

## MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON WEDNESDAY 3 JULY 2019 AT TATE MODERN

Present:	Lionel Barber John Booth Dame Jayne-Anne Gadhia, DBE Dame Moya Greene, DBE Katrin Henkel Anna Lowe Roland Rudd James Timpson, OBE Jane Wilson	Chairman
Staff Attendees:	Dr Maria Balshaw, CBE Anne Barlow Alex Farquharson Samuel Jones Helen Legg Kerstin Mogull Frances Morris Stephen Wingfield	Director Director, Tate St Ives Director, Tate Britain Secretary to the Board of Trustees Director, Tate Liverpool Managing Director Director, Tate Modern Director of Finance & Estates
Additional attendees:		
Item 4.1	Ann Gallagher	Director of Collection, British Art
Item 4.1	Gregor Muir	Director of Collection, International Art
Item 5	Anna Cutler	Director of Learning and Research
Item 7	Alex Clark	National Audit Office Director
Item 7	Chris Garner	Senior Management Accountant
Item 7	Lynn Pamment	Senior Partner, PwC

### 1. WELCOME AND APOLOGIES & DECLARATIONS OF INTEREST

- a. Apologies were received from John Akomfrah, Tim Davie, Michael Lynton and Dame Seona Reid.

### 2. MINUTES OF THE MEETING HELD ON 22 MAY 2019 & MATTERS ARISING

- a. The minutes of the meeting held on 22 May 2019 were approved as a true record.
- b. Jayne-Anne Gadhia informed Trustees of her having stepped down from the Board of Stagecoach Plc and Moya Greene informed Trustees of her having stepped down from the Board of Rio Tinto.

### 3. DIRECTOR'S DISCUSSION TOPICS

- a. The Director updated Trustees on recent events and developments. She informed Trustees of the success of the recent ASSEMBLY schools' day at Tate Modern.
- b. Trustees noted the forthcoming departures of Kerstin Mogull as Managing Director and Ann Gallagher as Director of Collection, British Art and thanked each for the tremendous service that they have given Tate. They were informed that recruitment is underway for a Director of Collection, British Art and that Vicky Cheetham will take up the post of Chief Operating Officer on 4 November.

- c. Trustees noted the departure of Cheryl Richardson as Director of Human Resources, thanking her for her service, and were informed of the engagement of Ciara Eastell as a consultant focusing on organisational change, with Lisa Mack having been appointed as Interim Head of Human Resources. They were informed of a project to update Human Resources processes and structures and support for managers across the organisation. It was noted that a pay benchmarking exercise is being undertaken and that a survey tracking staff engagement will commence in the summer. Trustees discussed organisational culture and were informed of the progress of change following the development of the values and vision earlier in the year. It was noted that a full report will be given on these projects in the September meeting.
- d. Trustees discussed the need to ensure diversity in recruitment, noting current gender balance across Directors.
- e. Trustees were updated on discussions with the Unions *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000<sup>1</sup>*
- f. Trustees were informed of work to improve Technology and data structure.
- g. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000<sup>1</sup>*
- h. Trustees were updated on the KPIs, which had been developed to reflect comments on the draft at the May Board. They agreed the KPIs.
- i. The Director, Tate Modern updated Trustees on the forthcoming exhibition, *Olafur Eliasson: In Real Life*. She noted that the exhibition will use the Blavatnik Building in a new way providing a different experience for the visitor and animating the concourses. They noted that the artist's thinking and making processes lie at the heart of the show and in a collaboration between Tate Eats and his studio kitchen in the Terrace Bar, which will also trial a new kind of food offer. They were informed of a partnership with Lego that will see making in the Turbine Hall during the exhibition.

The Directors of Collections, British and International Art joined the meeting.

#### 4. ACQUISITIONS REPORT

##### 4.1 Acquisitions Priorities 2019-21: British Art & International Art

- a. Trustees were presented with the acquisition strategy for the next two years.
- b. In relation to British Art, they were informed of the aim to achieve depth based on key figures and identifying key figures of the future, collecting work that shows the range of their careers. They noted that breadth is achieved by representing artists associated with movements, showing phases of British art history.
- c. It was noted that prices in the modern period are extremely high, and acquisitions in this area can only be added as the opportunity arises.
- d. Trustees were informed that research feeds into collection development and that exhibitions at Tate Liverpool and Tate St Ives, as well as Art Now at Tate Britain contribute to this, leading to the promise of works by artists and the support of acquisitions by funders. They noted the importance of building holdings of contemporary artists throughout their careers, developing a representative collection of key works.

- e. Trustees were informed of the strategy of diversifying the representation of British artists from the seventeenth century to the present. They noted a recent donation of work by women artists from the seventeenth century, and that the success of this strategy had been reflected in donors approaching Tate. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>1</sup>
- f. They noted the aim to increase the representation of Black artists, especially from the 1970s and 1980s, when artists addressed the issue of identity. They were informed of the goals of increasing the representation of other identities.
- g. They noted that, where there is overlap in national collections, such as photography with the V&A, curators collaborate to prevent duplication. Trustees were informed of strong and constructive discussions and cooperation to ensure that the best work is acquired most efficiently across the public collections.
- h. It was noted that a diversity of medium is also sought, including miniatures, and a representative collection of the history of performance art in Britain in which Tate's is the leading collection. Trustees noted the support offered through the Andrew W Mellon Foundation to further the study of collecting such art. Trustees were informed that the strategy also explores the intersection between fine art, craft, fashion and music.
- i. They noted the strategy for an archival Collection, noting the recent acquisition of Duchamp material from the Hamilton estate.
- j. Trustees were informed of the different sources of support for acquisition, including Acquisition Committees, gifts from artists and their estates, acceptance in lieu, the Art Fund and the Heritage Lottery Fund as well as individual donors and supporters. Trustees noted the generosity of artists, expressing thanks.
- k. It was noted that long-standing ambitions, or instances in which the necessary support is being cultivated remain in the strategy on an ongoing basis with opportunities monitored.
- l. They noted the aim of reflecting visual production that has hitherto been excluded by a focus on fine art, for instance popular prints, exploring the use of popular imagery in art.
- m. The Director of Collections, International presented the strategy for international art.
- n. Trustees noted the aim to bring to the fore artists yet to be prioritised in an expanded world view of contemporary art. They noted Tate's pioneering role in this respect, an example being the attention given to Ana Lupas following the display of her work at Tate Modern.
- o. Trustees were informed of the continuing importance of establishing representative collections of well-established artists. They noted the importance of the gift of eighteen new works by Takis in this respect *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>1</sup> They noted the importance of the European Collection Circle in this area.
- p. Trustees noted the intention of growing the representation of key African art of the twentieth century *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>1</sup>
- q. As with the British Collection, they noted the importance of gifts in specific areas where the market has increased, recognising the significance of the Development department in this area.

- r. They were informed of research into leading contemporary artists and the time taken by curators in researching work and meeting artists.
- s. Trustees noted the strengthening of the collection of performance and live art, developing the history of these media that can be told. They noted other work to diversify the media held in the collection, including digital, fabric and multimedia works. They were informed of the research into the pioneering work of Eastern European artists *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>1</sup>
- t. Trustees noted the intention to collect work for display in the new spaces of Tate Modern, particularly the Tanks and the interstitial spaces, focusing on public experience.
- u. Alongside the representation of key artists, Trustees noted the inclusivity of the strategy, which is to ensure the representation of women, artists of colour and LGBTQ+ artists, for instance those documenting the AIDS epidemic.
- v. They noted the significance of work with artists and foundations in securing key works with high prices.
- w. Trustees were informed of the representation of indigenous artists as part of a transnational story, for example from Australia through the Qantas fund, which has seen work by artists such as Rover Thomas and Emily Kame Kngwarreye come into the collection, but also from other nations *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>1</sup>
- x. Trustees noted the importance of maintaining Tate's presence in international curatorial discussions and as part of the conversation that shapes the history of art and expanding the idea of what art is.
- y. They were informed of the curatorial processes and discussions that lie behind the decision to acquire work or not.

#### 4.2 Acquisitions & Collection Committee Report

- a. Trustees RATIFIED the acquisitions proposed in the papers.
- b. Trustees present voted unanimously to deaccession a photograph by Sunil Gupta in favour of exchange with a work proposed by the artist and respecting the wishes of the sitters. The Chair of the Collection Committee voted in favour by email.

The Director of Learning and Research joined the meeting.

#### 5. STEVE MCQUEEN YEAR 3 PROJECT

- a. Trustees were updated on the progress of the project.
- b. They noted that *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup> and that the public realm aspect, managed by Artangel *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup>.
- c. They were informed of planning to ensure the legacy of the project *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup> They noted that the project has provided useful insight into what schools' value and this will inform further

work, including the extension of the offer to families. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup> It was noted that feedback thus far has shown that there is little time and space in the curriculum for art and that the project has been valuable in structuring opportunities for children. Trustees noted that the project will continue Tate's focus and emphasis on the importance of the place of art in education.

- d. Trustees were informed of rigorous protocols around the project to ensure safeguarding. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup>
- e. They noted that Tate Commerce and Tate Eats are developing affordable offers to ensure a welcome to all *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>2</sup>
- f. It was noted that participating schools contain a proportional representation of SEND schools and that existing experience in the team has ensured that needs will be catered for appropriately, alongside the addition of quiet space and a new changing room.
- g. Trustees were informed of the enthusiasm of children's reactions to the project.

The Director of Learning and Research left the meeting.

## 6. FINANCE REPORT

### 6.1 Report from Finance & Operations and Audit Committee meetings

- a. The Chair of the Finance and Operations and Audit Committees updated Trustees on the recent meeting.
- b. Trustees were informed of work being done to update the format of the management information provided.
- c. Trustees noted reporting on customer response and work being done to develop the questioning to provide greater detail.

### 6.2 Update on 2019/20

- a. Trustees noted the update and strong exhibition income.
- b. They noted the novelty of the Eliasson exhibition at Tate Modern and that planning reflects this.

### 6.3 Annual Report of the Investment Committee

- a. Trustees noted the annual report.

Alex Clark of PwC, Lynn Pamment of the National Audit office and the Senior Management Accountant joined the meeting.

## 7. APPROVAL OF STATUTORY AND KNAPPING FUND ACCOUNTS 2018-19

- a. The Chair of the Finance and Operations and Audit Committees updated Trustees on Audit Committee's discussion of the Annual Accounts.

- b. She informed Trustees of the recommendation to approve, congratulating the teams involved.
- c. She noted two key items of attention, namely the first accounting for the Tax Relief against the cost of exhibition production, and the reconciliation of the differential in land values between that provided by previous and new valuers.
- d. Trustees noted that the auditors of Tate Enterprises Ltd had been changed.
- e. The National Audit Office and PwC confirmed a clean audit and that an unmodified opinion had been publicly issued.
- f. Trustees noted the audit of the accounts of the Knapping Fund.
- g. They APPROVED the accounts and authorised signature by the Chairman and Director.

Alex Clark of PwC, Lynn Pamment of the National Audit Office and the Senior Management Accountant left the meeting.

## **8. HEALTH AND SAFETY POLICY**

- a. Trustees APPROVED the Health and Safety Policy.

## **9. KEY POINTS FROM MINUTES OF COUNCILS AND COMMITTEES**

- a. Trustees noted the reports of Councils and Committees.
- b. They noted that the forthcoming meeting of Tate Americas Foundation in November.
- c. They noted that Roland Rudd had chaired his first meeting of Tate Foundation.
- d. They were updated on recent discussions of the Ethics Committee and forthcoming discussions. They noted recent protest in the US and elsewhere.

### **10.1 Update on Pudong Consultancy**

- a. Trustees noted an update on the recently announced partnership with the Pudong Museum of Art.
- b. They noted project management in place and that the Managing Director will provide oversight on a part-time basis until the Chief Operating Officer starts in role.
- c. They noted that consultancy opportunities will be discussed at a forthcoming meeting.

### **10.2 Appointment of Trustees for Safeguarding**

- a. Trustees noted an update to safeguarding procedure and policy. It was agreed that John Booth and Anna Lowe will act as Trustees with responsibility for holding Tate to account in safeguarding.

11. DATE OF NEXT MEETING

- a. Trustees noted the date of the next meeting as Wednesday 18 September, Tate Liverpool.

The Managing Director, Director of Finance and Estates and Directors of Tate Britain, Tate Liverpool, Tate Modern and Tate St Ives left the meeting.

12. *Information has been exempted under Section 40 (2) of the Freedom of Information Act 2000<sup>3</sup>*

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- c. *Information has been exempted under Section 40 (2) of the Freedom of Information Act 2000<sup>3</sup>*

The Managing Director re-joined the meeting.

ANY OTHER BUSINESS

- a. Trustees expressed their thanks for the service given by the Managing Director to Tate and in particular work in delivering both the Tate Modern and Tate St Ives projects and oversight of transition.

- b. They commended the Managing Director on significant achievement.

- c. The Managing Director thanked Trustees for their time and the generosity of their support.

## Endnotes

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<sup>1</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 likely to, prejudice the commercial interests of any person (including the public authority holding it).*

<sup>2</sup> **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).*

<sup>3</sup> **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*