**National Institute for Health and Care Excellence**

Senior Management Team

# Minutes of the meeting held on 7 January 2020

## Present

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

Meindert Boysen Director – Centre for Health Technology Evaluation

Paul Chrisp Director – Centre for Guidelines

Jane Gizbert Director – Communications

Alexia Tonnel Director – Evidence Resources

Catherine Wilkinson Acting Business Planning and Resources Director

## In attendance

Nicola Bent Programme Director and Deputy Health and Social Care Director (for item 7.5)

David Coombs Associate Director – Corporate Office (minutes)

Brad Groves Associate Director – Managed Access, CHTE (for item 7.4)

## Apologies (item 1)

1. Apologies were received from Andrew Dillon, with Gill Leng chairing 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.

## Notes of the previous meeting (item 4)

1. The minutes of the meeting held on 17 December 2019 were agreed as a correct record.

## Matters arising (item 5)

1. The actions from the meeting held on 17 December 2019 were noted as complete or in hand.
2. Catherine Wilkinson stated that the proposed arrangements for the facilities and events functions in the new London office have been updated following review by the other ALBs moving to Stratford, and she would bring a revised paper to SMT.

ACTION: CW

## December Board Strategy meeting (item 6)

1. SMT noted the actions from the December Board Strategy meeting.
2. SMT discussed the work required to refocus the EU risk register to reflect that ‘no deal’ planning has been stood down across government in the expectation the withdrawal agreement is ratified later this month. To provide sufficient time to engage colleagues across NICE on the revised risk register it was agreed to bring this to the morning session of the March Board meeting, following prior review by SMT. It was agreed to remove the updates on EU exit from the January and February Board meeting agendas accordingly.

ACTION: DC

1. Paul Chrisp noted that the publishing team are reviewing the revised recommendations on aneurysm repair agreed by the Board to ensure the language is consistent with the rest of the abdominal aortic aneurysm (AAA) guideline. Paul stated that he would draft a letter for Andrew Dillon to review and send to the committee chair on the next steps agreed by the Board.

ACTION: PC

## Business risk register (item 7.1)

1. SMT reviewed the latest version of the business risk register, following individual updates by directors prior to the meeting.
2. It was noted that an updated risk register to reflect the latest strategic ambitions and the objectives in the 2020/21 business plan will be developed and brought to the SMT and Board in February. SMT agreed that in the interim it would be appropriate to include in the current risk register any risks that relate to the 2020/21 business plan that have been identified and are currently being mitigated. In line with this approach, it was agreed to add a new risk about ending the current outsourced IT contract. SMT supported Alexia Tonnel’s proposal to grade this risk as ‘6’, with the target of reducing this risk to ‘4’ following mitigation.

ACTION: AT

1. SMT then reviewed the existing entries in the risk register and agreed:
   * Risk 03/19 should be updated to refer to the upcoming judicial review hearing that could have implications for the highly specialised technologies topic selection arrangements.
   * Implementation of the management action plan following the internal audit review on conflicts of interest should be referenced as a planned action to mitigate risk 05/19 regarding contentious or contested guidance.
   * Risk 09/19 which relates to the challenge of balancing digital/IT support between transformation and maintaining live services should be expanded to also refer to the challenge of supporting the London office move and the IT supplier transition.
   * Risk 13/19 on technology appraisal and highly specialised technologies cost recovery should be downgraded to ‘green’ given industry’s cooperation with the arrangements to date, and that no material issues are anticipated in the remainder of 2019/20.
   * Risk 14/19 on EU exit should be revised to reflect the expected ratification of the withdrawal agreement.
   * The risk around the London office move should be reviewed and updated in relation to IT.
   * The wording for risk 20/10 which relates to the board appointments should be reviewed and reduced in length. The target rating should be increased to ‘4’ to reflect the ongoing uncertainty about the timescales for the chair and chief executive appointments and current challenges around senior management capacity.
2. It was agreed that David Coombs would liaise with the relevant directors to update the risk register accordingly, and Gill Leng would sign-off the updated risk register for submission to the Audit and Risk Committee.

ACTION: DC/GL

## Internal audit review on conflicts of interest (item 7.3)

1. David Coombs presented the draft internal audit report and the proposed management response to the 5 recommendations.
2. SMT discussed the report and noted the areas identified for improvement. SMT discussed the link with the NICE Connect programme, and Gill Leng stated that once established, the operational excellence team will have a key role in supporting guidance teams to implement consistent processes. Likewise, Alexia Tonnel highlighted the identified challenges around data management, and stated that declarations of interests will feature in the next phase of the operational productivity work.
3. SMT discussed ownership of the recommendations and supported the proposed management action plan. The ownership of the recommendations was agreed between the guidance teams and corporate office, with support from the operational excellence team. It was agreed to revise some of the timescales in the proposed action plan to reflect that the operational excellence team is not yet in place. It was also agreed that the NICE Connect methods, processes and analytics expert group should consider the audit report and whether the guidance development methods and processes align with the declarations of interest policy.

ACTION: DC/PC/MB/GL

## Working with Wales to implement NICE guidance (item 7.5)

1. Nicola Bent presented the paper for the January Board meeting that summarised NICE’s current engagement in the health, public health and social care sectors in Wales and future objectives for this work. The paper has been produced in conjunction with colleagues across NICE and shared with the Welsh Government.
2. SMT reviewed the report and welcomed NICE’s engagement with the Welsh health and care system. Minor amendments were agreed including to give greater prominence to NICE’s work to support access to the BNF by prescribers in Wales, to amend the terminology around the agreement with the Welsh Government, and to clarify the differences in the timescales for implementing technology appraisal and highly specialised technologies guidance in England and Wales.

ACTION: NB

## Guideline committee chair appointment (item 7.6)

1. Paul Chrisp presented the proposal to appoint Dr Ian Bernstein to the position of chair of the NICE guideline committee that will partially update CG176: Head injury: assessment and early management. Dr Bernstein is a GP in London and none of his declared interests are specific to the guideline.
2. SMT approved Dr Bernstein’s appointment as chair of the guideline committee.

## Extending NICE’s position statement on CDF comparators in technology appraisals to cover all Managed Access treatments (item 7.4)

1. Brad Groves presented the proposal to exclude all technologies recommended with a managed access agreement (MAA) as comparators and as prior or subsequent treatments in the scopes for new technologies. This would extend the position statement currently in place for topics in the cancer drugs fund (CDF) and reflects that such technologies are not subject to routine commissioning and therefore cannot be considered as established NHS practice as they could be withdrawn if not found to be cost effective at the end of the managed access period. Also, establishing the appropriate price that should be used for a technology that is currently available subject to an MAA is challenging because the price at which it could be recommended for routine commissioning will not be known until it exits the managed access period.
2. SMT supported the proposal and agreed it should be subjected to a 2 week targeted engagement with relevant stakeholders, in line with the approach used for the current position statement on CDF topics. The feedback from this engagement exercise should then be brought back to SMT for agreement to proceed.

## NICE at international conferences (item 7.2)

1. Meindert Boysen presented the paper on NICE’s attendance at international conferences. He highlighted that such conferences are important for maintaining and enhancing NICE’s reputation internationally, and for the income generating programmes.
2. Meindert stated that the paper seeks to draw the distinction between staff who attend conferences for personal development, and those who attend as part of research grants, as business development for the income generating programmes, or to represent NICE corporately. He asked SMT to agree the principles around the number of staff who could attend international conferences, and for what reason. This would then inform a subsequent SMT discussion on the practical considerations such as the arrangements for funding and booking delegate registrations and travel.
3. SMT discussed the paper and agreed it is appropriate to recognise the different reasons staff attend international conferences and important to ensure there are clear criteria for deciding which staff can attend and for what purpose. SMT reviewed the proposed list of reasons staff could attend conferences and noted that a prime consideration is whether someone is attending a conference to speak. If they are not, then reasons for attendance would be as part of research grant, as a business development opportunity for the income generating programmes, to represent NICE corporately, to bring learning back to NICE, or as communications team support.
4. Catherine Wilkinson highlighted the cost implications of the proposals in the paper, and the importance of retaining sufficient central oversight of attendance at international conferences.
5. Following discussion, it was agreed that Meindert Boysen, Paul Chrisp and Catherine Wilkinson should bring a revised paper back to SMT that clarifies the link between the international conferences and NICE’s strategic objectives, and more fully reflects the international conferences relevant to the guidelines programmes. It was agreed that the categories for the reasons for attending international conferences should also be reviewed and refined in response to the SMT discussion. The financial implications of the proposals should also be considered, with the budget allocation providing flexibility for additional conferences that may be identified during the year as strategically important.

ACTION: MB/PC/CW

## EU exit (item 8)

1. No further update.

## NICE Connect project (item 9)

1. Gill Leng noted that Guy Butler started as the new programme director for transformation this week, and highlighted the NICE Connect planning session with senior staff on 9 January.

## London office move (item 10)

1. Catherine Wilkinson noted that the office move project manager is developing a presentation for each of the ALBs’ Audit and Risk Committees, which she would bring to NICE’s SMT for prior review.

ACTION: CW

## Chair and Chief Executive appointments (item 11)

1. No further update.

## Weekly staff SMT updates (item 12)

1. SMT agreed the staff updates.

ACTION: DC

## Other business (item 13)

1. Gill Leng asked directors to inform their senior teams that Ben Bennett is on special leave until 31 March 2020, and to cascade this and the acting up arrangements as appropriate.
2. Nick Crabb stated that Andrew Dillon is keen for NICE to host a meeting with HAS and IQWiG, the French and German health technology assessment agencies, to discuss collaboration with European colleagues. The main cost to NICE would be to host a dinner the night before the meeting, with the agencies funding their own travel and accommodation as has happened previously. Nick stated that he has discussed the issue with the finance team, and it is proposed to fund this through underspend in the grant in aid funded element of science policy and research budget. SMT supported the proposals and agreed that Andrew Dillon or Gill Leng would sign-off the costs of the meal on behalf of SMT.
3. Paul Chrisp noted that NICE has a received a letter before claim which threatens judicial review proceedings about NICE’s guidance on statins; Beachcroft are advising on a response.