

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD  
ON WEDNESDAY 15 JANUARY 2020 AT TATE MODERN

Present: Lionel Barber Chairman  
John Akomfrah  
John Booth  
Farooq Chaudhry, CBE  
Tim Davie, CBE  
Dame Jayne-Anne Gadhia, DBE  
Dame Moya Greene, DBE  
Katrin Henkel  
Anna Lowe  
Dame Seona Reid, DBE  
Roland Rudd  
James Timpson, OBE

Staff Attendees: Dr Maria Balshaw, CBE Director  
Anne Barlow Director, Tate St Ives  
Vicky Cheetham Chief Operating Officer  
Alex Farquharson Director, Tate Britain  
Samuel Jones Secretary to the Board of Trustees  
Helen Legg Director, Tate Liverpool  
Rosemary Lynch Director of Collection Care  
Frances Morris Director, Tate Modern  
Stephen Wingfield Director of Finance & Estates

Additional attendee:

Item 4 Prue Skene

1. WELCOME AND APOLOGIES & DECLARATIONS OF INTEREST

- a. Apologies were received from Michael Lynton and Jane Wilson.
- b. John Booth declared an interest as a donor to the Art Fund's campaign to save Prospect Cottage for the Nation; Katrin Henkel informed Trustees of a work of art acquired in a private capacity. There was no conflict in either case.

2. MINUTES OF THE MEETING HELD ON 20 NOVEMBER 2019 & MATTERS ARISING

- a. The minutes of the meeting of 20 November 2019 were approved as a true record.

3. DIRECTOR'S REPORT

- a. The Director updated Trustees on strong performance across all sites. They welcomed the report on Membership, which now numbers 161k; Tate Collective has seen particular success, now exceeding 148k in number, exceeding all expectations.
- b. Trustees noted that the contract with the Pudong Museum of Art has been signed and looked forward to hearing further reports as work progresses.
- c. Trustees welcomed a report on fundraising. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>*

- d. Trustees were updated on work on the Reward and Recognition project. It was noted that the project will be considered in further detail at a future meeting. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>* The project will also address broader questions of how talent is recognised and rewarded and how performance management and career development can be improved. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>*
- e. Trustees were updated on the damage done to Pablo Picasso *Head of a Woman* 1944 at Tate Modern over the Christmas period. They were informed that teams on the day had handled the incident professionally. *Information has been exempted under Section 31 of the Freedom of Information Act<sup>2</sup>*
- f. Trustees were updated on court actions scheduled in January and February.

#### 4. REVIEW OF NON-EXECUTIVE GOVERNANCE

- a. The Chairman introduced this item, thanking Prue Skene for an excellent report. It was noted that the report can be taken as a clean bill of health, with recommendations for adjustments in certain areas to meet new needs.
- b. Prue Skene introduced the findings, noting specific recommendations for the site councils, reinforcing their role as being supportive of the site directors. Trustees noted the value of the membership and thought that agendas and preparation could be more effectively shaped to draw on this. *Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>3</sup> and Section 36 of the Freedom of Information Act 2000<sup>1</sup>*
- c. The new Chairman of the Members Council will work with the members of that group and the executive to develop its role as Membership evolves.
- d. The Remuneration Committee will be refocused in the context of wider work on Reward and Recognition and meet more regularly.
- e. Trustees noted the success of Tate Enterprises Limited (TEL) in generating income for Tate and the effective operations of the TEL Board. *Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>3</sup> and Section 36 of the Freedom of Information Act 2000<sup>1</sup>*
- f. Overall, paperwork could be reduced and longer papers supported by Executive Summaries.
- g. The commitment to diversify the membership of committees was welcomed, likewise the development of Tate Collective's representation on the Members Council.

Farooq Chaudhry left the meeting.

- h. It was agreed it is important to ensure that sites retain representation through given Trustees.
- i. *Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>3</sup>*

Prue Skene left the meeting.

#### 5. TATE MODERN INCIDENT

- a. The Chairman emphasised the importance of this item. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>*
- b. Trustees were informed that following initial discussion at November's Audit Committee and the request for detailed options, the Finance and Operations Committee had in the January meeting considered and scrutinised a range of possible changes in respect of the Viewing Platform. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>*
- c. *Information has been exempted under Section 31 of the Freedom of Information Act 2000<sup>2</sup>*
- d. Trustees discussed the options and recommendations. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>*
- e. *Information has been exempted under Section 31 of the Freedom of Information Act 2000<sup>2</sup> and Section 36 of the Freedom of Information Act 2000<sup>1</sup>*

## 6. ESTATES STRATEGY

- a. The Director and Chief Operating Officer gave Trustees an overview of the Estates Strategy. They noted that improvement of the estate will underpin the achievement of Tate's overall objectives.
- b. Trustees noted the need to build on thirty-five years of growth, focusing capital work on securing the long-term future of the collection and organisation.
- c. Trustees were informed of the financial strategy. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*
- d. Trustees noted the inhibitions placed on a modern organisation by outmoded and carbon-intensive infrastructure. They also noted the financial economy in addressing estates needs now.
- e. The Director of Tate Liverpool outlined needs and ambitions for the site in detail. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>* The heritage importance of the Dock as a Grade 1 listed building and part of a UNESCO World Heritage Site was noted. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*
- f. The Director of Collections Care updated Trustees on needs and ambitions in respect of storage and collection operations. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*
- g. Trustees discussed the needs on the Tate Britain and QAMH site. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*
- h. The Director of Tate St Ives updated Trustees on planning for the Palais de Danse. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>* They discussed the site's significance in Tate St Ives' plans and community strategy. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*

- i. The Director of Finance and Estates informed Trustees of critical maintenance needs across all sites. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*
- j. It was noted that all of the above would be brought before Trustees before further material steps. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*
- k. Trustees recognised the clear need to invest in the estate. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*
- l. They advised strong project management. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>* It was thought that a specific committee of the Board should oversee work in this area: this would be established if funding is secured.
- m. They emphasised the need for continued daily investment in infrastructure. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*

## 7. ACQUISITIONS REPORT

### 7.1 Acquisitions and Collection Committee Report

- a. Trustees noted the reports.
- b. They approved the annual allocation from Acquisitions Funds.

## 8. FINANCE REPORT

### 8.1 Report from Finance & Operations and Audit Committee meetings

- a. The Chair of the Finance and Operations Committee updated Trustees on the recent meeting and preparation for annual budgeting. It was noted that the main items discussed had been covered on this agenda. Trustees noted that the Committee will oversee ongoing transformation work and monitor its structure and resourcing.

### 8.2 Update on 2019/20

- a. Trustees were updated on finances in the current year. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>* Trustees noted that some funds have been held to mitigate risk in the civil case brought by Tate Modern's neighbours: they noted non-redeemable costs. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*

## 9. KEY POINTS FROM MINUTES OF COUNCILS AND COMMITTEES

- a. Trustees were updated on discussions at Councils and Committees. Stephen Witherford chaired his first meeting of the Members Council. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup>* Trustees welcomed the movement in audience demographic that Tate Collective has brought. *Information has been exempted under Section 22 of the Freedom of Information Act 2000<sup>3</sup>* They noted ambitions to reach lower income groups. They

welcomed news of sponsorship for audience research into Tate Collective and the generous support for the overall programme by an individual donor for three years. *Information has been exempted under Section 36 of the Freedom of Information Act 2000<sup>1</sup> and Section 43 (2) of the Freedom of Information Act 2000<sup>4</sup>*

#### 10. ANY OTHER BUSINESS

- a. Trustees were updated on positive developments in respect of Prospect Cottage. They noted a forthcoming announcement on fundraising from Art Fund and that Tate would act as artistic advisors and also bring some items into the Archive on long loan.

#### 11. DATE OF NEXT MEETING

The date of the next meeting was confirmed as Wednesday 25 March, Tate Britain, 09.00 – 13.00

## Endnotes

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<sup>1</sup> **Section 36** of the *Freedom of Information Act 2000* provides that: *Information is exempt if its disclosure under this Act would be likely to have any of 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*

<sup>2</sup> **Section 31** of the *Freedom Information Act 2000* provides that: *Information is exempt if disclosure would prejudice:*

- *the prevention or detection of a crime, apprehension or prosecution of offenders; administration of justice etc*
- *an investigation by the authority into illegality, improper conduct, anyone's professional/managerial fitness or competence*
- *protection of charities against misconduct or mismanagement; the protection or recovery of the property of charities*
- *an investigation of an accident; ensuring the health, safety and welfare of employees; protecting the health and safety of other persons*

<sup>3</sup> **Section 22** of the *Freedom of Information Act 2000* provides that:

- (1) *Information is exempt 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 a 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)*

*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>4</sup> **Section 43 (2)** of the *Freedom of Information Act 2000* provides that: *Information is exempt 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)*