

# Peter Kahl, LL.B (Hons), LL.M Candidate



United Kingdom

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## OPEN LETTER IN THE PUBLIC INTEREST

07 August 2025

Nicholas Hillman  
Director  
Higher Education Policy Institute  
99 Banbury Road  
Oxford  
OX2 6JX

By Registered Post and on Substack, GitHub

Subject: **Formal Request for Governance Disclosure and Clarification Under  
Charity Law – Trustee Status of Sir David Robert Bell KCB DL**

Dear Mr Hillman,

### 1. Statement of Purpose

#### 1.1

I write to you formally in your capacity as Director of the Higher Education Policy Institute (HEPI), a registered charity (Charity No. 1099645), regarding governance transparency and statutory compliance with respect to the recorded trusteeship of Sir David Robert Bell KCB DL.

## 1.2

This letter constitutes a formal legal inquiry concerning the maintenance and accuracy of HEPI's statutory filings and fiduciary records, as required under:

- The Charities Act 2011, particularly ss 177–179 and s 60;
- Charity Commission guidance CC3: The Essential Trustee (2018); and
- Charity Commission guidance CC29: Conflicts of Interest (2014).

## 1.3

As of 5 August 2025, the official Charity Commission register for HEPI lists Sir David Robert Bell as a current trustee appointed on 21 December 2016, with no termination or resignation on record.

However, in email correspondence received from Sir David Bell on 4 and 5 August 2025, he asserts that he ceased to be a trustee in Autumn 2024, stating that he had “reached the end of [his] agreed time as a trustee of HEPI.”

## 1.4

This discrepancy raises urgent questions regarding the charity's compliance with its duty to ensure accurate public reporting, proper termination of trusteeships, and fiduciary transparency in accordance with the Charity Commission's statutory and regulatory framework.

# 2. Formal Request for Clarification and Disclosure

## 2.1

In light of the discrepancy between Sir David Bell's assertion and the publicly accessible trustee records maintained by the Charity Commission, I hereby formally request that HEPI provide the following, pursuant to its statutory duties under the Charities Act 2011 and the associated guidance issued by the Commission:

- 2.1.1 Confirmation of whether Sir David Robert Bell KCB DL is currently a trustee of HEPI;
- 2.1.2 If he is not, the precise date of cessation of his trusteeship;
- 2.1.3 The method by which his trusteeship ceased, ie, resignation, retirement at end of term, or removal;

- 2.1.4 A copy of the formal written notice of resignation (if applicable), or minutes of the meeting at which the cessation was accepted by the charity;
- 2.1.5 The date on which HEPI filed the change in trusteeship status with the Charity Commission and a copy of any documentation submitted.

## 2.2

These requests are made with reference to:

- Section 60 of the Charities Act 2011, which imposes an obligation to ensure that charity accounts, statements, and returns are accurate and not misleading;
- CC3 (The Essential Trustee), which affirms that trustees must act with transparency and ensure that the charity's details on the public register are kept up to date;
- CC29 (Conflicts of Interest), which further underlines the duty to manage and disclose relevant governance relationships that may give rise to fiduciary or institutional conflicts.

## 2.3

It is my position that maintaining an inaccurate or outdated public record of trusteeship may constitute a breach of HEPI's statutory obligations and may risk misleading the public, potential donors, policymakers, and regulatory bodies. Where governance transparency is concerned—especially in a charity claiming to serve the public interest in higher education—precision and accountability are not optional; they are legal duties.

# 3. Deadline for Response and Consequences of Non-Compliance

## 3.1

This letter is published openly and in the public interest. It forms part of a wider effort to improve fiduciary accountability and transparency in UK higher education governance. Its publication ensures public scrutiny of HEPI's compliance with its statutory obligations and good governance practices.

### 3.2

Accordingly, I request a full written response addressing the matters set out in section 2 **no later than close of business on Wednesday, 13 August 2025.**

### 3.3

Should you fail to respond by that date—or provide a response that fails to substantively address the specific points raised—I reserve the right to:

- Refer the matter formally to the Charity Commission as a potential governance concern under section 60 of the Charities Act 2011;
- Place this correspondence permanently on the public record, including via platforms used for legal, regulatory, and academic commentary;
- Escalate the matter through appropriate legal, regulatory, or parliamentary oversight channels, including relevant select committees.

### 3.4

I consider this request proportionate, narrowly drawn, and made in good faith. It seeks to resolve a public discrepancy concerning a matter of law and fiduciary record-keeping. I trust that HEPI will respond promptly and transparently, consistent with its charitable purposes and public interest mission.

## 4. Closing Remarks

### 4.1

This correspondence is undertaken in good faith and for the purpose of supporting lawful, transparent, and accountable governance. I remain committed to constructive engagement and to ensuring that UK educational charities observe the highest standards of fiduciary integrity and regulatory compliance.

### 4.2

Please direct all correspondence to the contact information below. Kindly acknowledge receipt of this letter by email **within three working days of delivery.**

Yours sincerely,

Peter Kahl (they / them)

Multidisciplinary Independent Researcher & Governance Theorist | Litigator with Trial Experience  
Constitutional, Fiduciary & Governance Theory Innovator | Epistemic Justice, Higher Ed, AI &  
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