

Julian Clissold,
ECF Board Chairman

21 November 2019

Dear Julian,

Complaint by Tim Wall

The panel's terms of reference set out five points, the first four of which have been explicitly covered by its response to the complaint. The fifth and last point required the panel to “*make such other recommendations to the Board as it may think fit*”. The panel has taken “recommendations” in this context to mean recommendations arising out of the complaint. They are set out below. Please note that they are all contained in the response to the complaint, although not highlighted in it. I should be grateful if you would circulate this letter to all Board members.

At the end of item 5 of the Board minutes of 12 October it is recorded that:

DE asked the board to consider what lessons could be learned from the issues that had arisen following Carl's appointment and the following points were agreed.

- *Additional care should have been taken in the board report production/ review to avoid the impression that the Development Office appointment had already been made.*
- *Consideration should be given to additional review of documents such as a new Officer's initial communications before they were published on the website.*

As noted in the response to the complaint, the panel considers that wider lessons should be learnt about the Board Report:

- The Board Report is the responsibility of the whole Board. It should be referred to as such (and not as any one individual's report) in Board minutes.
- Every Director should review the whole Report, not merely “their” section of it, and confirm their agreement of it.
- Any published report by the ECF or any Director or Officer should include as fact only things which have already happened at the date of the report.
- Any forward-looking statement contained in such a report should be clearly shown as such, however likely the expectation of it happening.

As the Board has already noted that consideration should be given to how documents are reviewed before being published on the website, the panel leaves that for the Board to consider.

In its response the panel refers to the need for the Chief Executive to consult with other Directors in setting objectives for the Development Officer. This point is only included here for completeness, as the panel is sure that the Chief Executive is well aware of best practice in “matrix management”.

Yours sincerely,

for the Complaints Panel