighted in relation to HMG's Levelling Up priorities.
- d. Trustees requested information on exhibitions and events at which to support Tate in advocacy.

DATE OF NEXT MEETING: Wednesday 16 March 2022

Endnotes

¹ **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).

² **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.*

³ **Section 41** of the *Freedom of Information Act 2000* 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.

⁴ **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).*

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).