Malvern Hills Trust
Ordinary Meeting of Governance Committee
Park View Community Room, Victoria Park Road, Malvern WR14 2JY
Thursday 22 October 2026 at 6.30 pm

Present: David Core (Chair), Richard Bartholomew, Robert Berry, Mark Driscoll, David Fellows, Lucy Hodgson, John Michael, John Raine.

In attendance: CEO, Jenny Burford, Richard Fowler, Andrew Myatt, Cynthia Palmer, Peter Rogers, Chris Rouse, one member of the public.

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1. **Apologies for absence**
   John Michael (non-voting), Secretary to the Board.

2. **Chair's announcements**
   - A *Take Note* debate on the Malvern Hills Bill was due to take place in the House of Lords on 29 October. A Trustee asked whether the Board had formally accepted the recommendations of the Select Committee and it was confirmed that it had not yet agreed a position.
   - The Trust had received a letter from the Information Commission (ICO) giving their view that it was inconclusive as to whether or not the Trust was subject to the Environmental Information Regulations 2004 (EIR). This had broadly been the Trust's position anyway and staff did respond to any EIR requests received in the spirit of them. It was noted that it had taken the ICO about two years to respond to an enquiry about the Trust's status; the reason for the delay was unknown. A Trustee said that they had requested further supporting information from the Secretary to the Board (SttB).

3. **Declarations of interest**
   None.

4. **Public comments**
   None.

5. **Matters Arising from previous meetings**
   5.1. **16 July 2026, Minute 5.1 –** ***Whistleblowing rights for trustees***
   Deferred to the January meeting.
   5.2. **16 July 2026, Minute 7.3 –** ***Compliments Policy***
   Item taken under agenda item 8.

6. **Changes to the Governance Handbook and Standing Orders**
   Section 5 of the Governance Handbook on Exempt Information would be checked and updated in the light of the letter from the ICO.

7. **Policy Review**

7.1. Access to Information Policy

A paper was received from the SttB presenting a new policy for consideration. Questions were invited from trustees.

- One trustee questioned the need for the policy, stating that if trustees required information it should be made available to them. They alleged that a 'cloak and dagger' culture existed at the Trust. The CEO countered that she was not aware of any such culture and it wasn't one she espoused. Another trustee thought that the proposed document was useful, because it set out expectations and expectations affected culture.
- A trustee was concerned about the proposed three year revision period, but it was pointed out that if there were any changes required by legislation or other significant factors, the review would be brought forward.
- A trustee in attendance suggested that the policy should be deferred in the light of the letter from the ICO and that legal advice should be sought. The trustee also expressed concern that the procedure for access to information covering trustees gave officers the ability to override the statutory rights of trustees without there being any appeal process.
- There was a discussion about the status of the Trust and why it was not subject to the Freedom of Information Act, when it might be subject to EIR. There was a suggestion that the policy be recommended for approval subject to any amendments that might come up following further reflection on the ICO correspondence. However, it was agreed that it would be better to defer the decision to the next meeting to allow for advice to be sought and for the policy to be amended appropriately.

7.2. Risk Register (Governance)

There had been a recent online trustee workshop on the complete Risk Strategy. The risks allocated to Governance Committee were tabled for information. The CEO said that a number of controls on governance risks centred around trustee training and noted that it was essential that this training be provided.

- A trustee in attendance queried the scoring mechanism between the corporate risk strategy and the Bill risk register, saying that they should be the same. The CEO pointed out that one was a strategy, while the other was a project, and so it was not necessary for them to be the same; however, streamlining work had already been done. The CEO did not want arbitrarily to change the scoring in a report format that had been in use by the Board for some years and thereby risk causing alarm.
- A trustee in attendance referred to a red risk where the control appeared to be the use of lawyers to address the risk. They did not

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think that getting information from lawyers did address a risk. The CEO said that professional advice and regular updates on charity law were important and that professional advice was only sought if lawfulness on any activities was in doubt. She invited suggestions on other controls. It was suggested that the likelihood was lower than 'red'. The Chair recommended that this particular query be taken offline for further discussion.

- A trustee said that the Board was verging on crisis due to its split concerning the Malvern Hills Bill and suggested that the risk register did not imply this. The CEO pointed out that the risk of internal disputes had been raised to red and said the change would be highlighted in her report to the Annual Meeting in November.
- The Chair thanked trustees for various comments made, observing that an on-going review process was helpful, and encouraging any further feedback to the CEO.

8. **Compliments and Complaints – tracking and reporting**
   The CEO reported that the Board had agreed in principle that compliments and complaints should be tracked, but at the moment was there no compliments policy. Both compliments and complaints allowed the Trust to learn and improve. Plans to track compliments and complaints were in their early stages. Management could provide trustees with periodic summary reports. The CEO said she would welcome suggestions of any good practice trustees had experienced elsewhere. A trustee supported the creation of a simple compliments policy and a log of the type of compliments received. Another trustee suggested the use of Trustpilot for tracking. A trustee in attendance asked if the CEO's newsletter to staff could be shared with trustees; the CEO said this would not be appropriate, because it was operational, but she was happy to share compliments as discussed.

9. **Trustee Training**
   - It was planned to run Prevention of Bullying and Harassment training for newer trustees who had not yet had the chance to attend.
   - The SttB would be circulating a report by the CEO and Mark Driscoll on their attendance at Trustee Exchange earlier in the year.
   - Trustees were invited to consider what training they might find helpful.

10. **Urgent Business**
    None.

11. **Date of Next Meeting**
    Date in January 2027 to be confirmed. It was suggested that it would be helpful to schedule a meeting before the January Board meeting.

The meeting closed at 7.30 pm.

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