



Fundación TBA21  
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# Compliance Policy

## Introduction & Scope

This Compliance Plan covers all the policies and internal workings of TBA21.

Fundación TBA21 is a Private, non-profit, foundational organization in accordance with the Spanish Foundations' Law (Ley 50/2002, de 26 de diciembre, de Fundaciones), available (in Spanish) [HERE](#).

**Foundation purpose:** to promote art as a catalyst for positive change and as a means to address the needs of today's world, with a vision of social and environmental justice based on collaboration with artists, curators, scientists, thinkers, activists, Indigenous voices and scholars, to build a future based on peaceful coexistence, care, and generosity.

This Compliance Plan contains our commitments in terms of compliance that anyone involved in the management, operations, and functioning of the Foundation must comply with, regardless of their level in the hierarchy, mainly its employees, managers, members of its governing bodies, volunteers, suppliers, and collaborators according to the type of relationship they have with the Foundation.

Alongside this Compliance Plan, the Foundation also describes our "Values in Action," providing guidance on how we embody our values and the organization's actions to achieve this.

## Objective

The activities within the scope of which criminal liability could be incurred for the actions of the Foundation are the following:

Artistic and scientific research.

Commissioning, production, exhibition, and conservation of artworks.

Delivery of public and educational programming.

Management and operation of offices and venues.

## Compliance goals

1. Promote a culture of integrity and respect for ethical guidelines and standards to ensure quick reaction in case of risks or violations of these standards.
2. Ensure our compliance guidelines and standards evolve in line with our Vision, Ethics, and Values and in collaboration with employees, contractors, and partners.
3. Provide a zero-tolerance approach prohibiting the commission of crimes instigated by providing information, guidance, and support, backed by disciplinary, corrective actions in line with labor regulations whenever necessary.
4. Provide information and advice on ensuring compliance so that all know and understand the compliance guidelines and commitments needed to perform their activities.
5. Encourage obligatory reporting of misconduct about compliance, guaranteeing confidentiality and indemnity. (see Gross Misconduct & Harassment Policy).
6. Continuously revise the compliance policy to ensure it aligns with best practices.

## Actions

1. Leadership, commitment, and responsibility for compliance sit across the organization, specifically with the Executive Team and Board.
2. Evaluation of criminal risk within the project process is integrated to identify, analyze, and assess criminal risks that can be reasonably predicted with preventative steps enacted.
3. Policies and Controls: commitments taken on by the Board and Executive Team are reflected in our internal policies.
4. The Foundation commits to communicate our compliance objectives and activities clearly, internally and externally.

5. **Training and Awareness:** The Foundation commits to providing adequate human and financial resources to understand and evaluate risk, including training and development for staff.
6. **Whistleblowing Procedure:** The Foundation has a precise mechanism to report potential policy violations and protects those reporting such incidents. This includes the ability to write to a completely independent third-party organization.
7. **Compliance Supervision:** The Foundation has an internal body to review compliance issues which consists of the Co-Directors, Artistic Director, Head of Collection, and HR Manager. This committee meets annually as part of the business planning process and agrees on any updates to policies required.

## **Responsibility**

The Organizational Board and the Executive Team hold legal responsibility for compliance. Responsibility for awareness and compliance training is held by the Human Resources Manager in collaboration with the Executive Team.