

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 8 July 2009 at 12 noon at Tate Liverpool, Fourth Floor

Present	Lord Browne Helen Alexander Tom Bloxham Sir Howard Davies Jeremy Deller Professor David Ekserdjian Patricia Lankester Elisabeth Murdoch Franck Petitgas Bob & Roberta Smith Wolfgang Tillmans	Chairman observer observer
Staff present	Sir Nicholas Serota Alex Beard Masina Frost Julian Bird	Director Deputy Director Head of the Director's Office and Secretary to the Board of Trustees Chief Operating Officer
Report 6 only from Report 8 from Report 8	Sue Cambridge Caroline Collier Vicente Todolí	Director of Finance Director, Tate National Director, Tate Modern

The Chairman welcomed Bob and Roberta Smith and Wolfgang Tillmans, who attended the meeting as observers, pending their formal appointment to the Board of Trustees.

1 Apologies

- a. Apologies were received from Anish Kapoor and Monisha Shah.

2 Confirmation of Minutes

- a. The Trustees

CONFIRMED the minutes as a true record and the minutes were signed by the Chairman following the meeting.

3 Matters Arising

- a. There were no matters arising.

4 Conflict of Interest Declarations

- a. It was noted that Bob and Roberta Smith, who was attending the meeting as an observer, had raised a conflict of interest with Report 16 prior to the meeting.

5 Director's Report

5.1 Rodchenko

- a. Trustees noted the report.

5.2 Transforming Tate Britain Update

- a. Trustees were informed that meetings with potential donors continue and a further update will be brought in September. It was noted that input from the Tate Britain Council on the landscape would be taken into account by the project design team and the result of this would be reported in due course. It was clarified that the Chair of the Tate Britain Council is the Trustee responsible for the project and that OGC gateway reviews should include Trustee interviews.

5.3 Transforming Tate Modern Update

- a. Trustees noted the update and it was agreed that the issue would be discussed in more depth under Report 9.

5.4 Trustee Appointment Update

- a. Trustees were updated on the results of recent interviews. It was agreed that the financial / business vacancy would be re-advertised. Trustees discussed the role specification, and it was agreed a revised specification would be drafted. It was also noted that the process to appoint a Trustee with art world experience would be postponed until later in the year.

5.5 Board Effectiveness Update

- a. The Chairman thanked Trustees for taking the time to fill in the review of Board Effectiveness and reported on several items to be taken forward. It was agreed that a full note would be sent to Trustees summarising the outcomes. Trustees were informed that their assistance in the processes to appoint new Trustees would be sought.

5.6 Board Events

- a. Trustees noted the dates of the Chairman's Dinner and the Family Conference.

Franck Petitgas joined the meeting.

5.7 Staff

- a. Trustees were informed that the process to appoint a new director of Tate Britain had begun following the appointment of Dr Stephen Deuchar as Director of the Art Fund. It was noted that the Chairman and at least one other Trustee would participate in the appointment panel, which would be convened shortly. It was also noted that the anticipated closing date for applications would be mid-September.

5.8 Tate Programme Schedule

- a. Trustees noted the programme schedule.

5.9 Management of Investments Update

- a. Trustees noted the update on the management of investments and that a recommendation would be made at the September or November Board meeting.

5.10 Sponsorships and Donations

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

Sue Cambridge joined the meeting.

6 Finance Report

- a. It was reported that income and number of visitors to date are slightly lower than expected. Trustees discussed that income will be reliant on the performance of the autumn exhibitions. Trustees discussed short-term steps to be taken to increase attendance including on-site promotion. It was agreed that dynamic pricing would be reviewed in the context of *Futurism*.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

Trustees considered Item 14 following Item 6 in the agenda.

Caroline Collier, Dr Stephen Deuchar, Christoph Grunenberg, Andrea Nixon, Kate Sloss and Vicente Todoli joined the meeting. Sue Cambridge left the meeting.

The Trustees congratulated Dr Stephen Deuchar on his appointment as Director of the Art Fund and expressed their sincere appreciation for his many accomplishments as Tate Britain's Founding Director.

7 Tate Liverpool: 2009 and Beyond

- a. The Directors of Tate Liverpool presented a summary of recent performance and future plans, and the following was noted:
 - Liverpool's year as the European Capital of Culture was an extraordinary success, and the gallery contributed an estimated 5% of the total economic impact of the year on the city;
 - The strong exhibition programme contributed to this: the *Gustav Klimt* exhibition, which had double the expected number of visitors, and the *Fifth Floor* were particularly highlighted;
 - Over 1 million visitors came to Tate Liverpool in 2008-09, and audiences exhibited a strong socio-economic and local / non-local mix;

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).*

- *Information has been exempted under Section 22 of the Freedom of Information Act 2000*²
 - A number of projects will continue including Find Your Talent, Creative Apprenticeships and Culture Campus;
 - The cultural funding environment remains difficult and local funding in particular is competitive and uncertain;
 - Scenario planning is being undertaken and creative collaborations across the city are being planned;
 - Tate Liverpool plans to continue to lead in the region by staging large exhibitions, continuing outreach activities, and taking a more international curatorial outlook.
- b. The Chair of the Tate Liverpool Council highlighted the extraordinary work of the staff and the positive impact of the year, including greater local collaboration changing perceptions of the city. The competitive funding environment was highlighted, as was the incubator role of Tate Liverpool within the Tate group, particularly with regard to new approaches to outreach and working with artists.
- c. Trustees discussed Tate Liverpool's revenue structure and funding. The future configuration of regional funding bodies was highlighted as an area to monitor. Trustees discussed the high level of marketing support for Klimt and the European Capital of Culture, which contributed to widespread awareness of the activities on offer. Trustees discussed the role of large-scale exhibitions and ticket pricing. It was highlighted that Tate Liverpool has demonstrated that there is an audience for high quality programme outside London, and that the upcoming Picasso exhibition would be important in this respect. The balance between displays and exhibitions was discussed.
- d. The Trustees congratulated the staff and leadership of Tate Liverpool on a successful year. Trustees also expressed their appreciation to the staff for hosting the meeting and for the excellent tour of Liverpool and the gallery.

8 Tate Learning Review

- a. Trustees were updated that the decision had been taken to appoint a Director of Learning, following Trustees' discussion of Tate Learning in November 2008. It was noted that there would be one Learning strategy agreed across Tate and that, once an appointment is made, a report would be brought to Trustees on the Learning strategy.

² *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).*

- b. Trustees discussed funding of the post. It was clarified that the role would be fully funded in 2010-11. It was stated that the move is the right thing to do currently, and should lead to greater effectiveness across Tate Learning. It was noted that the change should result in more joined-up working across Tate departments, and success should be judged accordingly.

Trustees considered Item 16 prior to taking a break for lunch.

Bob and Roberta Smith joined the meeting following the break.

David Ekserdjian left the meeting.

9 Transforming Tate Modern

- a. Trustees were updated on developments since the project was considered at the last Board of Trustees' meeting in May. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*³
- b. Trustees discussed the parameters of the decision making and fundraising. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*³
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*³
- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*³ It was highlighted that it is important to clearly communicate the reasoning and rationale for the building, to assist in effective advocacy. It was also noted that a fundraising report would be provided at each Board meeting.
- e. The Board of Trustees

AGREED to release project funding until March 2010.

Helen Alexander and Jeremy Deller left the meeting.

10 Collection Care Review

- a. The Director of Collection Care informed Trustees of the history of the Collection Care division. It was noted that the structure had not changed substantially over the years, and that a new structure would be implemented that would include Heads of British and International art. It was reported that the purpose of the change is to increase transparency of planning across Tate's sites, registrars, storage and conservation, as well as to increase flexibility in the system. It was also reported that the division seeks to be

³ *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).*

more outward, for example by considering more thoughtful approaches to knowledge development and transfer as well as research and training within the sector nationally and internationally.

- b. It was noted that an output of upcoming work would be a better understanding of the resources required to deliver Tate's programme, and that this work would be completed by the end of 2009. It was also noted that Tate's Collection Care policies would be evaluated in the near term. Trustees agreed that a note outlining the philosophy of conservation would be valued. Queries were raised regarding IS infrastructure and presence on Tate's website. It was noted that a tour of Tate's conservation studios would be arranged to coincide with Trustees' further discussion of the issue.

10.1 Insuring works from the Tate Collection: guidelines for international loans

- a. It was noted that the report had been written in response to questions raised by Trustees regarding the treatment of loans, in particular concerning groups of multiple works. Trustees noted the tabled summary of recent and relevant past Board decisions on the issue. It was discussed that beyond a small number of works, each case must be considered according to the individual merits.
- b. The Board of Trustees

AGREED that any exceptions to the policies outlined would be discussed with Trustees, and their approval sought.

11 Acquisitions Financial Statement

- a. The Board of Trustees

NOTED the Acquisitions Financial Statement.

12 Acquisitions for Noting

- a. The Board of Trustees

NOTED the Acquisitions.

Acquisitions approved by the Collection Committee

BRITISH ART PRE 1900

Purchased by the Director

Jonathan Richardson 1667-1745

Portrait of the artist's son, Jonathan Richardson junior, in his study

BRITISH ART POST 1900

Purchased by the Director

Luke Fowler

What You See Is Where You're At 2001

Long Loan

Information has been exempted under Section 22 of the Freedom of Information Act 2000⁴

INTERNATIONAL ART AMERICAN FUND

Ruth Baehnisch 1910 – 1997

Atelier August Sander 1936

ASIAN PACIFIC ACQUISITIONS COMMITTEE

Do Ho Suh 1962

Staircase 2009

Gift

Do Ho Suh 1962

Who Am We? (multi) 2000

LATIN AMERICAN ACQUISITIONS COMMITTEE

Juan Downey, 1940 – 1993

Video Trans Americas 1976

Juan Araujo born 1971

Sculpture

Escultura 2009

⁴ *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).*

*Information has been exempted under Section 22 of the Freedom of Information Act 2000*⁵

Long Loan

*Information has been exempted under Section 22 of the Freedom of Information Act 2000*⁵

Purchased by the Director

Alighiero Boetti 1940 1994
Insicuro Noncurante 1975

ARCHIVE

Gift

Jill Ritblat

Jill Ritblat's files relating to her collaboration with Damien Hirst and material relating to the Koestler Foundation, Tate Patrons and miscellaneous artists' multiples and publications, 1980s-90s.

David Jones (1895-1974)

One hundred and twenty seven preparatory and unfinished sketches, seventeen letters and greetings cards from David Jones to Stanley Honeyman, and fifty miscellaneous publications relating to the artist, 1940s-70s.

Purchase

Pentonville Gallery

Nine scrapbooks relating to the Pentonville gallery, 1979-1988

⁵ **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).*

Acquisitions on hold**BRITISH ART POST 1900****Gifts**

Information has been exempted under Section 22 of the Freedom of Information Act 2000⁶

Acquisitions Approved by the Committee in principle subject to conservation checks**LATIN AMERICAN ACQUISITIONS COMMITTEE**

Abraham Cruzvillegas born 1968

AC1 2008

Autoconstrucción

AC2 2008

Autoconstrucción

AC3 2008

Autoconstrucción

AC4 2008

Autoconstrucción

AC5 2008

Autoconstrucción

AC6 2008

Autoconstrucción

AC7 2008

Autoconstrucción

AC8 2008

Autoconstrucción

AC9 2008

Autoconstrucción

AC10 2008

Autoconstrucción

AC11 2008

Autoconstrucción

AC: Shit Models 2008

Autoconstrucción

AC: The Museum of AC 2008

Autoconstrucción

AC: Blind dates 1 2008

Autoconstrucción

AC: Blind dates 2 2008

⁶ **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)

Autoconstrucción

AC: Blind dates 3 2008

Autoconstrucción

AC: Blind dates 4 2008

Autoconstrucción

AC: Blind Self Portrait: Glasgow Cove Park 2008

Autoconstrucción

13 Acquisition and Disposal Policy and MLA Accreditation

- a. The Board of Trustees

APPROVED the Acquisition and Disposal Policy.

Item 14 was considered by Trustees following Item 6 in the agenda.

14 Approval of Statutory Accounts

- a. The Chair of the Audit Committee reported that the Statutory Accounts had been discussed exhaustively at the Audit Committee meeting, and that there were no significant issues to which Trustees' attention should be drawn. It was reported that a query had been raised by the DCMS. The Director of Finance proposed revised wording which the Trustees agreed. The Trustees noted the tabled list of minor changes to be made to the Statutory Accounts.
- b. The Board of Trustees

APPROVED the Statutory Accounts, subject to the agreed changes.

15 Trustees' Register of Interests 2008-09

- a. The Trustees

NOTED the Registers of Interests.

Item 16 was considered by Trustees following Item 8 in the agenda.

Bob and Roberta Smith left the meeting.

16 Approval of Trustee Benefit

- a. It was noted that the commercial collaboration highlighted between Tate Enterprises and Bob and Roberta Smith had been agreed prior to the artist applying to become a Tate Trustee. Trustees also took the view that no new agreements would be commenced. It was noted that, subject to Trustees agreeing the conditions outlined in the report had been met, an order under Section 26 of the Charities Act would be sought from the Charity Commission.

- b. The Board of Trustees

AGREED that conditions outlined in the report had been met, and that an Order under Section 26 of the Charities Act would be sought from the Charity Commission.

17 Key Points from Minutes of Councils and Committees

- a. The Board of Trustees

NOTED the Key Points from the Minutes of the Councils and Committees.

18 Minutes from Councils and Committees

- a. The Board of Trustees

NOTED the Minutes from the Councils and Committees.

19 Key Papers for Forthcoming Meetings – July 2009

- a. The Board of Trustees

NOTED the Key Papers for Forthcoming Meetings.

20 Any Other Business

- a. There was no other business.

21 Date of Next Meeting

- a. The Board of Trustees

NOTED the Date of the Next Meeting.