

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 19 November 2014 at Tate Modern

Present:	The Lord Browne of Madingley	Chairman
	Tomma Abts	
	Lionel Barber	
	Tom Bloxham, MBE	
	Mala Gaonkar	
	Maja Hoffmann	
	Lisa Milroy	
	Elisabeth Murdoch	
	Franck Petitgas	
	Dame Seona Reid, DBE	
	Hannah Rothschild	
	Monisha Shah	
	Gareth Thomas	
Staff Attendees:	Sir Nicholas Serota	Director
	Caroline Collier	Director, Partnerships and Programmes
	Penelope Curtis	Director, Tate Britain
	Chris Dercon	Director, Tate Modern
	Samuel Jones	Secretary to the Board of Trustees
	Kerstin Mogull	Managing Director
	Rebecca Williams	Director of Audiences and Development
	Stephen Wingfield	Finance Director
Item 2 only	Christopher Jonas	Chairman, TTM Project Board
Item 2 only	Tony Wall	Stanhope plc
Item 2 only	Rob Watts	Stanhope plc
Item 6 only	Anna Cutler	Director of Learning
Item 6 only	Fiona Kingsman	Project Manager, Tate Exchange

The Chairman of the Tate Modern Project Board and Tony Wall and Rob Watts of Stanhope plc joined the meeting.

The meeting was preceded by a tour of the Tate Modern Project site.

1. Apologies

No apologies were received and all Trustees were present for this meeting.

2. The Tate Modern Project

- a. The Chairman of the Tate Modern Project Board reported on the project. Trustees were informed of the strength of the working culture on site. *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- b. They were informed of risks remaining in the forthcoming project schedule. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- c. Trustees noted the complex nature of the brickwork installation and that it had begun. They were informed that the bricks have been made. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

- e. Trustees were updated on the project budget. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- f. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- g. Tony Wall and Rob Watts of Stanhope updated on progress. *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- h. Trustees were updated in further detail on the progress of window installation. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* Trustees noted that testing will continue through to Christmas.
- i. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* Trustees noted the need to manage safety and logistics onsite, with window installation happening on upper levels, and brickwork installation below. It was reported that site management is strong.
- j. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- k. It was reported that the project remains on track with small slippage that has been mitigated through flexible programming. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- l. Trustees were informed of the commercial programme, noting that an exercise has started with trades. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- m. The Chairman thanked Stanhope for the report. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- n. Trustees were updated on the latest of the regular reviews by the Major Projects Authority. It was noted that the reviewer was pleased with progress, management and changes made. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* and *Information has been exempted under Section 40 (2) of the Freedom of Information Act 2000³* The reviewer was satisfied with the management of the site and communications and pleased with the progress in developing a commissioning plan. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- o. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- p. Trustees were informed of good progress in fundraising. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- q. Trustees noted further prospects. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* and *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- r. Trustees discussed communications around the project progress and were informed that the Major Projects Authority review reported satisfaction in this respect. Trustees requested a general update on the communications plan.
- s. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

3. Finance Report

- a. The Deputy Chairman of the Finance and Operations Committee updated Trustees on the previous meeting of that Committee and discussion of the exhibition programme and Tate Exchange. Trustees were informed of a good discussion of the Tate Enterprises business plans and noted ideas for revenue generation and the catering outlets at Tate Modern. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

4. Budget and Planning Update

- a. Trustees were updated on finances. They were informed of strong performance in the current exhibitions. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- b. Trustees were informed of progress in the budget. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- d. Trustees emphasised the importance of digital and Ecommerce. It was reported that the Board of Tate Enterprises Limited has been presented with ambitious plans in this area, which will be brought to the Board in January. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- e. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- f. Trustees discussed the relationship between increased attendance by members and general admission. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- g. Trustees discussed the commercial hire of spaces in the galleries. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- h. Trustees requested discussion at a meeting in mid-2016 of a five year plan. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- i. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

5. Exhibition Programme Frameworks to 2017/18

- a. Trustees were updated on changes made to the Programme Framework since September. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- b. It was noted that Tate St Ives will be considered separately to reflect planning for the new building because the revenue model including the exhibitions is being reviewed.
- c. Trustees were informed that the exhibitions of Warhol and Gretchen Bender at Tate Liverpool are performing very well and have received good reviews. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

- d. Trustees were informed of planned major exhibitions at Tate Modern. *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹ and Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- e. They were informed of planned exhibitions at Tate Britain. *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- f. It was reported that the 2016/17 Programme is in line with the financial framework.
- g. Trustees discussed the Tate Britain Programme in detail. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000² and Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- h. Trustees were informed of the details of the Tate Modern Programme and noted the commitment to continue examining different regions of the world. They also noted that lesser-known names hold an attraction. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- i. Trustees were informed of the regular meeting between senior staff to assess programme and set targets and that this happens early and takes a holistic view of the gallery programmes. This meeting informs discussion at Executive Group: accountability remains with the gallery director.
- j. Trustees discussed the programming of contemporary British artists at Tate Modern and Tate Britain. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* Trustees were informed that it is important that British contemporary Artists feature in the displays at Tate Modern. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000² and Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- k. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- l. Trustees discussed audience insight and were informed of the techniques used. Audience research will be presented in detail at a future meeting. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

The Director of Learning and the Project Manager, Tate Exchange entered the meeting.

6. Tate Exchange

- a. The Director of Learning introduced the concept of Tate Exchange as a direct address to Tate's vision of championing the role of art in society and a response to a growing demand for audience involvement and participation. It will use the Collection and commissions to catalyse the exchange of ideas, to increase Tate's digital reach and to create new income streams.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000² and Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000² and Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*

- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- e. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- f. *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- g. Trustees were informed of a potential high-level sponsor. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- h. Trustees welcomed the opportunity beyond formal education that Tate Exchange would provide for young people and also the scope that it offers to broaden audiences through partners and networks.
- i. Trustees noted that Tate Exchange is distinguished from similar programmes in other institutions by its scale, profile, duration and ambition.
- j. Trustees were informed of progress in developing ideas with curators and potential artist commissions. They noted scoping work with a potential digital provider and operational and programme modelling.
- k. Trustees recommended a set of annual and five-year objectives around which success can be planned, gauged and measured.
- l. Trustees noted and discussed the importance of global reach. They welcomed the focus on agency. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- m. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- n. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- o. *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*
- p. Trustees advised benchmarking against similar initiatives in other institutions.

The Director of Learning, the Project Manager, Tate Exchange and Franck Petitgas left the meeting.

7. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

8. Confirmation of Minutes

- a. The minutes of the meeting held on Tuesday 17 September 2014 were agreed as a true record.

9. Matters Arising

- a. There were no matters arising.

10. Conflict of Interest Declarations

- a. There were no conflicts to declare in respect of the business of this meeting.

11. Director's Report

11.1 Progress Against Away Day Objectives

- a. Trustees noted progress against the away day objectives.

11.2 Corporate Plan and Process

- a. Trustees noted progress in the development of the Corporate Plan.

11.3 Update on Artist Trustee Appointments

- a. *Information has been exempted under Section 36 of the Freedom of Information Act 2000⁴*

11.4 Trustees' Appraisal and Board Effectiveness Valuation 2015

- a. Trustees noted that appraisals will be conducted in early 2015.

11.5 Pay Project Update

- a. Trustees noted that agreement of Government and the Unions had been secured and that new pay arrangements had been implemented in the November pay round.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

11.6 Information has been exempted under Section 36 of the Freedom of Information Act 2000⁴

- a. *Information has been exempted under Section 36 of the Freedom of Information Act 2000⁴*
- b. *Information has been exempted under Section 40 (2) of the Freedom of Information Act 2000³*

11.7 PCS Strike Action

- a. Trustees noted recent strike action by the PCS.

11.8 Freedom of Information Tribunal Update

- a. Trustees noted that the Tribunal was in process and would deliver its verdict in due course.

11.9 Awards

- a. Trustees noted that the award to Tate Catering of a Silver Standard by Investors in People and that Tate Modern had been named 'Leading Cultural Destination 2014'.

11.10 Tate Family Conference: Friday 28 November 2014

- a. Trustees noted the agenda for the forthcoming Family Conference.

11.11 Tate Programme Update

- a. Trustees noted the programme update.

11.12 Staff Update

- a. *Information has been exempted under Section 40 (2) of the Freedom of Information Act 2000³ and Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

11.13 Sponsorships and Donations

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

11.14 Key Papers for Forthcoming Meetings

- a. Trustees noted the key papers for forthcoming meetings.

12. Key Points from Minutes of Councils and Committees

- a. Trustees noted the key points of councils and committees.

13. Acquisitions Financial Statement

- a. Trustees noted the acquisitions financial statement.

14. Acquisitions for Noting

- a. Trustees noted the decisions made by the Collections Committee. They noted the gifts that have been made as a result of the work of the acquisitions committees.

15. Acquisition for Decision

- a. *Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*

- 16.** *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

17. Tate Modern Back of House Works

- a. Trustees approved the placing of a contract for back of house works as part of the Tate Modern Project, noting that it was within the current cost plan.

18. Tate Members

- a. *Information has been exempted under Section 36 of the Freedom of Information Act 2000⁴ and Information has been exempted under Section 22 of the Freedom of Information Act 2000¹*

19. Acquisition and Disposal Policy

- a. Trustees approved the updates to the Acquisition and Disposal Policy.

20. Updated IS Security Policy

- a. Trustees approved the updates to the IS Security Policy.

21. Appointments to Councils and Committees

- a. Subject to his reappointment as a Trustee, Trustees ratified the appointment of Lionel Barber as Deputy Chairman of both Finance and Operations and Audit Committees and as Chairman of the Ethics Committee.
- b. They ratified the reappointment of Mark Harrison to Tate Liverpool Advisory Council.
- c. They ratified the reappointment of Briony Fer to Collection Committee

22. Tate Enterprises Limited

- a. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

23. Any Other Business

- a. There was no other business.

24. Date of Next Meeting:

Trustees noted the date of the next meeting as being Wednesday 21 January 2015, 09.00-13.00, in the Board Room, Tate Britain

The meeting was followed by a Trustees' closed session.

Endnote

¹ **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).

² **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).

³ **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

⁴ **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