

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 2 July 2014 at Tate Britain

Present: The Lord Browne of Madingley Chairman
Tomma Abts
Lionel Barber
Tom Bloxham, MBE
Mala Gaonkar
Maja Hoffmann
Franck Petitgas
Dame Seona Reid, DBE
Hannah Rothschild
Monisha Shah
Gareth Thomas
Wolfgang Tillmans

Staff Attendees: Sir Nicholas Serota Director
Caroline Collier Director, Partnerships and Programmes
Penelope Curtis Director, Tate Britain
Chris Dercon Director, Tate Modern
Samuel Jones Secretary to the Board of Trustees
Kerstin Mogull Managing Director
Rebecca Williams Director of Audiences and Development
Stephen Wingfield Finance Director

Item 1 only Christopher Jonas Chairman, TTM Project Board
Item 10 only John Stack Head of Digital Transformation

Trustees' closed session.

The Chairman of the Tate Modern Project Board joined the meeting.

1. The Tate Modern Project

- a. Trustees were updated on the management of the project. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- 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*
- 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. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

- g. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- h. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- i. Trustees were updated on a series of advocacy tours of the site, which have been much appreciated.
- j. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- k. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- l. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- m. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- n. A date in July and another in September will be circulated to Trustees for a site visit.

2. Apologies

Apologies were received from Lisa Milroy and Elisabeth Murdoch.

3. Confirmation of Minutes

- a. The minutes of the meeting of Wednesday 21 May 2014 were agreed as a true record.

4. Matters Arising

- a. There were no matters arising.

5. Conflict of Interest Declarations

- a. There were no conflicts of interest to declare in respect of the business of this meeting.

6. Director's Report

6.1 Progress Against Away Day Objectives

- a. Trustee noted progress made against the objectives set at the away day.

6.2 Tate Programme Update

- a. Trustees noted the programme update.

6.3 Performance of Tate Pop-Up Shop in Old Street

- a. Trustees were informed of the success of the recent experiment of the pop-up shop. Fuller analysis will be presented to Tate Enterprises Limited Board and reported to Trustees.

6.4 Future activity relating to the conservation of Rothko's *Black on Maroon, 1958*

- a. Trustees noted plans to disseminate knowledge and expertise gained from the conservation process in academic journals and wider publication. They were informed of the success of the online documentary, which has been viewed 40,000 times.

6.5 Matisse Live – Cinema Event

- a. Trustees were informed of Tate's first live broadcast in cinemas on 3 June 2014, playing to 16,000 people at 217 locations. It will be released to cinemas internationally in the autumn and available on DVD in December.

6.6 Tate Members

- a. Trustees were updated on discussion at Tate Members Council of how the charity can support Tate's changing needs. *Information has been exempted under Section 36 of the Freedom of Information Act 2000²*

6.7 Freedom of Information

- a. Trustees were updated on a request made under the Freedom of Information Act.

6.8 Tate Britain Marketing Campaign

- a. Trustees were updated on the marketing campaign.
- b. They were informed of discussion at Tate Britain Advisory Council and noted suggestions made. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*
- c. Trustees discussed the relationship between depiction of works of art and text in promotional posters.
- d. Copy of the promotional material will be circulated to Trustees.

6.9 Advocacy Project

- a. Trustees noted the development of the advocacy report.

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

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

- 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

6.11 Pay Project Update

- a. Trustees were informed of progress. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

6.12 Staff Update

- a. Trustees noted the departure of Adrian Hardwicke, Director of Visitor Experience and Estates after twenty-three years at Tate. They thanked him for his service to the organisation.

6.13 Tate First Aid Provision

- a. Trustees were informed of Tate's record in dealing with incidents of accident and illness in the gallery and of the overwhelmingly positive response and feedback from those concerned.

6.14 Trustee Appointments and Reappointments

- a. Trustees were informed of a recent meeting of the panel convened to shortlist candidates for the upcoming vacancy of an Artist Trustee. *Information has been exempted under Section 36 of the Freedom of Information Act 2000²*
- b. Trustees discussed the possibility of scheduling meetings between outgoing and incoming Trustees.

6.15 Sponsorships and Donations

- a. Trustees noted the report on sponsorships and donations.

6.16 Key Papers for Forthcoming Meetings

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

The Director updated Trustees on two further items that had arisen since the Board Papers were issued.

- b. *Information has been exempted under Section 36 of the Freedom of Information Act 2000²*
- c. Trustees were updated on a potential project. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

6.17 17 September 2014 Board Meeting: Tate Liverpool

- a. Trustees noted arrangements for travel to Tate Liverpool.

7. Key Points from Minutes of Councils and Committees

- a. The Chairman of Tate St Ives Advisory Council reported on a meeting at which five new members were present and in which the vision for Tate St Ives and the Barbara Hepworth Museum were discussed; Trustees were informed that the Council had also discussed the Tate St Ives 2 Project.
- b. The Chairman of Tate Liverpool Council updated Trustees on a discussion of partnerships and a presentation by Tate Collective and another young audience group, Flux, on their relationship and work with Tate Liverpool.
- c. Items covered in the report of the Collection Committee would be discussed under acquisitions for noting and decision.
- d. The Chairman of Tate Enterprises Limited reported a discussion on the performance projections of the new Tate Modern. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

8. Finance Report

8.1 Report from Chair of Finance and Operations Committee

- a. The Chairman of the Finance and Operations Committee updated Trustees on the discussion of the Digital Strategy and the Tate Modern Business Plan, both of which would be discussed later in this meeting.

8.2 Management Information Pack

- a. The Finance Director updated Trustees. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- b. Trustees were updated on exhibition performance, including *Matisse*. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹ and Information has been exempted under Section 22 of the Freedom of Information Act 2000³*
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

9. Revenue Streams Review

- a. Trustees were updated on revenue streams and benchmarking.
- 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*
- d. Trustees discussed membership. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

- e. Trustees discussed the longevity of memberships. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- f. Trustees discussed the services provided to Members. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- g. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- h. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- i. Trustees discussed benchmarking against other national and international institutions and the need to understand where others have got things wrong as well as right.
- j. Trustees emphasised the importance of Members as supporters of the organisation.
- k. Trustees were updated on Tate Enterprises' plans. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹* They were informed of discussion of this issue by the Board of Tate Enterprises Limited. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- l. Trustees noted turnover in Tate Catering and Enterprises. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- m. Trustees discussed ambitions for Tate Enterprises and Catering and whether benchmarking should be against other museums or the wider marketplace. The Chief Executives of Tate Enterprises and Catering will present on ambitions at a future meeting.
- n. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- o. Trustees discussed catalogue production. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- p. Trustees noted actions identified by the executive. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

10. Digital

10.1 Digital Strategy Refresh

- a. Trustees were presented with a paper that incorporated the comments of Finance and Operations Committee.
- b. Trustees noted a number of priority areas: *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- c. Trustees noted comparisons with other national and international institutions. They discussed specific initiatives in other museums. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

- d. Trustees were updated on growth in usage not related to a specific visit to the gallery. *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. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- g. Trustees discussed resourcing. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- h. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- i. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- j. Trustees noted that achieving ambitions in the short-term will require fundraising. *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*
- k. Trustees discussed sponsorship and the digital activity. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- l. Trustees endorsed the priorities outlined. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

Maja Hoffmann left the meeting.

10.2 Archives and Access Project

- a. Trustees noted an update on the *Transforming Tate Britain: Archives and Access Project*.

11. Business Plan for Tate Modern

- a. Trustees were presented with a draft business plan. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹ and Information has been exempted under Section 36 of the Freedom of Information Act 2000²*
- b. They were informed that the draft reflects comments from Finance and Operations Committee.
- c. *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 and Information has been exempted under Section 36 of the Freedom of Information Act 2000²*

- e. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
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- i. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- j. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- k. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

The Lord Browne of Madingley left the meeting; as Senior Trustee, Franck Petitgas took the chair.

12. Acquisitions Financial Statement

- a. Trustees noted the Financial Statement and were informed that it had been considered by Collection Committee and noted.

13. Acquisitions for Noting

- a. Trustees noted a list of works that have been acquired under delegated authority.

14. Acquisitions for Decision

- a. Trustees APPROVED in principle and subject to fundraising a list of works recommended by Collection Committee.

15. Approval of Statutory Accounts and Knapping Fund Accounts for 2013/14

- a. The Chairman of Audit Committee informed Trustees that the Committee had recommended the approval of the Accounts. Trustees APPROVED the Statutory Accounts and the Knapping Fund Accounts for 2013/14.

16. Health and Safety Policy

- a. Trustees APPROVED the Health and Safety Policy.

17. Environmental Policy

- a. Trustees APPROVED the Environmental Policy.

18. Transfer of Land to Tate

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

19. Appointments to Councils and Committees

- a. Trustees RATIFIED the appointments of Gabrielle Hase, Frédéric Ogée and Andrew Stephenson to Tate Britain Advisory Council.

20. Any Other Business

On this, his last Board meeting before retirement, Trustees thanked Wolfgang Tillmans for the contribution he has made to Tate.

21. Date of Next Meeting

Trustees noted the date of the next meeting as Wednesday 17 September 2014, at Tate Liverpool.

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 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 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 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).*

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.*