

Minutes of the meeting of the Board of Trustees of the Tate Gallery held on Wednesday 15 May 2013

Present:	Lord Browne Lionel Barber David Ekserdjian Elisabeth Murdoch Franck Petitgas (joined at 11.00) Monisha Shah Bob and Roberta Smith Gareth Thomas Wolfgang Tillmans	Chairman
Staff present:	Sir Nicholas Serota Alex Beard Chris Dercon Dr Penelope Curtis Samuel Jones Stephen Wingfield	Director Deputy Director Director, Tate Modern Director, Tate Britain Secretary to the Board of Trustees Finance Director

1. Apologies

Apologies were received from Tomma Abts, Tom Bloxham, Mala Gaonkar and Maja Hoffmann.

2. Confirmation of Minutes of the Meeting held on Wednesday 20 March 2013

- a. Trustees agreed the minutes of the meeting held on Wednesday 20 March 2013 subject to two minor amendments.

3. Matters Arising

- a. There were no matters arising.

4. Conflict of Interest Declarations

- a. No conflicts of interest were declared in respect of agenda items; it was noted that annual registers of interest would be considered at item 16.

5. Director's Report

- a. The Director congratulated the Director of Tate Britain and all the Tate team on the success of phase 1 of the Tate Britain Millbank Project.
- b. Trustees were informed of positive coverage, and a successful series of launch events. It was noted that the Director of Tate Britain's vision comes through clearly in the new displays. The Director of Tate Britain commented that the launch will be a good platform for the announcement of the acquisition and display of Constable's *Salisbury Cathedral from the Meadows* and that there has been a

positive response from artists to the joining of old and new in the displays. It was discussed that the attention on Tate Britain will give momentum to the forthcoming Lowry exhibition. This will significantly benefit the launch of the new spaces in the gallery in November.

- c. Trustees were informed of work led by the Director of Tate National on a project founded by Richard Reed, founder of Innocent Drinks, to display British art from public collections in advertising sites nationwide. It was noted that this will raise awareness of British art, and include works from the Tate Collection.

5.1 National Curriculum Review

- a. Trustees noted the update and that Tate will continue to make the case for the role of art in education.

5.2 Spending Round 2015

- a. Trustees were informed that the likely outcome of the Spending Round will put all cultural organisations in a very difficult position.
- b. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹*

5.3 Artist Update

- a. Trustees noted the report of the actions taken by Tate following the conviction of the artist Graham Ovenden. They were informed of the ongoing review into whether or not there is any direct connection between the works held by Tate and the crimes of which Ovenden has been convicted.
- b. Trustees discussed the polarised nature of media coverage, which ranged from criticism for removing the images of works from the website and the prints from the reading rooms, to criticism for presenting them on the website.
- c. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹*
- d. *Information has been exempted under Section 36 of the Freedom of Information Act 2000¹*

5.4 TASK Programme Update (Technology and Skills)

- a. Trustees noted work to improve IT technology and skills across the gallery.

5.5 Update on Restitution Claim

- a. Trustees noted the update.

5.6 Employee Survey Action Plan Update

- a. Trustees noted areas for action following the Staff Survey and that plans had been developed by directors working with their teams.

5.7 Acquisition of Constable's *Salisbury Cathedral from the Meadows* and delivery of the 'Aspire' Programme

- a. Trustees were informed of the successful acquisition of Constable's *Salisbury Cathedral from the Meadows* and updated on the forthcoming announcement.
- b. They formally noted their gratitude to the donors for their extraordinary generosity in support of the acquisition.
- c. They noted the plans for the 'Aspire' Programme that will promote research and learning based on the work.

5.8 Cultural Forum 2013: Global Citizenship

- a. Trustees noted the forthcoming series of debates at Tate Modern.

5.9 G8 Project Update

- a. Trustees noted the activity planned on the Tate Modern landscape by the ONE Foundation.

5.10 Trustee Appointments Update

- a. Trustees welcomed the appointment of Seona Reid as a Trustee of the Board of Trustees of the Tate Gallery.
- b. Trustees were updated on recent interviews for a forthcoming vacancy as an artist trustee and were informed that the interviewing panel will make recommendations of strong candidates to the Secretary of State for Culture, Media and Sport.

5.11 Liaison Trustee from the National Gallery

- a. Trustees were informed of the recommendation of the Board of Trustees of the National Gallery that Hannah Rothschild replace David Ekserdjian as liaison Trustee when he steps down in September 2013. They welcomed the appointment and agreed that she should be invited to observe the September meeting.

5.12 Staff Update

- a. Trustees noted the staff update.
- b. It was clarified that a review of Tate Media and Audiences had addressed the need to focus on digital skills development across the organisation.

5.13 Sponsorships and Donations

- a. Trustees noted the update on sponsorship and donations.

5.14 Tate Programme Update

- a. Trustees noted the programme update.

5.15 Key Papers for Forthcoming Meetings

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

6. Key Points from Minutes of Councils and Committees

- a. Trustees noted the reports of Councils and Committees.
- 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. The Chair of Tate Modern Council reported on a good and constructive meeting.

7. Tate: A Vision for 2020

- a. The Director presented the Vision, which has been developed to reflect both internal discussions and Trustees' comments from the Away Day. It will be refined over the summer, and used to plan the period 2013-15.
- b. Trustees requested that they be updated at future meetings on the process of embedding the Vision.
- c. It was discussed that in addition to an external statement of Tate's Vision, an internal version should detail the process of implementation and expectations.

8. Governance Project

- a. Trustees noted the Terms of Reference for the forthcoming governance review.
- b. They were informed that the work will be undertaken on behalf of Tate on a pro bono basis and that the meeting to initiate that work will take place in late May. Trustees noted the need to provide a comprehensive list of interviewees.

The Chief Executives of Tate Enterprises and Tate Catering joined the meeting.

9. Finance Report

Items 9.1, the Report from the Chair of the Finance and Operations Committee and Item 10, the Management Information Pack, were discussed together.

- a. The Director of Finance reported on strong performance in 2012/13.
- b. Trustees noted that results were subject to Audit and that *Damien Hirst, The Pre-Raphaelites* and *Kusama* had performed strongly. *Information has been exempted under Section 22 of the Freedom of Information Act 2000³*

- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*²
- d. *Information has been exempted under Section 43 (2)*² *and Section 22 of the Freedom of Information Act 2000*³
- e. Trustees noted that a cut of 5% or greater in grant-in-aid would intensify risk and significantly limit the range of what Tate is able to do.
- f. Trustees were informed of work in progress on the programme for 2015/16.
- g. Trustees requested an update on the position of reserves, including Tate Americas Foundation and the Tate Foundation.
- h. Trustees discussed the success of *Choucair* and its potential as a model for further smaller exhibitions, especially in the new Tate Modern. It was noted that this would be further developed in forthcoming exhibitions of work by artists such as Ibrahim-el-Salahi and Meschac Gaba. It was discussed that such exhibitions provide a context in which people can approach the work of unfamiliar middle-career artists.
- i. Trustees discussed that, despite Tate's strong fundraising performance, the corporate market in general remains weak.

11.1 Tate Enterprises Business Plan 2013-14

- a. The Chief Executive of Tate Enterprises presented the Business Plan.
- b. *Information has been exempted under Section 22 of the Freedom of Information Act 2000*³ Retail opportunity around blockbusters was discussed. Trustees were informed that less revenue has been budgeted in light of the smaller programme at Tate Modern during the building works in 2013-14. They noted plans to retain strongly performing exhibition-specific product lines after the closure of exhibitions.
- c. They were also informed of record revenues in Tate Publishing, which has focused on growing worldwide distribution and developing a line of children's books.
- d. Trustees were informed that changes in the layout of the shops had resulted in increased conversion and spend per head.
- e. They noted the strength of Tate's offer at Christmas. They also noted Tate's successful collaboration with young artists from the Royal College of Art on Christmas Cards.
- f. Trustees were updated on ambitions in e-Commerce, and on the recommendation of Tate Enterprises Board that the strategy should focus on long-term investment. They were informed of a recent session brainstorming opportunities in this area and of the good progress in recruiting to a new post of eCommerce Director.
- g. The Chairman of the Tate Enterprises Board updated Trustees of the Board's comments on the Business Plan and the steps that Tate Enterprises has taken to reflect them. *Information has been exempted under Section 22*³ *and Section 43 (2) of the Freedom of Information Act 2000*²

- h. Trustees discussed mitigating the effect of lower traffic through the Tate Modern shop during the closure of the Turbine Hall. They were informed that options are limited, but that staff will be located strategically to provide directions.
- i. *Information has been exempted under Section 22³ and Section 43 (2) of the Freedom of Information Act 2000²*
- j. Trustees were updated on steps to integrate print and digital publication into the programme development and informed that, when appointed, the eCommerce Director will be tasked with embedding revenue generation within wider developments at Tate. They noted the target to increase revenue through online sales.
- k. The Chief Executive of Tate Enterprises reported excitement in the team in anticipation of the opportunities that the new buildings at Tate Britain and Tate Modern afford in developing the retail offer.
- l. Trustees requested benchmarking against international peers. It was agreed to provide figures but they were informed that Tate performs relatively well, and received generally good feedback from artists and their representatives.
- m. Trustees were informed of growth in business focusing on editions and original works by artists. This capitalises on the development of a market for high-quality print and opens opportunities in personalisation and framing that can be provided both in-store and online. Tate should be ambitious in developing prints merchandising materials that are consistent with its values and meet with the requirement of artists or the estates of artists represented.
- n. Trustees were informed of Tate Enterprises' results in the recent staff survey, the first occasion on which staff had been surveyed in tandem with those in the Tate Gallery. They were updated on areas for response upon which a dedicated People Team across Tate Enterprises and Tate Catering is now working. They noted the determination of the senior team in this respect and that the survey provides a benchmark against which future progress can be judged. The Chief Executive of Tate Enterprises noted that the customer service teams have drawn up a set of service principles of their own initiative.
- o. The Chairman summarised the discussion noting that Trustees recognised the good performance reported. He set Tate Enterprises the challenge of returning with ambitious targets, benchmarked against and surpassing global competition, and a request for the investment required in meeting them.

11.2 Tate Catering Business Plan 2013-14

- a. The Chief Executive of Tate Catering summarised the business plan, which maintains the target set three years ago of returning Tate Catering to historic profit levels. Trustees were informed that, following the divestment of a number of loss-making contracts, Tate Catering is on course to achieve this.
- b. Trustees noted that growth has been slower than anticipated because of the economic climate, and that developments at Tate Britain have meant that restaurants have been operating in semi-permanent facilities. They were informed that in this context Tate's performance is good. It is anticipated that performance at Tate Britain will improve significantly in future.

- c. Trustees were informed of changes made within the company, specifically changes to the overhead structure that had been created to accommodate the contracts with other institutions, and the implementation of more flexible timetabling in contracted hours. It was clarified that this does not mean reduced hourly rates for Tate Catering staff.
- d. Trustees discussed the opportunity to re-establish the Rex Whistler Restaurant as a destination restaurant and the potential, with small investment, to keep it open after gallery hours. It was discussed that impact of re-opening the Rex Whistler restaurant will only be felt in the last months of the financial year 2013/14. It was noted that the café will be significantly improved by daylight, and that the Members' areas will represent a vastly enhanced offer. They noted that furniture at Tate Modern will be replaced, refreshing existing cafes to bring them into line with Tate Modern 2. Trustees noted the budgeted profit at Tate Liverpool in 2013/14 and that opportunities are being explored in relation to conferences held in Liverpool to grow revenues further. They were also informed of continuing success at Tate St Ives.
- e. Trustees noted that the wider corporate market continues to be soft, and that Tate Catering is exploring wider additional revenue schemes, for instance catering events outside Tate. They were informed of deepening collaboration with the Corporate Events team which is enabling Tate Catering to meet and develop relationships with corporate sponsors much earlier.
- f. Trustees discussed the potential of different levels of offer in attracting new audiences to Tate. The Chief Executive of Tate Catering updated them on ideas for a range of affordability across outlets in the new Tate Modern.
- g. Trustees were informed of the underlying principles of Tate Catering: local, seasonal and fresh. This is echoed in product lines which include coffee roasted by Tate, gin distilled by Tate and beer brewed by Tate. Trustees congratulated Tate Catering on being placed second at the London Coffee Festival.

The Chief Executives of Tate Enterprises and Tate Catering left the meeting.

The Head of Collections (British Art), the Head of Collections (International Art) and the Executive Director of Tate St Ives joined the meeting.

12. Acquisitions Priorities Report

- a. The Head of Collections (British Art) and the Head of Collections (International Art) presented Tate's Acquisitions Priorities for the coming year. Trustees noted that the current presentation focused on 20th Century British art: a lengthier strategy for the period to 1900 will be presented at the July Board.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- c. Trustees were informed that the strategies focus on cost-effective means of growing the collection including working with artists, artists' estates, collectors and galleries.

- d. Trustees were presented a review of recent highlights in post 1900 British art, including the long loan of an Epstein sculpture from the Metropolitan Museum of Art, the gift of a work by William Scott and the arrival of the first work from the Stoutzker gift, Lucian Freud's *Girl in a Striped Nightshirt*. They noted the acquisition of Tacita Dean's Turbine Hall Commission and that a display of Alison Wilding sculpture will be the next display in the Duveens at Tate Britain.
- e. Trustees were updated on the diversification of the collection, in particular strengthening the representation of specific movements, *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- f. Trustees noted plans to address specific gaps. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* They noted continuing work to negotiate major gifts from younger artists. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- g. The Head of Collections (International Art) presented Trustees with recent highlights and future plans for acquisitions. Trustees noted the development of two acquisition committees, focusing on Eastern Europe and South Asia.
- h. Trustees were informed of the aim to present work from different but interrelated histories, building from the collection. They noted the example of the display of Lewis Balz' photography alongside Carl Andre's minimalism at Tate Modern.
- i. Trustees were informed of the complexity of several new acquisitions, in particular Meschac Gaba's *Museum of Contemporary African Art*. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- j. Trustees noted that the marketplace for pre-World War II art is costly, but that there are opportunities. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- k. Trustees were updated on plans to develop the representation of distinctive regional responses to modernism, for example through the work of Saloua Raouda Choucair. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- l. Trustees were informed of the plan to develop the representation of experimental work in new media and performance in the wake of Tanks. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- m. Trustees were updated on the strategy of building collections of mid-career artists. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- n. Trustees noted the transformative effect of ambitious projects. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- o. Trustees welcomed the strategies in both areas and congratulated the teams on the uniquely global ambitions that they represented. They discussed the importance of the acquisition committees in fulfilling the strategies. They were updated on conversations about the development of acquisition committees. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*

- p. Trustees discussed the dual-value represented by exhibiting works by artists such as Choucair, both in giving the artist the recognition that they deserve and in balancing exhibitions by better-known artists.

13. Acquisitions Report

- a. *Information has been exempted under Section 22³ and Section 43 (2) of the Freedom of Information Act 2000²*
- b. Trustees AUTHORISED Tate to proceed with payments for the acquisition.

14. Acquisitions Financial Statement

- a. Trustees noted the Acquisitions Financial Statement.

The Head of Collections (British Art) and the Head of Collections (International Art) left the meeting.

15. Tate St Ives Phase 2: Adoption of the 'aspirational scheme'

- a. Trustees were informed that fundraising is almost complete. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- b. Trustees were informed of a significant gift to the project and expressed their gratitude to the donors, Lord and Lady Myners.
- c. Trustees discussed the risks of adopting the 'aspirational scheme' and the benefits that it would bring in enhancing the displays and visitor satisfaction. They AGREED that the 'aspirational scheme' should be adopted. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* They AUTHORISED the project team to progress to Stage F design, prepare tender documents and issue the required OJEU notice. They AUTHORISED the tendering and appointment of an enabling works contractor. The appointment of the enabling works contractor will be made at the July Board, and the main contractor at the November Board.
- d. Trustees noted their satisfaction with the project's design team.
- e. Trustees congratulated the Executive and Artistic Directors of Tate St Ives and the architect, Jamie Fobert, on the good relationship built with Cornwall Council and the local community.

16. Tate Modern Project Update

- a. Trustees were informed of progress on the Tate Modern Project. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- b. They were updated on the schedule. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²* They were informed that the

Project Board will meet on 28 May and has asked for full and final agreement on projections by 24 June. The Chairman of the Tate Modern Project Board will return to provide a full update at the July board and decisions will be made at that point in respect of fit-out.

- 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*
- e. *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. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- h. Trustees discussed. *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*

17. Tate Britain Millbank Project Update

- a. Trustees noted the success and coverage of the new displays and were informed of good collaboration between construction and art handling teams.
- b. They noted good progress on the remainder of Phase 1 and that the replacement of the joinery contractor has been satisfactory. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000²*
- c. Trustees were informed that plans for Phase 2 are being developed.

18. Donation for Review

- a. Trustees were updated that, as per the donations policy in respect of all gifts of a certain size, an offer had been discussed at the Ethics Committee. They noted the recommendation that the gift be accepted.
- b. They AUTHORISED acceptance of the gift and thanked the donors for their generosity.

19. Trustees' and Directors' Registers of Interests 2012-2013

- a. Trustees reviewed and approved the Trustees' and Directors' Registers of Interests and Trustees signed their respective registers after the meeting.

20. Approval of Bank Mandates

- a. Trustees APPROVED the addition of two 'A' signatories to the Tate bank mandates and one 'B' signatory.

21. Appointments to Councils and Committees

- a. Trustees were informed of the general freeze on appointments to councils and committees pending the outcome of the Governance Review and noted that a small number needed transacting now.
- b. Trustees RATFIED the reappointment of Tom Bloxham as a member and chairman of Tate Liverpool Council. They RATIFIED the appointments of Elaine Bowker and Bice Curiger as members of Tate Liverpool Council, noting that appointments that were in train before the Governance Review commenced.
- c. They RATIFIED the reappointment of Anne Carlisle for a three year term as a member of Tate St Ives Council.
- d. They RATFIED the appointment of Raif Jacobs to Audit Committee.

22. Any Other Business

- a. Trustees noted the success of a gala evening in New York run by the Tate Americas Foundation. They congratulated the team on the \$2m raised.

23. Date of Next Meeting

- a. Trustees noted the date of the next meeting as Wednesday 3 July 2013, 09.00 – 13.00

Endnotes

¹ **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

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 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).