

**Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on
Wednesday 21 September 2011 at Tate Britain in the Board Room**

Present:	Lord Browne Tome Bats Lionel Barber Tom Bloxham David Ekserdjian Mala Gaonkar Patricia Lankester Elisabeth Murdoch Franck Petitgas Monisha Shah Bob & Roberta Smith Gareth Thomas	Chairman
Staff present:	Sir Nicholas Serota Alex Beard Caroline Collier Dr Penelope Curtis Chris Dercon Masina Frost Deirdre Robertson	Director Deputy Director Director Tate National Director Tate Britain Director Tate Modern Head of the Director's Office and Secretary to the Board of Trustees Chief Operating Officer
Additional staff:		
Report 9 – 11	Amanda Colledge Christoph Grunenberg Andrea Nixon	Head of Business Planning Director, Tate Liverpool Executive Director, Tate Liverpool
Report 9 – 12	Martin Clark Mark Osterfield	Artistic Director, Tate St Ives Executive Director, Tate St Ives

It was noted that Franck Petitgas would join the meeting shortly.

The Trustees discussed Tate's social benefit and broad approach to inclusion and community involvement. The Trustees also discussed Tate's Vision as a roadmap for clearly articulating priorities to 2015 as well as Tate's social benefit.

Franck Petitgas joined the meeting.

The Trustees discussed contingencies in the event of sustained economic uncertainty and potential contraction, Tate as an employer and future fundraising.

Alex Beard, Caroline Collier, Penelope Curtis, Chris Dercon, Deirdre Robertson and Nicholas Serota joined the meeting.

1. Apologies

- a. Apologies were received from Maja Hoffmann and Wolfgang Tillmans.

2. Confirmation of Minutes

- a. The Trustees

CONFIRMED minutes as a true record, and the minutes were signed by the Chairman after the meeting.

3. Matters Arising

- a. There were no matters arising.

4. Conflict of Interest Declarations

- a. There were no conflict of interest declarations.

5. Director's Report

5.1 Trustee Reappointments

- a. Trustees were delighted that the reappointments of Lord Browne and Monisha Shah had been announced by the Prime Minister on 9 August 2011.

5.2 Tate Britain Millbank Project (Phase 1) Update

- a. It was reported that work on the Tate Britain Millbank Project is progressing well. Trustees were informed that Tate expects to hear whether its bid to the HLF is successful or not in the following week. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

5.3 Tate Online

- a. It was reported that a further discussion of Tate Online will be brought in the new year, following its launch, and that the Family Conference this year will focus on digital development. It was discussed that Tate is in the process of launching a CRM project, which will include connections to the broader digital and technology strategy. It was suggested that initial focus should be on the technology strategy, in order to lay the foundations so that an integrated approach to audiences can be scaled over time. It was also suggested that Vodafone might be a useful resource when exploring work practices and technology solutions.

5.4 Acquisitions Update

- a. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

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).*

5.5 Turner Cataloguing Project

- a. Trustees noted the update on the project. It was stated that the work has in some respects been more complex than was anticipated, and that a further report will be made in January 2012.

5.6 Annual Press Conference – 8 September 2011

- a. It was noted that the annual press conference had been successful and that coverage of progress on the Tate Modern Project was good.

5.7 Tax Incentives for Charitable Giving

- a. It was noted that Tate has submitted full responses to government consultations on inheritance tax incentives for charitable legacies and lifetime gifts of works of art.

5.8 Chairman's Dinner for Trustees and Director – 20 September 2011

- a. It was reported that a number of issues were discussed at the Chairman's dinner including Tate's social role, prioritisation of activities and contingency planning.

5.9 Tate Family Conference – 8 December 2011

- a. It was noted that the topic of the Family Conference would be digital development.

5.10 Key Meetings Schedule 2012

- a. The Trustees noted the key meetings schedule.

5.11 Staff Update

- a. It was noted that the post of Artistic Director for Tate Liverpool had been recently advertised, and that an active search was also underway. It was also noted that the Director-level structure at Tate Liverpool is now parallel to that which is in place at Tate St Ives.

5.12 The Gatsby Foundation

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

5.13 Sponsorship Update

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

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).*

5.14 Sponsorships and Donations

- a. The Trustees noted the report on sponsorship and donations.

5.15 Tate Programme Schedule 2011

- a. The Trustees noted the programme schedule.

5.16 Key Papers for Forthcoming Meetings

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

5.17 Actions Arising

- a. The Trustees noted the report on actions arising.

5.18 Employment Tribunal Case

- a. The outcome of the recent case at the Employment Tribunal was discussed. Trustees were informed that the Tribunal had firmly rejected allegations of age discrimination and wrongful dismissal and confirmed that the employee had committed gross misconduct and breached trust and confidence. In relation to the claim of unfair dismissal it was noted that although the panel determined that in the circumstances it was reasonable for Tate to dismiss the employee, due to procedural shortcoming, overall the decision to dismiss was deemed to be unfair. The need for thorough documentation was emphasised and it was agreed that there were lessons to be learned.
- b. It was reported that Tate had taken a number of steps to communicate that disrespectful behaviour is not tolerated and that Tate is taking very seriously dignity and respect and work issues. It was agreed that any instance of bullying or harassment at Tate is unacceptable. The incidence of perceived harassment from both members of the public, junior members of staff, colleagues and managers was discussed as was recent press coverage. It was agreed that Trustees would be kept informed of monitoring and improvement in the area of dignity and respect in the workplace.

6. Key Points from Minutes of Councils and Committees

- a. The Trustees noted the key points from Councils and Committees.

7. The Tate Modern Project: Phase 2 Decision

- a. Trustees were updated on project progress. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*³

³ **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).*

- b. Trustees discussed project financing and fundraising. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000⁴*
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000⁴*
- d. *Information has been exempted under Section 22 of the Freedom of Information Act 2000⁵*

The meeting was adjourned for a short break.

8. Finance Report

The Trustees discussed item 8.2 ahead of item 8.1 on the agenda.

8.1 Report from Chair of Finance and Operations Committee

- a. The Chairman reported that the Committee had positive but serious discussions about plans to 2015. It was noted the Committee discussed risks and concerns to be addressed, including the confirmation of capital project financing, anticipated revenue growth, the use of reserves, and the spread of management time. It was also noted that the Committee discussed prioritisation of activities.

8.2 Management Information Pack

- a. It was reported that a balanced budget was forecasted for the present year and that any allocations of contingency would be monitored closely. It was noted that secondary spend in the galleries continues to be monitored closely. Trustees discussed the need for caution with regard to revenues, and to be ready to reduce costs if necessary should the profile not develop as anticipated.

9. Development of Tate Business Plan 2012-2015

⁴ **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).*

⁵ **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).*

- a. It was reported that the gallery reports were written as business plans rather than statements of vision. It was also noted that, in addition to the four sites, other cross-cutting areas of Tate's activity that contribute toward achieving the Vision and would be brought together in the final budget plans to be discussed with Trustees in the coming months.
- b. The Trustees

AGREED to the 2012/13 plan and framework which it was noted would be used to develop detailed budgets in the upcoming planning and budgeting round.

10. Draft Budgets 2012-2013 to 2014-2015

- a. Trustees highlighted the need to clarify priorities, the use of grant in aid, and the development of contingency plans should the operating environment worsen.

11. Gallery Programmes: Framework, Plans, Changes

11.1 Presentations by Gallery Directors

11.2 Tate St Ives Programme: Framework, Plans, Changes

- a. The Artistic Director of Tate St Ives presented the vision for the gallery, challenges and recent successes. It was noted that the gallery aims to celebrate and extend the rich cultural legacy of the St Ives colony, the development of Modernism in the UK and its links internationally. The programme framework was presented and plans for a broadly appealing summer programme were highlighted, as were touring and other partnerships. Plans to improve the structure of Tate St Ives were also highlighted. It was reported that 40% of Tate St Ives visitors have not previously visited a museum, and that this presents a significant opportunity for audience development.
- b. Trustees discussed visitor forecasts, plans to strengthen links in the local community, the role of the Research Centre in this, and the feasibility of plans to enhance local fundraising. It was reported that the entry price at Tate St Ives compares favourably with local attractions, and that there are plans to work more closely with London to develop marketing and communications.

11.3 Tate Liverpool Programme: Framework, Plans, Changes

- a. The Directors of Tate Liverpool highlighted local challenges including the loss of the Regional Development Agency, the highest local authority budget cuts and a reduction in core grant in aid to the gallery. It was reported that changes are being made to visitor services and the opening hours of the gallery. The need to maintain international profile through quality programme and touring was highlighted. The social diversity of audiences in Liverpool was also highlighted, as was the focus on developing young and local audiences. The programme framework was presented and the main summer exhibition was highlighted. A renewed

emphasis on the Collection and the continuation of ambitious commissions were also highlighted.

- b. Trustees recognised the difficult and very good work that had been done by the Directors and staff at Tate Liverpool in order to bring about the changes required to the operating model. It was reported that the Liverpool City Council remains very committed to Tate Liverpool and to the importance of the summer exhibitions.
- c. Trustees highlighted the success and differentiation of the programme in Tate Liverpool under Christoph Grunenberg's leadership, applauded his highly positive contribution to the development of the gallery over the past ten years, and wished him well in his new role as the Director of the Kunsthalle Bremen.

11.4 Tate Britain Programme: Framework, Plans, Changes

- a. The Director of Tate Britain highlighted the range of objectives which the forward plans aim to meet. It was reported that Tate Britain aims to attract visitors to the Collection as well as to exhibitions, and to provide appropriate programme for specialist, regular and new visitors. Plans for the Collection displays were presented and it was highlighted that a true chronological approach will expose surprising diversity and juxtaposition of artistic practice in Britain up to the present day. It was also highlighted that in-focus displays would be proactively and dynamically programmed with different audiences and stakeholders in mind, allowing for a range of approaches to working with artists, and engaging with research and a range of audiences. The programme framework was presented, and the desire for ambitious thematic shows was highlighted.
- b. The Trustees discussed fundraising for the Tate Britain Millbank project. The external communication of the Collection and in-focus displays was also discussed. It was noted that the gallery staff are working with colleagues in communications to develop plans to promote the entire experience at Tate Britain, and that the timing of display changes are being considered to help facilitate this. It was noted that Marc Sands would be asked to share these communication plans in the future.

11.5 Tate Modern Programme: Framework, Plans, Changes

- a. The Director of Tate Modern highlighted the complementary nature of the plans across Tate's four galleries. The key principles guiding Tate Modern's plan were highlighted. It was noted that Tate Modern's programme reflects a society which is in constant transformation. It was also noted that there needs to be a textured range of large and small scale programme in order to remain vibrant and relevant. Recent examples of the programme's responsiveness to contemporary issues, including changes in the Middle East and North Africa, and the recent riots in the UK, were highlighted. The museum as a place of mediation and exchange, and a more integrated approach to learning were also highlighted. The programme framework was presented, as was the planned approach to telling the stories through the Collection and presenting new forms of media and artistic practice including live programme. Plans for the Turbine Hall were also discussed.

12. Tate St Ives Phase 2 Capital Project

- a. The Director of Tate St Ives updated Trustees on recent progress. It was noted that work on the adjacent Meadow Flats site, which was purchased by the Cornwall Council and reserved for Tate St Ives, would be completed in 2012. Trustees discussed progress on, and plans for, fundraising. It was noted that about one-third of the required funds have already been raised. It was also noted that a number of discussions with potential funders had been favourable, with positive indications on a number of fronts.
- b. The limitations of the current space, and the desire for audiences to see work by the St Ives modernists, the Tate Collection and contemporary programme were highlighted. It was noted that these areas cannot currently be shown simultaneously, and that the gallery must currently close to the public in order change over art works. It was also noted that the gallery was designed to accommodate only 70,000 visitors annually and that visitors regularly exceed 200,000. Plans for engaging audiences, staff development and operations were presented.
- c. Demands on management time and central resources were discussed. It was confirmed there is confidence in the fundraising plans and that there will be no call on reserves in relation to the financing of the project. It was noted that the view of the Tate St Ives Council is that Trustees should support the project in view of the strong local support, opportunity, and limited call on central resources.
- d. The Trustees

NOTED the strategy and plans and AGREED that Tate should proceed with the design team tenders for the project.

13. Acquisitions Financial Statement

- a. The Trustees

NOTED the acquisitions financial statement and that the Collection Committee would meet in the following month.

14. Progress Report on Anti-Bribery Measures

- a. The Trustees

NOTED the actions being taken in response to the Bribery Act.

15. Chipperfield Trust – Change in Terms

- a. It was reported that Tate is bound by a formal agreement with the Southampton City Art Gallery.
- b. The Trustees

APPROVED the formalisation of Tate's role as an expert adviser to the Southampton City Art Gallery and the clarified elements of the role as outlined in the report.

16. Cash and Investment Managers Mandate

- a. The Trustees

APPROVED the addition of staff to the bank and investment mandates as outlined in the report.

17. Appointments to Councils and Committees

- a. The Trustees

APPROVED the appointments of Ian Gaolen and Mark Harrison to the Tate Liverpool Council.

18. Minutes from Councils and Committees

- a. The Trustees

NOTED the minutes from the meetings of the Councils and Committees.

19. Any Other Business

- a. There was no other business

20. Date of Next Meeting

- a. The date of the next meeting was noted as Wednesday 16 November 2011, Tate Modern East Room, Level 7, 9.00.