

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 17 September 2008 at 9 am at Tate Modern

Present	Paul Myners Lord Browne Sir Howard Davies Professor David Ekserdjian Anish Kapoor Patricia Lankester Elisabeth Murdoch Franck Petitgas Fiona Rae Monisha Shah	Chair
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
Reports 7-15	Vicente Todolí	Director, Tate Modern
Report 7-15	Dr Stephen Deuchar	Director, Tate Britain
Report 7-10	Caroline Collier	Director, Tate National
Report 7-10	Judith Nesbit	Chief Curator, Tate Britain
Report 7-10	Sheena Wagstaff	Chief Curator, Tate Modern
Report 8	Gilane Tawadros	Consultant

The Chair and Trustees welcomed Elisabeth Murdoch, who was attending her first meeting as a member of the Tate Board of Trustees. The Chair reported that Sir Nicholas Serota would be delayed by a few minutes and that items on the agenda would be taken out of order until his arrival.

1 Apologies

- a. Apologies were received from Helen Alexander and Jeremy Deller.

2 Confirmation of Minutes

- a. The Trustees CONFIRMED the minutes as a true record, and the minutes were signed by the Chair after the meeting.

3 Matters Arising

- a. It was noted that bring-forward items were being handled or would be addressed on the present agenda. There were no other matters arising.

4 Conflict of Interest Declarations

- a. There were no conflict of interest declarations. Trustees agreed to consider Items 12-16 under Formal Business on the agenda, prior to discussing items under the Director's Report.

5 Director's Report

5.1 Transforming Tate Modern Update

- a. The Deputy Director reported that good progress has been made by the Design and Construction Team, in particular on the construction methods to be deployed on the façade. Trustees were informed that there would be a full check on the design and related costs, and that this would be considered by the TTM Project Board in October. In response to a query, it was reported that the curatorial staff have been actively engaged in the design process via a series of facilitated workshops around the use of the building and oil tanks, and that there is also an emerging process of consultation with artists. Trustees also noted the planning update.
- b. Trustees discussed the funding update. *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 2000.¹*

5.2 National Art Collection Centre Update

- a. The Trustees noted the update on the National Art Collection Centre.

5.3 Board Effectiveness Update

- a. Trustees agreed that this item would be considered at the Chair's Dinner, to be held on 23 September. Trustees were informed the note on Board Effectiveness would be re-circulated ahead of the Chair's Dinner.

5.4 Chair's Dinner – 23 September 2008

- a. Trustees noted the details around the Chair's Dinner.

5.5 Family Conference – 1 October 2008

- a. Trustees noted the details of the Tate Family Conference. The Chair stated that the Family Conference is intended to be used as input into the planning process and will seek to engage attendees of the Conference in discussion on the key issues for Tate.

5.6 Board Dates 2009 and Key Meetings Schedule

- a. Trustees noted the Board Dates and Key Meetings Schedule for 2009.

5.7 Tate Programme Schedule

- a. Trustees attention was drawn to the new column in the Programme Schedule which highlights any changes from the last report. It was reported that *Bacon*

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).*

had opened to very good reviews and that more information on attendance would be available in a fortnight.

- b. Trustees discussed the exhibition *Sold Out: The Artist in the Age of Pop* to be shown at Tate Modern in autumn 2009. The Director of Tate Modern set out the origins of the exhibition with Trustees and reported that the exhibition had been under discussion for a couple of years. *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*²
- c. Trustees commented favourably on the *Francis Bacon* exhibition as an excellent example of what Tate Britain seeks to achieve. Trustees also commented on the outstanding catalogue and conveyed their appreciation to all those involved in the exhibition. Trustees also commented on the imaginative programme in Tate St. Ives, under the artistic tutelage of Martin Clark.

5.8 European Foundation

- a. Trustees were updated on recent discussions. *Information has been exempted under Section 43(2) of the Information Act.*¹

5.9 Turner Exhibition Tour

- a. *Information has been exempted under Section 43(2) of the Information Act*¹
- b. *Information has been exempted under Section 43(2) of the Information Act*¹
- c. *Information has been exempted under Section 43(2) of the Information Act*¹

5.10 MLA Update

- a. The Deputy Director explained the role of the MLA as a funding and accreditation body. Trustees were reminded that Tate had secured only provisional accreditation for a number of years. *Information has been exempted under Section 36 of the Freedom of Information Act 2000*² Trustees noted that national museums would be asked to re-register for MLA accreditation and any issues related to accreditation would be raised with Trustees as appropriate.

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).*

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*

5.11 Sponsorship and Donations

- a. Trustees asked about the pricing of the Patrons' scheme and whether exit interviews are solicited from those who choose not to renew. It was reported that corporate members receive a formal debrief.
- b. Trustees asked how financial supporters of Tate are thanked for their generosity. It was reported that there is a programme of events designed to thank those involved in specific projects, but that more could be done to achieve the standards to which Tate aspires. The difficulty in thanking donors in a form they wish to take advantage of was highlighted as, for example, many important donors do not regularly attend dinners given by Tate.
- c. Trustees discussed how better to provide general praise as well as specific, personalised thanks in a way that makes a real difference to our donors. It was agreed that Tate should be more proactive in identifying personalised ways to thank and provide value to supporters within the limits agreed with the tax authorities.

5.12 Staff

- a. Trustees noted with pleasure that an internal candidate, Adrian Hardwicke, had been appointed as Director of Visitor Services and Estates.

6 Finance Report

- a. The Chief Operating Officer presented the Finance Report in the absence of the Director of Finance, who was on annual leave. *Information has been exempted under Section 43(2) of the Information Act 2000.*¹

*Information has been exempted under Section 43(2) of the Information Act 2000.*¹

- b. It was reported that analysis was being conducted on income forecasts for Tate Enterprises and that current assumptions on utilities costs are likely to be at the upper end of what is likely. It was recommended that Tate attempt to secure certainty at current prices. The degree of diversification of certain investments was also discussed.
- c. The Chair of the Finance and Operations Committee reported that Tate had been hit by a number of unforeseen events, such as the fire at Bluecoat and increases in insurance and transport costs. Trustees were informed that the Committee encouraged staff to look closely at exhibitions to ensure that there would not be cost overruns.

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).*

7 Planning Parameters and Objectives for Programming

- a. The Chair drew Trustees' attention to the importance of setting out a rigorous and transparent framework for programme decision making. Trustees agreed that it was important to strike the right balance that would allow Trustee oversight of the programme.
- b. The Director of Tate National introduced the Programme Framework and explained that the purpose of the framework is to create a consistent system for alignment, planning and evaluation across galleries. She said that the Programme Framework would be made consistent with Tate's overall strategy.
- c. Trustees thought that it was desirable that they should take a more active role in discussing the shape of the Tate programme. Trustees were informed that prior to 2000 there had been an Exhibitions Committee of the Board, but that after 2000 it was envisaged that the site Councils would take a view on the site programmes.
- d. Trustees discussed the role of the site Councils with regard to the programme. Some concerns were raised about the degree of budgetary accountability, and cross-Tate visibility, of the site Councils. It was also noted that some site Councils are more involved in Programme Framework discussions than others. The Directors of Tate Britain and Tate Modern commented that for Councils to be engaged on the programme ideas and framework, and to comment on the programme as presented, would be relatively simple to formalise.
- e. Trustees agreed that a meeting of site Council Chairs would be convened to discuss the role of the Councils more broadly, how to utilise the talents of their members most effectively, and to ensure that they are empowered appropriately. It was agreed that it was important to make best use of our volunteers' talents and time and to ensure that members feel they are getting value from their relationship with Tate.
- f. Regarding the Programme Framework, Trustees commented that it was important that the same degree of rigour should be applied to both internal and unsolicited exhibition proposals. It was also noted that the Programme Framework would be updated to be consistent with the Vision, highlighting our changing context and the need to interact more with audiences.
- g. Trustees agreed that they would like to discuss the balance and sequence of exhibitions over the year more frequently, and that a combination of the current Programme Framework, together with a 3-5 year historical view, would be a useful tool for doing this. It was noted that it will be important for Trustees to review the balance of exhibitions at an appropriate time so that comments could have an impact on planning. The Chair concluded that the Programme Framework seems to strike the right balance between rigour and transparency without being over bureaucratic or stalling creative thinking and the ability to respond rapidly; that site Councils should be more involved; and that annual overview by Trustees would also be helpful, looking at the programme and framework both forward and backward.

- h. Trustees raised questions about the policy regarding exhibitions of British artists at Tate Britain and Tate Modern. In response it was noted that the 2009 Tate Triennial would tease out some of the issues surrounding changing conceptions of Britishness and modernity. It was noted that the decision on whether artists should be shown at Tate Modern or Tate Britain lay with Tate. It was agreed that the policy should be kept under review and that a further report should be made to Trustees in due course.
- i. Trustees also discussed the positioning between of two London museums and the need to sharpen the distinctions between, and further establish the identities of, the two galleries. It was suggested that more British art could be shown in displays at Tate Modern and noted that non-British artists are shown at Tate Britain when it is appropriate to achieving the mission. It was agreed that this issue should be considered as part of the 2012 Strategy.

The Trustees NOTED the report on Planning Parameters and Objectives for Programming.

8 International Strategy

- a. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*
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- d. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*
- e. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*
- f. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*

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).*

Anish Kapoor left the meeting.

9 Tate’s Sustainability Strategy

- a. The Director of Tate National introduced Judith Nesbitt, who had been leading on Tate’s Sustainability Strategy over the past year. It was reported that there had been good progress and with a successful balance between practical grass-roots activities and strategic groundwork.
- b. Judith Nesbitt informed Trustees that following discussions at the Family Conference in 2007, Tate has resolved to play a leading role in sustainability in the sector and that the path for significant change to 2012 has been set out in the strategy. The importance of embedding this within the working culture of Tate was noted.
- c. Trustees’ attention was drawn to the three strands of the strategy. It was reported that internally good practice around benchmarking, identifying targets and implementing systems was underway. Efforts to lead change in international museum practice were also described, and it was noted that these efforts had been met with enthusiasm and that, while difficult, real change could only happen by working within and across the sector. Finally, the significant work around Transforming Tate Modern was highlighted.
- d. A query was raised about the environmental impact of art transport and it was reported that there are no easy solutions but that practical steps for reducing impact are being explored.
- e. Trustees commended those who have been involved in the work to date. It was noted that it was essential to stay focussed in the right areas, and to establish priorities. Trustees commended the integrated approach that was being taken.
- f. The Trustees noted the report on Tate’s Sustainability Strategy and were informed that an update would be provided to non-executives on progress in this area at the conference in October.

10 Update on Development of Tate Strategy to 2012

- a. The Head of the Director’s Office updated Trustees on progress and summarised the process and its integration with the Tate Planning Process. She explained that Trustees’ input would be incorporated into the communication of the Tate Vision.
- b. It was reported that a workshop with the Tate Staff Council had largely endorsed the characteristics expressed in the Vision, with the exception of Tate being more “outward” and interacting with audiences outside the galleries. In addition, a number of key issues for the strategy had been raised including:
 1. The link between working more collaboratively internally and externally in order to improve the quality and intellectual rigour of our work;

2. The need to better understand our audiences and to recognise there may be multiple ‘ways-in’ for audiences and that these should be provided for;
 3. Staff wish to feel appreciated, valued, and rewarded for their skills, efforts, contributions, and commitment; and
 4. Perceived tensions around the similarities and differences between Tate Modern and Tate Britain.
- c. It was suggested that it might be helpful to articulate the purpose of the museum today and how this is expected to change over the next decade in order to highlight the most important areas for Tate going forward. It was further emphasised that, given all Tate is hoping to achieve nationally and internationally, the question of prioritisation is critical and hard choices will have to be made among several relevant and worthy aspirations.
- d. The purpose of the Strategy was discussed. It was noted that the Strategy should help to:
1. Contribute to a sense of common purpose and team working;
 2. Give structure to the Trustees’ agenda;
 3. Provide a sense of what we are trying to achieve and inform advocacy by clarifying the key messages that we are conveying to our constituencies.
- e. With regard to the key issues, Trustees made the following recommendations:
1. That the National and International are separated, so that the different issues related to these efforts can be addressed.
 2. That more explicit reference is made to Tate Liverpool and St. Ives.
 3. That local and regional partnerships be added to the section on Key Relationships;
 4. That the tone regarding Audiences be made more innovative and less passive, for example incorporating the importance of sharing and interaction, personalised learning, and the role of new media;
 5. That the goals be more closely linked to the issues identified in the section on People and Culture;
- f. Trustees emphasised the need to tie the strategy and goals to clear objectives, and for a simple dashboard-method system for tracking progress against these specific objectives and measures.
- g. It was noted that it would be critical that the strategy was not only agreed, but also understood, and that a tool and communications plan could be required to communicate this with the teams internally and externally.

The Trustees NOTED the update on Tate’s Strategy Development.

11 Acquisitions Financial Statement

- a. Trustees were reminded that Tate is fully committed in acquisitions. *Information has been exempted under Section 43(2) of the Freedom of Information Act 2000.*¹
- b. Trustees discussed the amount still to be raised for the Rubens acquisition and highlighted the very real risk that the nation would be unable to acquire the work. It was reported that negotiations continue with potential donors and the sellers. Additional options for raising the remaining amount were discussed. Trustees expressed their strong support for the acquisition, and for the steps proposed to secure the necessary funds.
- c. *Information has been exempted under Section 43(2) of the Information Act 2000.*¹

Howard Davies left the meeting. The next item discussed was Item 17, as items 12 – 16 had been addressed out of order earlier in the meeting.

12 Appointments to Councils and Committees

- a. The Chair reminded Trustees that formal responsibility for identifying suitable candidates for appointment rests with the Chairs of the various Councils and Committees, and that the role of the Nominations Committee is to ensure that the framework of competencies is sensible and that there is rigour to the process.
- b. The Chair highlighted that there are two reappointments for consideration by Trustees, both representing local constituencies in St. Ives. Trustees were also reminded that the Tate St. Ives Council is different from other councils in that it is a body with representation from different local groups.
- c. Trustees were asked to note the upcoming vacancies on the various Councils and Committees, and to submit potential candidates for appointment to either Masina Frost, Paul Myners or Nicholas Serota such that a list of candidates can be collated centrally for consideration by the Board's Nominations Committee, who will meet to discuss vacancies in December.
- d. Trustees requested that the Chairs of the Councils and Committees receive the papers being prepared for the Nominations Committee well in advance of the meeting in order to check that thinking already done is reflected in the papers. It was also agreed that the summary of vacancies would be made more precise for future circulation to the Nominations Committee and Trustees.

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).*

e. The Trustees

APPROVED the reappointment of Cathy Watkins, for a period of three years, and Joan Symons, until the dissolution of the Penwith District Council, to the St. Ives Council; and

NOTED the upcoming vacancies on the Councils and Committees.

13 Terms of Reference: Nominations Committee

a. The Trustees

APPROVED the updated Terms of Reference for the Nominations Committee.

14 Bank Mandate

a. The Trustees

APPROVED the additional signatories to the bank mandate; and

AUTHORISED the Chief Operating Officer to sign the electronic banking system form on behalf of the Board of Trustees.

15 Key Points from Councils and Committees

a. The Trustees

NOTED the key points from the Councils and Committees.

16 Minutes from Councils and Committees

a. The Trustees

NOTED the minutes from the Councils and Committees.

17 Any Other Business

a. The Chair informed Trustees that attempts would be made to find a date for a full day off-site for Trustees in early 2009, to coincide ideally with discussions around the strategy and plan.

b. *Information has been exempted under Section 40(2) of the Freedom of Information Act 2000*⁴

⁴ **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

18 Date of Next Meeting

- a. The next Board of Trustees meeting will be held on 19 November 2008, at 9 am at Tate Britain.