

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 4 July 2018 held at Tate Modern

Present:	Lionel Barber Dexter Dalwood Jayne-Anne Gadhia Dame Moya Greene Michael Lynton Dame Seona Reid Roland Rudd James Timpson Jane Wilson Stephen Witherford	Chairman
Staff Attendees:	Maria Balshaw Anne Barlow Anna Cutler Alex Farquharson Samuel Jones Helen Legg Rosemary Lynch Kerstin Mogull Frances Morris Stephen Wingfield	Director Director, Tate St Ives Director, Learning & Research Director, Tate Britain Secretary to the Board of Trustees Director, Tate Liverpool Director, Collection Care Managing Director Director, Tate Modern Director of Finance & Estates

Additional attendees:

Item 3	Paul Keane	NAO Director
Item 3	Lynn Pamment	Senior Partner, PwC
Item 3	Lesley Williams	Head of Finance

1. Welcome and Apologies & Declarations of Interest

- a. Apologies received from John Akomfrah and Tim Davie.

Lesley Williams, Head of Finance, Paul Keane of the National Audit Office and Lynn Pamment of PwC joined the meeting.

2. Minutes of the Meeting held on 23 May 2018 and Matters Arising

- a. The minutes of the meeting of 23 May 2018 were approved as a true record.
- b. The Chairman informed that Lord David Neuberger has accepted the invitation to join the Ethics Committee and had attended his first meeting as an observer.
- c. Trustees noted that Jane Wilson will become a member of Tate Britain Advisory Council, an appointment that will be formalised in September.
- d. Trustees were updated on the ongoing Trustee recruitment campaigns.

3. Approval of Statutory and Knapping Fund Accounts 2017-18

- a. The Director of Finance introduced the Accounts.
- b. The Chair of the Audit Committee congratulated the team on work well done. She welcomed the auditors to the meeting, noting that it is good practice for the Board to hear auditors' views. She informed Trustees that the Accounts had been thoroughly scrutinised by the Audit Committee.

- c. Trustees noted a sound set of Accounts.
- d. The auditors updated Trustees on their report, noting that nothing had been found in the areas of risk identified at the outset of the audit. They reported a clean audit.
- e. They reported that they had scrutinised valuations and were comfortable with Tate's estimates *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- f. Trustees APPROVED the Accounts and authorised the Chairman and Director to sign them.
- g. Trustees discussed performance and congratulated the executive *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 emphasised the importance of internal communication *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*.
- j. Trustees were informed of general reserves, *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹* and that there had been no calls on contingency thus far this year.
- 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*

Paul Keane of the National Audit Office and Lynn Pamment of PwC left the meeting.

- m. Trustees were updated on discussions with the unions *Information has been exempted under Section 36 of the Freedom of Information Act 2000²*.
- n. *Information has been exempted under Section 36 of the Freedom of Information Act 2000²*
- o. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- p. They noted that unions have balloted to strike across the public sector.
- q. *Information has been exempted under Section 36 of the Freedom of Information Act 2000²*

Lesley Williams, Head of Finance, left the meeting.

4. Acquisitions & Collection Committee Report

- a. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*
- b. They RATIFIED the decisions made by Collection Committee.
- c. They noted the Acquisitions Financial Statement.

5. Health & Safety Policy & Policy Statement

- a. Trustees noted the policy and were informed that it had been scrutinised by Audit Committee and the Board of Tate Enterprises Limited.
- b. They APPROVED the policy.

6. Key Points from Minutes of Councils and Committees

- a. Trustees were informed of discussion at Tate Modern Advisory Council.
- b. They noted that the announcement of the winner of the Art Fund Museum of the Year was imminent, with Tate St Ives on the shortlist.
- c. They noted the reports of Collection Committee and the Board of Tate Enterprises Limited.
- d. They noted the report of the discussions of Tate Liverpool Advisory Council and formally welcomed Helen Legg now that she has started in role as Director.
- e. It was noted that the business of Finance and Operations Committee and Audit Committee had been covered earlier in the meeting.
- f. Trustees welcomed the report of Tate Members Council of membership levels *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*. They were informed of Tate Collective membership, *Information has been exempted under Section 22 of the Freedom of Information Act 2000³* and *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*. It was noted that the programme is seeing strong collaboration between departments at Tate.

7. Any Other Business

- a. Trustees discussed security *Information has been exempted under Section 31 of the Freedom of Information Act 2000⁴*.
- b. They welcomed news of a major donation *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*.

8. Date of Next Meeting

- a. It was noted that the next meeting is scheduled for Wednesday 19 September 2018 and will take place at the Tate Store in Southwark.

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 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 31** of the Freedom of Information Act provides that: *Information is exempt if disclosure would prejudice:*

- (1) *Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—*
 - (a) *the prevention or detection of crime,*
 - (g) *the purpose of protecting the property of charities from loss or misapplication*