

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON
WEDNESDAY 20 JANUARY 2021

Present: Lionel Barber Chairman
John Booth
Farooq Chaudhry OBE
Tim Davie CBE
Dame Jayne-Anne Gadhia DBE
Katrin Henkel
Anna Lowe
Michael Lynton
Dame Seona Reid DBE
Roland Rudd
James Timpson OBE
Jane Wilson

Staff Attendees: Dr Maria Balshaw CBE Director
Anne Barlow Director, Tate St Ives
Vicky Cheetham Chief Operating Officer
Alex Farquharson Director, Tate Britain
Samuel Jones Secretary to the Board of Trustees
Helen Legg Director, Tate Liverpool
Frances Morris Director, Tate Modern
Stephen Wingfield Director of Finance & Estates

Additional Attendees: Lisa Mack Director of People

1. WELCOME AND APOLOGIES & DECLARATIONS OF INTEREST
 - a. No apologies were received.
2. MINUTES OF THE MEETING HELD ON 18 NOVEMBER 2020 & MATTERS ARISING
 - a. The minutes of the meeting of 18 November 2020 were approved as a true record.
 - b. Jayne-Anne Gadhia informed Trustees of her appointment as Chair of HMRC, taking effect from 1 January 2021.
3. DIRECTOR'S REPORT
 - a. Trustees were updated on the impact of the pandemic and the closure of all galleries since 16th December 2020. They were informed that Tate's response has focused on the impact on colleagues as well as financial impact.
 - b. It was noted that the national lockdown will extend at least to 21st February. It has been assumed that the closure of museums and galleries will continue to be required beyond that.
 - c. The approach must therefore protect colleagues' energy and ability to prepare for reopening, and plan for recovery and the protection of finances. The Furlough Scheme has been used as far as possible. *Information has been exempted under*

Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000². Wherever possible, staff will remain working offsite. Key financial commitments and opportunities such as the fulfilment of the Pudong contract will be protected.

- d. Trustees noted that digital resources remain available to audiences. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- e. Site Directors updated Trustees on developments specific to the Galleries. At Tate Britain, both *Turner and the Modern World* and *Lynette Yiadom-Boakye* will be extended. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³* The closure period will be used to deinstall *Year 3* and install the Heather Phillipson commission with minimal disruption. Chila Kumari Singh Burman's *Winter Commission* will be deinstalled in February, and *Cooking Session's Art Now* display will be extended to the summer. Overall, a reduction in activity will also require fewer display changes.
- f. In Liverpool, the two exhibitions on show – *Don McCullin* and *Aliza Nisenbaum* – will be extended. The second-floor galleries are currently being deinstalled in preparation for the Liverpool Biennial.
- i. At Tate St Ives, arrangements are being made to adapt to the closure period. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*
- j. Trustees noted that, at Tate Modern, work is focused on preparing for reopening, maximising reputational and financial opportunity. Reopening will see the delayed Kusama installation, and an exploration of Indigenous art in Australia.
- k. Trustees were informed of continued discussions with Government. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- l. Trustees were informed of Tate's financial position. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- m. They were informed of work to plan for a sustainable future, supported by AEA Consulting.
- n. The Chair of the Finance & Operations and Audit Committee emphasised the difficulty of a volatile and fast-moving situation, noting that the Executive has responded well, but that for all organisations, it is becoming more difficult to deal with the impact of the pandemic on both human and financial levels.
- o. Trustees were updated on legal matters. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹* They were informed that the complainants in the Neo Bankside legal case have been successful in bringing their case to the Supreme Court, with a hearing scheduled for December. Trustees discussed the costs this case has and will impose on Tate. It was noted that the case has been fought in the public interest. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*

- p. Trustees noted other updates in the Director's report, including delays in art transport following the end of the transition period in exiting the European Union and the impact on Tate Enterprises' international businesses. They also noted innovation in more sustainable means of couriering works, and the implementation of Virtual Couriering, supported by a Memorandum of Understanding with the Museum of Modern Art in New York.

4. BUDGET 2021-22 UPDATE

- a. Trustees were updated on the budget process, noting the planning assumptions that the galleries will not open until after Easter, that social distancing will remain in place throughout year and that Government support will be offered at 15% of Grant in Aid. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²* Cashflow is being monitored closely.
- b. Trustees noted prudent assumptions in the interests of creating a baseline budget from which uncertainty can be managed. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- c. Trustees were updated on the reserves position. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- d. Trustees discussed sensitivities in the event of a longer lockdown.
- e. They noted the strength of previous performance in membership and the attractiveness of forthcoming programme and digital activity supporting membership. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- f. Trustees discussed Tate Enterprises income. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- g. Trustees noted that the challenges faced by Tate are common across the sector.
- h. They emphasised the importance of a strategy to rebuild reserves.
- i. They were updated on fundraising. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- j. Trustees APPROVED the baseline budget.

The Director of People joined the meeting.

5. VOLUNTARY REDUNDANCY AND ORGANISATIONAL CHANGES UPDATE

- a. Trustees were updated on the process of inviting voluntary redundancies.
- b. They noted the success of the voluntary scheme, which means that significant savings can be made without extensive resort to compulsory measures. It was

noted that short-term measures, for instance not replacing temporary roles, remain in place.

- c. Trustees were informed of the total number of applications received. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- f. Trustees noted that, with the success of the scheme, the deadline has been extended to 25th January. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²*
- g. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹*
- i. The Chair of the Finance and Operations and Audit Committees noted that she had been part of the process and was satisfied that it has been conducted rigorously and professionally.
- k. Trustees were informed that the process has been subject to equality analysis and there is no particular effect on any protected characteristic. The Voluntary process has resulted in a broad spread across all areas and paygrades. Close dialogue with Directors and Managers continues in respect of skills and knowledge loss.
- m. Trustees were informed that the organisational implications will be assessed by Executive Group in February.
- n. Trustees discussed the impact on morale. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹ and Section 43 (2) of the Freedom of Information Act 2000²* They noted ongoing support and internal communications.
- o. It was noted that the Trade Unions had been informed and helpful throughout the process.

The Director of People left the meeting.

6. ACQUISITIONS REPORT

- a. The Chair of the Collections Committee updated Trustees on recent acquisitions.
- b. He noted the acquisition of work by Frank Bowling following the 2019 exhibition at Tate Britain.
- c. He noted that acquisitions budgets will regrettably be pared back in the foreseeable future, but that this is a necessary part of wider reductions.
- d. Trustees noted that the Acquisitions Strategy is being renewed and will be presented to the Board later in the year.

7. FINANCE REPORT

7.1 Report from Finance & Operations Committee meeting

- a. The majority of the discussion of the Finance and Operations Committee had been covered elsewhere in the meeting.
- b. Trustees noted that the fulfilment of the Pudong contract remains on schedule.
- c. They were informed of a satisfactory report from Internal Audit.
- d. Trustees were informed of plans for the 2021 audit, the timetable is being agreed with the NAO, targeting laying the accounts before Parliamentary Recess.
- f. Trustees were informed that the risk register has been reviewed, with the top risk being finance.
- g. They noted that legal matters had been reviewed thoroughly.
- h. The Chair reported that governance requirements had been satisfactorily maintained.

7.2 Update on 2020/21

- a. Trustees noted the Management Information Pack.

8. ADDITIONAL STORAGE REQUIREMENTS

- a. Trustees APPROVED the lease of a further storage unit to cover the needs of reorganisation, and in the terms outlined in the papers.

9. APPOINTMENTS TO COUNCILS AND COMMITTEES

- a. Trustees noted the appointment of Jayne-Anne Gadhia as Senior Independent Trustee.
- b. Trustees APPROVED the appointments proposed in the papers.

10. KEY POINTS FROM MINUTES OF COUNCILS AND COMMITTEES

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

11. ANY OTHER BUSINESS

- a. Trustees were updated on the success of a recent bid to the Town Deal in respect of the Palais De Danse in St Ives, subject to ratification by Central Government.
- b. The Director thanked Lionel Barber for his support and guidance as Chairman.
- c. The Senior Independent Trustee gave thanks on behalf of the Trustees.

DATE OF NEXT MEETING

Wednesday 17 March 2021

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 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).

³ **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).