**National Institute for Health and Care Excellence**

Senior Management Team

# Minutes of the meeting held on 7 April 2020

## Present

Gill Leng Chief Executive

Meindert Boysen Director – Centre for Health Technology Evaluation

Paul Chrisp Director – Centre for Guidelines

Jane Gizbert Director – Communications

Judith Richardson Acting Director – Health and Social Care

## In attendance

David Coombs Associate Director – Corporate Office (minutes)

Nick Crabb Programme Director – Science Advice and Research (items 1 to 7.6)

Philip Hemmings Associate Director – Editorial and Publishing (item 7.1)

Deborah Lee Senior Project Manager – NICE Scientific Advice (item 7.6)

Grace Marguerie Associate Director – Human Resources

Pilar Pinilla-

Dominguez Principal Scientific Adviser – NICE Scientific Advice (item 7.6)

Elaine Repton Corporate Governance and Risk Manager (items 7.2 to 7.4)

Mark Salmon Programme Director and Deputy Evidence Resources Director

## Apologies (item 1)

1. Apologies were received from Alexia Tonnel and Catherine Wilkinson who were represented by Mark Salmon and Grace Marguerie respectively.

## 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 31 March 2020 were agreed as a correct record.

## Matters arising (item 5)

1. The actions from the meeting held on 31 March 2020 were noted as complete or in hand.
2. Judith Richardson stated that she had discussed with Victoria Thomas, Head of Public Involvement, whether someone from the public involvement programme should in future attend Guidance Executive (GE). They both agreed that given the opportunities for public and patient involvement throughout the guidance development process this would not add value. SMT noted that the terms of reference for GE and SMT had otherwise been updated and approved by Gill Leng. The requirement for a financially qualified attendee at GE would be covered by the existing statement in the terms of reference that deputies are chosen to reflect the areas of expertise brought by the core member.

## Coronavirus (item 6)

1. SMT reviewed the actions from the daily gold group meetings and noted which were complete or in hand. SMT reviewed and confirmed the following decisions set out in the decision log:

* The new staff laptops are to be delivered to the Manchester office. A small number of staff will attend the office to take delivery while observing social distancing, with the precise logistical arrangements to be worked out.
* Information for the public (IFPs) will not be produced for the COVID-19 rapid guidelines. Instead, the approach is to seek to reference the guidelines on www.nhs.uk as a means of providing patient facing versions of the guidance.
* Any publications over and above those presented to the Board as the outcome of the guidance prioritisation exercise should be agreed by GE on a case by case basis along with the rationale of why they meet the criteria for publication.
* NICE will only endorse COVID-19 resources that are based on NICE's guidance and (1) where this would add value beyond what is already on the NHS website, and (2) where the 3rd party can guarantee to keep the product up to date – if it is not kept up to date then NICE reserves the right to remove the endorsement. Co-badging will only be appropriate where NICE has been involved in developing the product.
* The period for taking TOIL is to be extended to 6 months.

1. Meindert Boysen presented the updated coronavirus response plan and terms of reference for the coronavirus response group (CRG).
2. SMT reviewed the response plan and agreed that it should be amended to reflect it is a response plan for the current pandemic that is now underway rather than a generic document for future use. SMT agreed a number of amendments including:
   * To further outline the Business Planning and Resources Director’s key responsibilities in relation to maintaining the finance function.
   * To expand the information on the workforce implications of moving to full home working, and to note that the health and safety group will develop guidance on the rare instances when staff attend the offices during the closures.
   * To note the work required to develop a plan for resuming ‘business as usual’ when the pandemic eases.
   * To clarify the relationship between, and respective roles of, SMT (gold group) and CRG (silver group). In particular that the approval of communications sits with SMT, rather than the CRG; decisions on the prioritisation of work programmes sit with SMT; and the CRG will collect data to inform decisions by SMT on resource planning.
3. It was agreed that the CRG’s terms of reference should be amended to reflect the above points, and also to note that the group’s primary aim is to maintain business continuity and ensure delivery of therapeutically critical guidance. Its responsibility for implementing the decisions and actions from the gold group should also be noted in the terms of reference.
4. SMT agreed that Meindert Boysen and Judith Richardson, as chair and deputy chair of the CRG, should review the group’s membership. It was agreed that Guy Butler, Programme Director, Transformation, should be invited when appropriate to the agenda to help ensure alignment with the NICE Connect reprioritisation. It was agreed that the CRG should also be mindful of the need to involve the trade union in discussions relating to workforce matters.
5. Subject to these and other minor amendments, the terms of reference and response plan were agreed. It was agreed that the plan should be updated throughout the pandemic as required, with appropriate version control.

ACTON: MB/JR

## Annual report and accounts (item 7.1)

1. Phil Hemmings presented the update on the production of the 2019/20 annual report and accounts, together with a draft of the highlights section. He noted that while the timescale for laying the annual report and accounts before Parliament may be deferred to September, the team remain on track for the original timescale of laying in July.
2. SMT reviewed the draft and identified a number of amendments in terms of content and presentation. It was agreed that SMT members should send any further amendments to Phil in order that an updated draft can be presented to the Board Strategy and Audit and Risk Committee meetings on 22 April.

ACTION: PH/SMT

## Risk register (item 7.2)

1. Elaine Repton presented the latest draft of the risk register which had been updated to reflect the impact of the COVID-19 pandemic.
2. SMT noted and supported the proposed approach of updating the risk register to capture the wide-ranging impact of COVID-19 both in terms of exacerbating existing risks and creating new risks. It was agreed that the overarching risk of disruption to business continuity should be moved to the start of the risk register given this is in effect the overriding current priority. The mitigations for this risk would note the response plan and the governance structure of the gold and silver groups.
3. It was agreed that following the above amendment the register would be circulated to SMT members for review and updating. Gill Leng would then sign-off the register for submission to the Audit and Risk Committee on 22 April.

ACTION: ER/SMT

## Risk management policy (item 7.3)

1. Elaine Repton presented the proposed updated risk management policy following its periodic review.
2. SMT reviewed the policy and discussed the risk appetite, in particular with reference to the recent decision to rapidly develop guidance on COVID-19. While this speed of this work presented a high risk, this was lower than the risk of not producing guidance on this issue. It was agreed that the policy should note that the risk appetite may need to vary according to the circumstances facing NICE, which at times, may justify a higher risk appetite.

ACTION: ER

1. Meindert Boysen noted the need to consider the risk appetite in terms of guidance development and the advice that is provided to the advisory committees on how to handle uncertainty and risk. It was agreed this was an important issue but it sat outside of this risk management policy. Instead, it should be discussed further through the processes, methods and analytics expert group.

ACTION: MB/PC

## Declarations of interest breach report (item 7.4)

1. Elaine Repton presented the annual report on breaches of the declarations of interest policies in 2019/20. One breach was reported – relating to a member of the Interventional Procedures Advisory Committee. As outlined in the report, the risk to guidance development was felt to be low.
2. SMT discussed the breach and agreed that the report should be amended to note the opportunities to prevent the breach that were missed due to the policy not being followed.

ACTION: ER

1. SMT noted the areas identified for further improvement in the recent internal audit report on declarations of interest. It was agreed that the pausing of some guidance development may provide capacity for teams to ensure the declarations on the website are complete.

ACTION: MB/PC/JR

## NICE Connect internal audit report (item 7.5)

1. Gill Leng presented the internal audit report on NICE Connect. The audit opinion was substantial assurance and no recommendations were made.
2. SMT were pleased to note the audit’s positive conclusions. It was noted that the moderate conclusion on stakeholder management and communications was due to the audit taking place at an early stage in the project.

## NICE International progress report (item 7.6)

1. Pilar Pinilla-Dominguez and Deborah Lee presented the update on the progress of NICE International since its relaunch in November 2019. Work is underway on an international strategic engagement plan and a small financial surplus is forecast for 2019/20. Pilar noted that it is difficult to accurately forecast the financial position for 2020/21 in light of the COVID-19 pandemic which will disproportionately impact the team due to the inability to travel and engage with international partners. A deficit is likely, which the NICE Scientific Advice Strategy Forum have agreed would be covered by the scientific advice surplus or reserves.
2. SMT discussed the impact of COVID-19 on the pipeline and welcomed the planned mitigations, including looking at the scope to deliver existing projects virtually and developing an attractive virtual service to clients. It was agreed that the scope for providing webinars on the rapid guidelines, including how these were developed at pace, should be explored. In addition, the team should consider how to adapt their business development activities to reflect that the large international conferences will instead take place virtually.

ACTION: PPD/DL

1. Paul Chrisp noted an upcoming paper to SMT on the inclusion of NICE content in international non-commercial guidance research repositories, which may be relevant to NICE Scientific Advice’s work. He suggested the NICE International team discuss this further with the colleagues in Centre for Guidelines who developed these proposals, following the upcoming SMT discussion.

ACTION: PPD/DL

1. SMT noted and welcomed the update. It was agreed that the international strategic engagement plan should be brought to the Board, along with a progress update on NICE International’s work. This would likely be ready for the November public Board meeting.

ACTION: MB

## EU exit (item 8)

1. Meindert Boysen noted that the Department for Health and Social Care (DHSC) have established 7 workstreams to consider aspects of the transition and trade negotiations, and he would raise the need for NICE’s involvement in these. Meindert confirmed that he will be providing a short verbal briefing for the April Board Strategy meeting.

ACTION: MB

## NICE Connect (item 9)

1. Gill Leng noted that the current focus is to agree which aspects of the transformation should be taken forward in the coming months and which should be paused in light of the COVID-19 disruption. The aim is to agree this at the next steering group and include it in the COVID-19 progress report to the April Board Strategy meeting.

## London office move (item 10)

1. No further update.

## Weekly staff SMT updates (item 11)

1. SMT agreed the staff updates.

ACTION: DC

## Other business (item 12)

1. None.