

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 20 September 2006 in the Meetings Room at Tate Modern

Present:	Paul Myners Helen Alexander Victoria Barnsley Sir Howard Davies Patricia Lankester Professor Jennifer Latto Julian Opie Fiona Rae Jon Snow John Studzinski	Chair
Staff present:	Nicholas Serota Alex Beard Anna Jobson	Director Deputy Director Head of Policy and Planning and Secretary to the Board of Trustees (minutes)
Reports 6 & 7 Report 11	Sian Williams Vivienne Bennett	Director, Finance & Resources TTM Project Director

1 Apologies

Apologies were sent by Melanie Clore and Anish Kapoor.

2 Confirmation of Minutes

The minutes of the last meeting were approved as a true record and signed by the Chairman.

3 Conflict of Interest Declarations

There was one possible new conflict of interest declared by Paul Myners in respect of his new appointment to the Board of Land Securities Group as Chair Designate. Paul Myners withdrew from the discussion about the acquisition of the 44 Hopton Street site (see Item 11b, below).

4 Matters Arising

There were none.

5 Director's Report

5.1 Artist Trustee Appointment

Tate had still to hear from DCMS regarding the new Trustee appointment, a panel having interviewed in July and a candidate having been recommended to the Minister.

5.2 Annual Press Conference

The annual press conference had taken place, with the majority of consequent stories leading on the fact that Tate was now publishing the acquisition prices of works of art. Tate's future programme plans had been well-received, including the announcement that the Turner Prize would be hosted by Tate Liverpool in 2007.

5.3 Staff

Trustees were updated on changes to the curatorial structure following the departure of Jan Debbaut and on progress in recruiting a Head of Research. On this, Trustees heard that first interviews had been conducted and that Tate hoped to make an appointment after a second round of interviews.

Jennifer Latto joined the meeting.

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

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Paul Myners reported that Melanie Clore had suggested that a series of lunches might be arranged to enable Trustees to meet Tate curators informally and learn more about their work. There was enthusiasm for this idea.

5.4 Employee Survey

It was noted that Tate hoped to appoint an external supplier to provide the proposed employee survey by the end of the month.

5.5 Tate Vision

It was reported that progress was being made on a project to describe a ten-year vision for Tate. A meeting to address the points made by the Board at their meeting in July about the vision for Tate Liverpool had been held.

5.6 Tate Family Conference

The proposed agenda was agreed, as was the idea of a question-time panel chaired by Jon Snow. Sarah Exeter would be in touch with relevant Trustees about the conference.

5.7 Collection Gift and Bequest

Discussions with the collector had continued over the summer and a meeting between the Chairs of Tate and the National Galleries of Scotland had taken place the previous week. At this meeting, Tate learned that the National Galleries of Scotland had discussed the proposal with Ministers and the Scottish Executive over the summer and that it was now recognised that this would be a joint venture with London. The scheme currently being developed was predicated on the principle of joint ownership and shared custodianship, and a team of Ann Gallagher, Frances Morris, Kate Parsons and their equivalent colleagues at the National Galleries of Scotland was being formed to work through the detail.

Trustees noted that a story was to appear in the *Art Newspaper* at the end of September which would break the news that Tate was involved in the process of trying to bring this private collection into the National Collection.

Trustees welcomed the notice from the MLA that the archive of Helen Anrep and Roger Fry, accepted by HM Government in lieu of inheritance tax, had been permanently allocated to Tate.

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 be likely to, prejudice the commercial interests of any person (including the public authority holding it).*

5.8 National Gallery / Tate Boundaries of the Collections

Discussions were continuing about the boundaries between these two Collections. *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*²

Howard Davies joined the meeting.

5.9 National Gallery / Tate Trustees' Dinner

The confirmed date was noted and an agenda would be circulated for comment in due course.

5.10 Sponsorship and Donations

The report was noted.

5.11 Finance Report

The Finance Report was noted. *Information has been exempted under Section 43(2) of the Freedom of Information Act 2000.*¹

6 Comprehensive Spending Review 2007

There was a discussion about an exercise that DCMS had asked Tate to undertake in support of the preparation of the Department's case in the forthcoming Spending Review.

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It was also agreed to devote a future discussion of the Trustees to the question of the Olympics and its impact on Tate.

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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 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.*

7 Managing Conflicts of Interest

Trustees were updated on discussions with the Charity Commission, the July discussion having taken place immediately before the public announcement of the conclusion of the Commission's review. It was noted that further work was required to Tate's procedures and the documentation of them, and that the Charity Commission was also to review the twelve works that entered the collection between 1954 and 1992. Nicholas Serota would write to the Chief Executive about this ongoing business with the Commission, seeking a timetable for its completion.

It was also noted that Paul Myners was working with the team to strengthen Tate's disclosures on a range of governance issues in the form of a series of Frequently Asked Questions that would be published on Tate's website. These would be circulated to the Board for their input before they were published. Further work was also requested in respect of Tate's internal record keeping and specifically the question of Tate's records on Trustees. The Freedom of Information Group would consider how to take this request forward.

8 Museums Association Disposal Consultation

It was reported that the Museums Association had launched a consultation on the question of Disposal from museums, having many years held a strong in principle view that Disposal was not in the interests of the sector or the publics on behalf of whom museums held objects. The consultation was a sign of a changing view among the museum community.

Trustees were sympathetic to the view that there should be a move away from the absolute presumption against disposal. However, comment was made that disposal should only be undertaken to benefit the Collection in question (rather than the strategic aims and mission of the museum, as proposed more broadly by the MA).

9 House of Commons Culture, Media and Sport Committee Enquiry

Trustees supported a response which put forward, and substantiated, these arguments:

- the inadequacy of funding for acquisitions;
- the need for reform of export review regulations;
- the need to address the fears surrounding the funding shadow cast by the Olympics;
- a call for greater joined up Government, with DCMS collaborating more effectively with other Departments, particularly DfES and DTI.

It was also agreed that Tate's acquisition and disposal policies would be submitted. Tate's aspirations to navigate new geographies and to address the gender balance in the collection would be stressed.

10 Update on JMW Turner: Cataloguing and Research

Progress was noted and the Board affirmed its continuing support in principle beyond this financial year. It was observed that Tate should investigate the Knowledge Transfer Partnership scheme in respect of this project. Comment was also made that progress should be made visible and known to the Turner Society.

11a Transforming Tate Modern: Review of Governance Arrangements

Trustees were reminded that one of the recommendations arising from the Office of Government Commerce's review of the Transforming Tate Modern project was that Tate should strengthen the project's governance arrangements. In consequence, some work had been undertaken, resulting in the proposal detailed in the papers: to create two new sub-committees of the Board of Trustees devoted to the project. One, a sub-committee of the Tate Modern Council, would oversee the combination of projects that made up Transforming Tate Modern. The other, a sub-committee of the Board, would manage the construction of Tate Modern 2, ensuring that the project was completed on time and within a budget delegated by the Board.

Trustees agreed to the creation of the second of these committees, subject to approving terms of reference. It was agreed that a process for identifying a Chair and the skills mix required in other members was needed. Further work on this matter would result in a report to the next meeting.

Trustees questioned the need for the first committee, commenting that the Tate Modern Council itself should assume the role proposed for the committee. It was agreed that this suggestion should be explored and a further report would be made at the next meeting.

11b Transforming Tate Modern: Acquisition of 44 Hopton Street Site

Paul Myners left the meeting to avoid any conflict between Tate and Land Securities, of which he had recently become Chair Designate. Howard Davies assumed the Chair. Nicholas Serota explained the background to this move, reminding Trustees that Land Securities Group had owned Bankside 4 until recently. After the meeting it was confirmed that Land Securities Group has no economic interest in any decision in connection with the site and there was therefore no conflict of interest by virtue of Paul Myners being LSG Chairman Designate. Although there appeared to be no conflict Mr Myners had absented himself to avoid any doubt.

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Paul Myners rejoined the meeting and took up the Chair.

12 Acquisitions Financial Statement

The Acquisitions Financial Statement was noted.

13 Appointments to Committees

The appointments of John Studzinski as Chair of the Collection Committee and Jon Snow to the Ethics Committee were approved.

14 Exhibitions Schedule

The exhibitions schedule was noted.

15 Reports and Minutes from Councils and Committees

It was noted that a number of reports and minutes from Councils and Committees had been posted on soundboard. It was agreed that one-page summaries of the most significant issues discussed at each meeting would be included in the Board pack going forward.

16 Any Other Business

Two items were raised. First, a view was expressed that the images of TTM could still be improved. Second, Paul Myners reminded colleagues that it was Julian Opie's last meeting. On behalf of the Board, he thanked Julian for his hard work as a trustee, for his constant presence in the galleries and for being an excellent Chair of the Collection Committee.

17 Date of Next Meeting

Wednesday 15 November, at Tate Britain:

9 am Conflict of Interest annual in-house training.
9.30 am Meeting begins.