

**Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 20 May 2009 at 9 am at Tate Britain**

Present	Lord Browne Helen Alexander Tom Bloxham Sir Howard Davies Jeremy Deller Professor David Ekserdjian Anish Kapoor Patricia Lankester Elisabeth Murdoch Franck Petitgas 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
Report 6 only from Report 8 from Report 8 from Report 8	Sue Cambridge Caroline Collier Judith Nesbitt Vicente Todolí	Director of Finance Director, Tate National Chief Curator, Tate Britain Director, Tate Modern

The Chair welcomed Trustees to the meeting. It was reported that items 8 and 9 would be considered before the break, and that items 6 and 7 would be considered after the break. Christopher Jonas joined the meeting.

**1 Apologies**

- a. There were no apologies received.

**2 Confirmation of Minutes**

- a. The Board of Trustees

CONFIRMED the minutes of the meeting held on Wednesday 18 March 2009 as a true record and the minutes were signed by the Chair.

**3 Matters Arising**

- a. There were no matters arising.

**4 Conflict of Interest Declarations**

- a. There were no conflicts of interest declared.

## **5 Director's Report**

### **5.1 Trustee Appointment Update**

- a. It was reported that interviews had taken place for the vacant artist Trustee position on the Board from a very strong short list of five candidates. Trustees noted that Tate would put forward two candidates to the Minister for appointment, given the strength of the candidates in the short list and the existing and upcoming vacancies on the Board. It was also noted that the two positions discussed by the Trustees in the March Board meeting were currently being advertised, and that the decision on whether to proceed with one or both would depend on the outcome of discussions with the Minister following the artist Trustee interviews.

### **5.2 Transforming Tate Modern Update**

- a. Christopher Jonas stated that the Transforming Tate Modern project is on course for Stage E and drew Trustees' attention to the range of options currently under consideration. It was noted that option 3 outlined in the report is currently preferred, and that work would continue to assess the various options.
- b. The Chair and Director reported on recent and forthcoming meetings with the DCMS. In response to a query, Trustees also discussed current thinking on landscaping treatment and public entrances. It was agreed that momentum remains important and there is a need to be prudent with any public expenditure. Trustees discussed funding issues. It was also noted that the Board would consider progress of the project at the July 2009 Board meeting.

### **5.3 Transforming Tate Britain Update: Phase 1**

- a. Trustees noted the update on the Transforming Tate Britain project, and that an extended report would be brought to the November 2009 Board meeting.

### **5.4 Tate St Ives Phase 2 Update**

- a. Trustees noted the successful outcome of discussions with the Cornwall County Council. Trustees congratulated the St Ives management team on the tremendous progress made and the developing role of Tate St Ives in the Southwest.

### **5.5 Audiences Update**

- a. Trustees noted the audiences update and that the issue would be discussed at a Board meeting later in the year.

### **5.6 Tate Kids Awards**

- a. Trustees noted the awards received for the Tate Kids section of the website, and congratulated the online team. It was also noted that Tate Online would be addressed in more detail under Items for Discussion.

## **5.7 Children and Vulnerable Adults Policy Update**

- a. Trustees noted the current status and that further work is being taken forward by Tate's Human Resources department to tighten and enhance Tate's policies and practices ahead of the formal implementation of recent legislation.

## **5.8 Meetings with the Department for Culture Media and Sport**

- a. The Chair reported that the relationship with DCMS remains strong and supportive and that work remains in line with DCMS' expectations.

## **5.9 Trustees' Dinners**

- a. The Chair expressed his appreciation to all who had attended the recent Trustees' dinners. The issues discussed at the Tate Trustees' dinner were reported and Trustees were encouraged to attend the next Trustees' dinner to be held in September. It was also reported that a dinner with the National Gallery Trustees had been held.

## **5.10 2010 Board Dates**

- a. Trustees noted the Board meeting dates for 2010. It was reported that efforts would be made to schedule a Board meeting in St Ives. The Chair reported that the management team in St Ives had expressed interest in this.

## **5.11 Staff**

- a. The Director informed Trustees with great sadness of the recent death of Ray Burns, who has worked at Tate for over 21 years in Art Handling and played a significant role in the development of Tate's expertise in Time-based Media Installations. Trustees expressed their sincere condolences to Ray's partner.

## **5.12 Tate Programme Schedule**

- a. Trustees noted the programme schedule.

## **5.13 Sponsorships and Donations**

- a. Trustees noted the Sponsorships and Donations report.

Following the Director's Report, Trustees discussed agenda items 8 and 9 prior to the break, and agenda items 7 and then 6 after the break.

## **6 Tate Financial Overview**

Sue Cambridge joined the meeting.

- a. Sue Cambridge gave a presentation on Tate's financial structure. The three connected charities were highlighted, and the treatment of contributions from donations, corporate memberships, the Tate Members, and the American Patrons were noted. Trustees noted the amounts of and restrictions related to the use of restricted, designated, and general reserves.
- b. Trustees noted Tate's income structure and discussed the comparisons of "government grant-in-aid per visitor" and the "percentage of self generated income" across different galleries. Trustees inquired about comparables over time and for some international museums. It was stated that UK comparables are available back to 2000. Trustees also discussed the overview of Tate's cost structure. It was clarified that staff costs include the approximately 730 directly employed staff, and does not include Tate Enterprises staff or any outsourced staff costs.
- c. Trustees discussed the comparisons of income and expenditure across various Tate divisions. Trustees also discussed a cost allocation analysis conducted in 2004, and the difficulty of fully attributing revenues across the gallery to specific exhibitions. Trustees noted the variability of retail and catering conversion rates and average spend across the galleries. Income challenges for Tate in the coming years were also highlighted.

### **6.1 Results for the Year ended 31 March 2009**

- a. Trustees noted the better than expected results for the year ended 31 March 2009. The Chair of the Finance and Operations Committee reported that the Finance and Operations Committee had discussed how to address uncertainty in the budget.

### **6.2 2009/10 and 2010/11 Budget Update**

- a. It was reported that the 2009/10 Budget was balanced with an appropriate contingency held against operating costs and fundraising. The Chair of the Finance and Operations Committee reported that the Committee were happy to recommend the budget to Trustees. Trustees commented on the hard work undertaken by the executive to balance the budget.
- b. It was confirmed that government grant-in-aid in 2010/11 would be reduced by 0.5% compared with the previously announced figure. It was also noted that work continues on the 2010/11 budget.
- c. The Trustees

APPROVED the 2009/10 Budget.

Sue Cambridge and Anish Kapoor left the meeting.

## 7 Transforming Tate Modern Stage E Design: Presentation on 50% progress

Harry Gugger and Ben Duckworth, of Herzog & de Meuron, and Franck Petitgas joined the meeting.

- a. Harry Gugger presented the current Stage E design plans for Transforming Tate Modern. *Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>1</sup>*
- b. *Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>1</sup>*
- c. The different structural elements of the east and south oil tanks were highlighted. Trustees also discussed the range of gallery spaces and the treatment of the ceilings and lighting in each. The use of wood for the different levels and for the window frames was highlighted. It was also noted that the ideal wall system in the galleries would be flexible, lower cost than currently and more sustainable, while still preserving the quality of the floor and ceiling joins.
- d. Trustees discussed the pullback spaces for learning and buffer zones between conditioned and naturally ventilated spaces. The treatment of vents within the galleries was also discussed.

## 8 Tate Brand Review

Brian Boylan and Marina Willer, both of Wolff Olins, joined the meeting. Will Gompertz, Judith Nesbitt, Caroline Collier, and Vicente Todolí also joined the meeting.

- a. Brian Boylan introduced the work and it was noted that discussion would centre on ideas around Tate's place in the world and Tate internally, and would only lightly touch on the presence of the brand.
- b. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>2</sup>*
- c. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>2</sup>*

<sup>1</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>2</sup> **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

- d. It was emphasised that Tate should not lose sight of the importance of the ultimate experience of being in front of an original work of art, which cannot be replaced by a book or a screen. It was noted that not everyone is familiar with Tate, and that this should be taken into consideration in order to avoid confusion among the public.
- e. Attention was also drawn to the concept of art at the root of different dialogues. It was stated that strong leadership from the top and internal organisational understanding of and engagement with the brand values are important aspects of implementation.
- f. The Trustees

APPROVED commencing the next stage of work and expressed appreciation to Brian Boylan and the team at Wolff Olins for their work.

## 8.1 Tate Online Development

- a. Will Gompertz gave a presentation on the development of Tate Online which covered progress made since September 2007, plans for the next two to three years, and Tate Online's response to the emerging brand work.
- b. Trustees noted progress made regarding Tate's exhibition micro-sites, rich audio-visual content, online courses, the online shop, fundraising online, external partnerships and collaborations, and audience participation. Tate's work to build connections with external partners, such as iTunesU and Google Streetview, were highlighted. It was noted that in the first two weeks of the partnership with iTunes, there were over 100,000 downloads of Tate's rich media content. The Tate Kids website, which recently won a Webby, was also highlighted as a good example of the two-way model to which Tate aspires. It was requested that Tate's policy in relation to online interactions with children be stated clearly.
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000<sup>3</sup>*
- d. Despite some success, it was noted that Tate's website needed improvement. Trustees noted the three fundamental changes for the future of Tate Online: to move toward a model of more distributed authorship of content; to move from a one-way monologue to multiple dialogues and an individual relationship with each user; and to create a relational web environment where every page is the beginning of a journey. It was also highlighted that most people who engage with Tate do not do so on our own website and that external partnerships would continue to grow in importance.
- e. Trustees discussed three issues related to the proposed change in direction: technology, staff skills, and funding. Data capture, digital asset management, content management and sales were highlighted as key technology issues for online development. Trustees noted that of the

---

<sup>3</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 be likely to, prejudice the commercial interests of any person (including the public authority holding it).*

technological issues highlighted, the CMS and sales engine elements were currently at business requirements stage. Key skill issues discussed included technological, editorial and writing skills. Trustees discussed the vast amount of content currently delivered despite relatively low capital and operating budgets. The Director of Tate Media outlined the prioritisation of plans according to a range of funding scenarios.

- f. Trustees discussed the resourcing of Tate Online and it was agreed that the area should be a fundraising priority. Corporate, government and internal funding options were discussed and it was noted that pilots help to demonstrate capacity and would assist in fundraising. The use of public funds for online was also raised in relation to the BBC.
- g. It was noted that increased data capture could lead to fewer online users and that the metric for users should be monthly unique visitors. It was also highlighted that priorities for online should be made very clear as selling exhibitions versus, for example, gathering more user information, could imply different prioritisations for online investment and development.
- h. The Chair summarised that the ambition for online should be bold, clearly linked to the brand, and should seek to raise money through fundraising. It was agreed that the online team would review priorities in preparation for fundraising.

Elisabeth Murdoch left the meeting and her verbal approval of item 12.1 was noted. Brian Boylan and Marina Willer also left the meeting.

## **9 Turner Prize Principles**

- a. Trustees discussed the report on the Turner Prize Principles. The core purpose of the Prize was discussed and there was agreement that this should remain unchanged.
- b. The Board of Trustees

AGREED that no changes would be made to the parameters of the Turner Prize, but that the Prize would continue to be kept under review.

## **10 Acquisitions Financial Statement**

- a. The Board of Trustees

NOTED the Acquisitions Financial Statement.

## **11 Acquisitions for Noting**

- a. It was noted that the frequency of Collection Committee meetings would be reduced, and that the acquisitions for noting had been approved by the Committee through correspondence. Trustees' attention was drawn to the group of prints by Richard Hamilton and it was noted that curators are assessing the holdings of a number of senior artists and that plans are also

being developed to enhance the Archive holdings. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*<sup>4</sup>

b. The Board of Trustees

NOTED the Acquisitions.

## **BRITISH ART POST 1900**

### **Gifts**

**Peter Peri** 1899-1967

*Stalin I* 1942

**Angus Fairhurst** 1966-2008

*Pietà (first version)* 1996

### **ARTIST ROOMS**

**Ian Hamilton Finlay** 1925-2006

*A Last Word: Rudder* 1999 and *Idylls End in Thunderstorms* 1986

### **Purchased by the Director**

**Richard Hamilton** born 1922

*Motel I* 1979, *I'm dreaming of a white Christmas* 1967, *Soft blue landscape* 1979, *Collected Words: de luxe portfolio* 1982, *Mother and Child* 1984, *Lobby* 1984, *Bathroom- fig 1* 1997, *Bathroom- fig 2* 1998, *Berlin interior* 1979, *Marcel Duchamp* 1967, *Palindrome* 1974, *Patricia Knight II* 1982

**Greenham Common portfolio** 1984

**Richard Hamilton** born 1922 *Mother and Child – Greenham Common* 1984,

**Jim Dine** born 1935, *Hiroshima Clock, first version* 1984 and **Dieter Roth** 1930-98 *Untitled* 1984

**Victor Burgin** born 1941

*25 feet two hours* 1969

**Lindsay Seers** born 1966

*Extramission 6 (Black Maria)* 2009

---

<sup>4</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).

## **The Studio Voltaire Portfolio 2008**

**Steven Claydon** born 1969, *Osram (40 watt)* 2008, **Alan Michael** born 1967, *Flags at Le Havre* 2008, **Oliver Payne & Nick Relph** born 1977 and 1979, *Master Friday* 2008, **Cerith Wyn Evans** born 1958 *Automatic Ink Drawing, Kyoto* 2008, **Ruth Ewan** born 1980, **Linder** born 1954 *She's too much for my mirror* 1979/ 2008

## **Long Loan In**

*Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>5</sup>*

## **INTERNATIONAL ART**

### **Gifts**

**Josiah McElheny** born 1966  
*Island Universe* 2005-8

**Eberhard Havekost** born 1967  
*Infinity 1 and 2, B08* 2008

## **ARTIST ROOMS**

*Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>5</sup>*

### **American Fund**

**Lisa Milroy** born 1959  
*Tyres* 1988

---

<sup>5</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).*

*Information has been exempted under Section 41 of the Freedom of Information Act 2000<sup>6</sup>*

## **ARCHIVE**

### **Purchase**

#### **Studio International**

The remaining papers of Studio International – including artworks for the covers of the periodical – as well as material relating to the establishment of *Art Monthly* and other personal papers of Peter Townsend including artists' books, printed ephemera and publications, 1960s-70s.

### **Gifts**

#### **Vanessa Bell (1879-1961) & Duncan Grant (1885-1978)**

Manuscripts and typescripts by Vanessa Bell as well as correspondence to and from Duncan Grant and family, 1960s-90s.

#### **Siegfried Charoux (1896-1967)**

Correspondence, greetings cards photographs and a catalogue sent to Hyman and Irene Kreitman by the sculptor, Siegfried Charoux, 1962-67.

#### **Pauline Vogelpoel (1926-2002)**

The personal papers and photographs of Pauline Vogelpoel, former Director of the Contemporary Art Society, 1960s-90s.

#### **Berenice Sydney (1944-1983)**

Additional papers of Berenice Sydney, 1966-83

#### **AICA**

Additional records of the AICA-UK, the International Association of Art Critics (British Section), 1993-2008.

#### **Art Monthly**

Additional records of the magazine, *Art Monthly*, 1986-2006

#### **Christopher Wood Gallery**

Records of the Christopher Wood Gallery, 1977-2000

---

<sup>6</sup> *Section 41 of the Freedom of Information Act provides that:*

- (1) *Information is exempt information if—*
  - (a) *it was obtained by the public authority from any other person (including another public authority),*  
*and*
  - (b) *the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.*
- (2) *The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.*

## 12 Acquisitions for Decision

- a. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000<sup>7</sup> Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>8</sup>*
- b. The Trustees

*Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>8</sup>*

*Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>8</sup>*

*Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>8</sup>*

*Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>8</sup>*

### 12.1 Disposal

- a. Trustees' discussed the following two works for which disposal has been recommended:

**Cai Guo-Giang- *Mr Ye Who Loves Dragon* 2003**

It was reported that opportunities for display are limited by the size of the work, which is the very large gunpowder drawing that resulted from the live performance by the artist in the Turbine Hall at Tate Modern. It was also noted that, as Tate has a second smaller work of the same title from the same performance, the work does not amplify or extend understanding of the artist or the medium. Trustees were informed that, in light of Tate's difficulty meeting the conditions of the gift, the original donor had requested the return of the large drawing to the artist, and the artist had been consulted. It was also noted that the donor is prepared to work with Tate to secure an alternative gift, should the work be returned.

---

<sup>7</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 be likely to, prejudice the commercial interests of any person (including the public authority holding it).*

<sup>8</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).*

**Juan Muñoz- Staircase #2 1999**

It was noted that the work, originally presented to Tate by a donor through the American Fund, was recommended for disposal in order to assist Tate in acquiring an important and historically significant work by the same artist. It was also noted that Tate's holdings of works by Juan Muñoz are now substantial and of a broader representation than when the work was originally acquired. It was reported that the donors had expressed their full support for the idea of releasing the work in order to assist Tate in acquiring the more substantial and historically important work on offer.

- b. It was also reported that the procedures set out in the Trustees policy document on disposal had been followed and were in accordance with the rules and principles set out by the Museums Association Code of Ethics, and that Tate is entitled to dispose of the works, pending approval by Trustees.
- c. The Trustees

AGREED to dispose of the two works for the reasons and according to the terms outlined in the report.

**Cai Guo-Qiang, Mr Ye Who Loves Dragon 2003****Juan Muñoz, Staircase #2 1999****13 Annual Appraisal of Board Effectiveness**

- a. It was noted that the Chair would hold individual discussions with Trustees over the next few months. Trustees have recently had to spend a lot of time reviewing architectural plans. Faster ways of reporting changes might be considered in order to ensure sufficient time for the discussion of other important issues.
- b. Trustees were informed that the issue of how members of the Foundation Board were engaged and utilised was discussed at the Tate Foundation meeting. It was agreed that their effective use as members of the "Tate Family" would be considered alongside the review of site Councils. It was suggested that the spacing of, and materials provided for, meetings also be considered.

**14 Management of Investments and Cash**

- a. The Chief Operating Officer stated that the creation of the investment sub-committee has been extremely useful to date. The Chair of the Audit Committee reported that the committee had reviewed Trustees' responsibilities in relation to the management of investments and cash and that the committee has adequate oversight of these areas. It was noted that a similar proposal on the management of investments would be brought to the July Board of Trustees meeting for consideration.

- b. The Board of Trustees

APPROVED the recommendations for cash management as outlined in the report.

## **15 Approval of Sub Committee Terms of Reference**

- a. It was noted that the Freedom of Information Appeals Committee should have three members and that the existing vacancy would be addressed.
- b. The Board of Trustees

APPROVED the sub committee terms of reference.

## **16 Appointments to Councils and Committees**

- a. The Board of Trustees

APPROVED the appointments to the Councils and Committees as outlined in the report.

## **17 Safety, Health and Environmental Policy**

- a. The Chair of the Audit Committee reported that the Audit Committee reviews Tate accident reports on a regular basis and that there are no significant trends to note. It was agreed that a short report summarising pertinent information would be prepared for Trustees, together with the review of the policy, on an annual basis.
- b. The Board of Trustees

APPROVED the Safety, Health and Environmental Policy and authorised the Chair to sign the policy on behalf of the Board.

## **18 Key Points from Minutes of Councils and Committees**

- a. The Board of Trustees

NOTED the key points from the Councils and Committees.

## **19 Minutes from Councils and Committees**

- a. The Board of Trustees

NOTED the minutes from the Councils and Committees.

**20 Key papers for forthcoming meetings**

- a. The Trustees

NOTED the key papers for forthcoming meetings.

**21 Any Other Business**

- a. Trustees were updated on fundraising for Transforming Tate Modern. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*<sup>9</sup>
- b. Trustees discussed that the economic markets appear to be recovering and confidence returning. It was agreed that it is important to maintain project momentum.

**22 Date of Next Meeting**

- a. The Trustees

NOTED the date of the next Board of Trustees' meeting, to be held at Tate Liverpool on Wednesday 8 July 2009.

---

<sup>9</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 be likely to, prejudice the commercial interests of any person (including the public authority holding it).*