**National Institute for Health and Care Excellence**

Senior Management Team

# Minutes of the meeting held on 9 April 2019

**Present**

Gill Leng Deputy Chief Executive and Director – Health and Social Care

Ben Bennett Director – Business Planning and Resources

Meindert Boysen Director – Centre for Health Technology Evaluation (items 1 to 6.4)

Paul Chrisp Director – Centre for Guidelines

Jane Gizbert Director – Communications

Alexia Tonnel Director – Evidence Resources

**In attendance**

Sarah Acton Senior HR Business Partner (item 6.3)

David Coombs Associate Director – Corporate Office (minutes)

Nick Crabb Programme Director – Science Advice and Research

Philip Hemmings Associate Director – Publishing (item 6.1)

Grace Marguerie Associate Director – Human Resources (items 6.3 and 6.4)

Jenniffer Prescott Associate Director – Planning and Operations, Centre for Health Technology Evaluation (from item 6.4)

Elaine Repton Corporate Governance and Risk Manager (item 6.2)

## Apologies (item 1)

1. Apologies were received from Andrew Dillon. Meindert Boysen left at 11.30 and was represented by Jenniffer Prescott for the remainder of the meeting.

## Freedom of Information and publication scheme (item 2)

1. The final minutes will be made available on the NICE website subject to the redaction of any exempt material.

## Declarations of interest (item 3)

1. The previously declared interests were noted. There were no conflicts of interest relevant to the meeting.
2. It was agreed that only current interests and those which ceased in the current year need be included in the register. Interests which ceased in 2018 could be removed from the version circulated with the meeting papers.

ACTION: ER

## Notes of the previous meeting (item 4)

1. The minutes of the meeting held on 26 March 2019 were approved, subject to minor amendments to paragraphs 10 and 12.

ACTION: DC

## Matters arising (item 5)

1. The actions from the meeting held on 26 March 2019 were noted as complete or in hand.

## Annual report and accounts (item 6.1)

1. Philip Hemmings presented the draft of the performance summary of the 2018/19 annual report. The unformatted draft has been shared with the Audit and Risk Committee chair and the formatted version will be discussed at next week’s Board meeting.
2. SMT reviewed the draft and agreed a number of amendments, including to:
   * remove the detail on the structure of NICE’s centres and directorates and replace this with a summary of NICE’s key areas of work later in the report, providing this would comply with disclosure requirements.
   * remove the text on the introduction of charging for technology appraisals and highly specialised technologies, given charging began in 2019/20.
   * rename the performance summary, “highlights of 2018/19”, providing this would comply with disclosure requirements.
   * add information on NICE’s consideration of environmental sustainability in guidance production.
   * utilise graphics and information from the impact reports to highlight NICE’s role in improving health and care services.
3. Amendments were also requested to pages 9, 10, 11, 14, 20, 23 25 and 32.

ACTION: PH

## Risk register (item 6.2)

1. Elaine Repton presented the draft 2019/20 risk register, which reflected comments received individually from SMT members.
2. SMT discussed the format for the risk register, noting that risks have been consolidated where they affect more than one objective, given the increased number of business objectives in 2019/20. SMT agreed that it is good practice for risks to be expressed in terms of a cause, event, and their impact, and asked that the risk management policy, which sets out this approach, is recirculated.
3. SMT reviewed the risks and agreed that risk 08/19 should be split into two risks: one which would relate to new digital technologies to develop and deliver NICE’s advice, with another focusing on cyber security and operational delivery of digital services. SMT supported a proposal from Nick Crabb to include a new risk about a perceived inability of NICE to be able to take an independent view on methods and process developments.

ACTION: AT/NC

1. It was agreed that Gill Leng would update the planned actions for risk 07/19, and SMT members would complete the risk scoring before the risk register is presented to the Audit and Risk Committee in April.

ACTION: SMT

## Staff survey questions (item 6.3)

1. Grace Marguerie and Sarah Acton presented the proposed questions for the 2019 staff survey. In addition to the questions from the 2018 staff survey, it is proposed to consider adding up to five questions, which will help get feedback on the mental health first aid (MHFA) scheme, strengthen feedback on line managers, and fulfil workforce race equality standard (WRES) reporting requirements.
2. SMT discussed the MHFA scheme and the most appropriate mechanism for gaining feedback on the extent staff are aware of the scheme and whether it has been effective. Following discussion, it was agreed not to include questions about the scheme in the staff survey. Instead the questions on seeking support would remain as last year to enable comparison of results, and staff would be asked about awareness of the MHFA scheme through alternative means such as a NICE space poll. It was agreed that SMT should receive a report evaluating the MHFA scheme drawing on the anonymised incident reports submitted by the first aiders to the health and well being group, and feedback from the first aiders on their experience to date.

ACTION: SA/GM

1. SMT agreed to include a new question that would ask staff if their manager held them accountable for their performance, and also include the proposed new question about career progression and promotion which is part of the WRES. SMT agreed not to include additional directorate/centre specific questions, and agreed that the responses to the main survey would be used to evaluate the action plans developed by centres/directorates following last year’s survey.
2. Alexia Tonnel highlighted inaccuracies in allocating staff to teams in last year’s survey. Sarah Acton stated that due to the roll out of ESR self-service the allocations should be accurate, but would liaise with Alexia to ensure the allocation of staff to teams was correct.

ACTION: SA/AT

## Workforce planning draft audit report (item 6.4)

1. Grace Marguerie presented the draft internal audit report on workforce planning and the proposed management response.
2. SMT reviewed the draft report and agreed the management response, subject to clarifying that the workforce strategy will be uploaded and promoted to staff (recommendation 1) and that the Business Planning and Resources directorate business plan will capture workforce developments for the whole of NICE (recommendation 2).

ACTION: GM

## Confidential information in CHTE audit report (item 6.5)

1. Jenniffer Prescott presented the draft internal audit report on controls over confidential (non-personal) information within CHTE and the proposed management response.
2. SMT discussed the report and agreed that it should be discussed at the Information Governance Steering Group to enable the information asset owners to consider whether the report raises issues relevant to the handling of confidential non-personal information in other guidance programmes, and the scope to address these through corporate policies and procedures.

ACTION: DC/KP

1. SMT discussed the issue of locking down access to confidential information and supported the proposed risk assessment in recommendation 4. It was agreed that the management action plan should also note this issue will be addressed as part of the next steps from Civica’s report on data management.

ACTION: JP

1. It was agreed that it would be helpful to provide a template and guidance for teams presenting draft internal audit reports to SMT.

ACTION: ER/DC

## Actions from the SMT retreat (item 6.6)

1. SMT noted the actions from the retreat. These will be discussed at the NICE Connect project board and fed into the project work programme and the report to the NICE Board meeting in September.

## Guideline committee chair appointment (item 6.7)

1. Paul Chrisp requested SMT approval to appoint Professor Deidre Kelly to the position of chair of the NICE Guideline Committee on safe prescribing and withdrawal management of prescribed drugs. Professor Kelly is a paediatric hepatologist with no interests specific to the guideline.
2. The appointment was approved.

## NICE Foundation (item 7)

1. Gill Leng gave a brief update from the project group’s meeting on 28 March, which considered the three tests to be met if the Board is to seek approval for the Foundation. One of the key outstanding issues is staff support, and a further event will be arranged in May to discuss any concerns staff may have.

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## EU exit (item 8)

1. Jenniffer Prescott confirmed that planning remains underway for a possible ‘no deal’ exit at the weekend. A letter has been prepared to send to companies in the technology appraisals programme in the event of such scenario.

## NICE Connect project (item 9)

1. No further update.

## Weekly staff SMT updates (item 10)

1. SMT agreed the staff updates.

ACTION: DC

## Any other business (item 11)

1. Gill Leng briefed SMT on a proposal from the sponsor team at the Department for Health and Social Care (DHSC) to amend the Health and Social Care Act 2012 to remove the requirement for the commissioner (DHSC or NHS England) to approve a quality standard before it can be published. Such prior approval is not required for other NICE guidance, and the sponsor team are concerned whether this is overly burdensome.
2. SMT discussed the proposal and noted this approval can send an important signal of the commissioner’s support. It was agreed that rather than amending the legislation to remove this requirement, it would be preferable to look at whether the approval process could be streamlined to reflect the arrangements when the provision was first in place. If this is not possible or the sponsor team feel this is not appropriate, SMT agreed that any change to legislation would more appropriately be proposed by the sponsor team as a representative of the commissioner.

ACTION: GL