**National Institute for Health and Care Excellence**

Senior Management Team

# Minutes of the meeting held on 11 August 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 (items 1 to 6.1 and 6.5 to 9 inclusive)

Alexia Tonnel Director – Evidence Resources

## In attendance

Nick Baillie Acting Programme Director – Leadership and Engagement (items 1 to 6.5 inclusive)

David Coombs Associate Director – Corporate Office (minutes)

Leighton Coombs Senior Programme Analyst – Health and Social Care (item 6.1)

Nick Crabb Programme Director – Science Advice and Research

Martin Davison Acting Associate Director – Finance

Grace Marguerie Associate Director – HR (item 6.7)

Kelly Parry Data Protection and Information Governance Manager (items 6.4 and 6.5)

John Pegington Senior Management Accountant (items 6.4 and 6.5)

Elaine Repton Corporate Governance and Risk Manager (item 6.6)

Tanya Slinn Digital Portfolio Manager – Digital Services (items 6.4 and 6.5)

## Also present

Jennifer Howells Director – Finance, Strategy and Transformation from 1 September 2020 (items 6.2 and 6.3)

## Apologies (item 1)

1. Apologies were received from Catherine Wilkinson who was represented by Martin Davison. Judith Richardson gave apologies for part of the meeting and was represented by Nick Baillie.

## Declarations of interest (item 2)

1. The previously declared interests were noted. There were no conflicts of interest relevant to the meeting.

## Notes of the previous meeting (item 3)

1. The minutes of the meeting held on 4 August 2020 were agreed as a correct record, subject to adding in a statement to note the meeting was not quorate and the decisions would need to be confirmed at the next quorate meeting.
2. In line with the above paragraph, SMT confirmed the decisions taken at the meeting on 4 August.

## Matters arising (item 4)

1. The actions from the meeting held on 4 August 2020 were noted as complete or in hand.

## Coronavirus (item 5)

1. SMT confirmed the decisions at the gold group:
* to reimburse committee members for equipment and printing costs (limited to £50 per item purchased and £5 for printing).
* that academic in confidence information (AIC) can be shared on screen in the virtual committee meetings open to the public.

## Impact report: end of life care (item 6.1)

1. Leighton Coombs presented the latest impact report for the Board, which focused on end of life care for adults. Subject to any comments from SMT, the report will be presented to the September public Board meeting.
2. SMT noted the sensitivities around end of life care, including the additional challenges due to COVID-19, and discussed whether to defer publishing the report. It was agreed that the report could be a helpful resource in highlighting the scope for improving end of life care during the upcoming winter period and therefore it should be presented to the September Board meeting as planned. It was agreed that additional text should be added to clarify the data preceded the COVID-19 pandemic, and references to COVID-19 should be added throughout the report as appropriate. Paul Chrisp offered to share text from a recent HSIB report that may be useful to adapt.

ACTION: PC

1. SMT noted and welcomed the commentary from Marie Curie and agreed that Macmillan Cancer Support should be given the opportunity to also comment given their interest in this area.
2. Subject to these amendments, and other drafting and presentational changes, SMT agreed the report for submission to the September Board meeting.

ACTION: LC/JR

## Finance and resource report (item 6.2)

1. Martin Davison presented the report that provided an update on the financial position at 31 July 2020, the updated forecast outturn for the full year, an update on the indicative business planning timetable that will follow the Strategic Plan work, and the key financial uncertainties ahead of 2021/22.
2. Martin outlined the factors behind the year to date underspend of £0.9m and the year-end forecast of a £0.1m overspend. He noted the cost pressures that have been incorporated into the year-end forecast, and highlighted that the forecast remains liable to change, in particular due to the uncertainty about the level of income from technology appraisal (TA)/highly specialised technologies (HST) charging. SMT noted the range of factors potentially driving this reduced TA/HST income and agreed it should be analysed further along with consideration of the pipeline of topics into 2021/22 and beyond given the importance of this income to NICE’s financial position.

ACTION: MD

1. SMT noted the ongoing underspend on pay and confirmed the importance of carefully managing recruitment while the financial position remains challenging. In particular, recruitment will need to take account of the uncertainty about the outcome of the comprehensive spending review (CSR) and the outcome of NICE’s strategy work.
2. SMT discussed the timetable and process for the 2021/22 business planning cycle. Gill Leng noted that the report did not reflect the updated timescale for finalising the strategic plan, which she would share with Martin.

ACTION: GL

1. SMT discussed the interdependencies between the strategic plan, corporate business plan, and delivery plans produced by the centres and directorates. It was noted that the production of the corporate plan, and subsequently the centre/directorate delivery plans, will need to have a degree of flexibility given the level of uncertainty about the outcome of the strategy work, and also that the financial allocation following the CSR may not be known until 2021. SMT noted that the initial aim is to have draft strategic objectives available following the October Board Strategy meeting, which could then be used to produce a slimmed down corporate business plan focused on deliverables and resourcing that would cascade into the centre/directorate delivery plans. The approach for engaging NHS England in the business planning process also requires further consideration. It was noted that further information on the proposed business planning process is being developed for discussion at the strategy development group.

ACTION: DC/MD

## Planning for the comprehensive spending review (CSR) (item 6.3)

1. Martin Davison gave a verbal update on the 2020 CSR that launched in July 2020, with the aim of setting revenue budgets for the years 2021-24 and capital budgets for the years 2021-25. NICE is required to submit information to the Department for Health and Social Care (DHSC) on bids, cost pressures, and savings proposals later this week. There remains significant uncertainty about the outcome of the CSR for NICE, including whether grant-in-aid funding will be reduced, and if additional funding will be provided for cost pressures such as NICE Connect and the new COVID-19 work.
2. SMT discussed at a high level the areas to include in the return to the DHSC later this week. A number of potential bids and cost pressures were identified, including NICE Connect, the COVID-19 guidelines, the RAPID-C19 work, investment in Microsoft 365/digital transformation, the pilot evaluation of antimicrobials, deliberative public engagement, AI/big data, med-tech evaluation, the future of regulation/innovation pathway, and equalities. In terms of savings, SMT noted there would be reduced travel, and other savings options, the implications of which would need to be considered carefully, could include increasing income from the TA/HST programme and stopping work programmes. It was agreed that Martin would update the draft return in line with the SMT discussion and share with relevant SMT members for comment before submission to DHSC later this week.

ACTION: MD

## Update on the digital workplace activity and the Capgemini work (item 6.4)

1. Alexia Tonnel presented the overview of the digital workplace work undertaken by Capgemini from January 2020 to present. Alexia reminded SMT of the nature of the contract which was agreed following a competitive procurement exercise. The working assumption is that the contract will enable Capgemini to support the proposed work on Microsoft 365, but this is currently being confirmed with DHSC colleagues.

ACTION: AT

1. SMT noted the scope and costs for the work undertaken with Capgemini to date.

## Strategic outline business case: enabling an efficient digital workplace (item 6.5)

1. Alexia Tonnel, Tanya Slinn, Kelly Parry, and John Pegington presented the draft strategic outline business case for implementing Microsoft 365 (M365) to enable new approaches to records management compliance and to facilitate collaborative ways of working across NICE and with external stakeholders. Alexia highlighted that the business case is presented in draft form, and requires further iteration, in particular in relation to the costs.
2. SMT reviewed the draft business case. It was agreed that it would helpful to provide further context to clarify the linkages with NICE Connect, and also be clearer on the 6 monthly review process and the criteria that will be used to evaluate progress when seeking the release of further resources at each 6 monthly check-point. It was agreed that further information should be added to clarify the linkages with the content strategy, and how M365 could potentially be used to support this work with additional resourcing that is not part of this business case.
3. SMT discussed the resources requested as part of the business case and agreed on the need for clarity over the respective input from Capgemini and NICE. Alexia confirmed that she is currently discussing this with Capgemini, including the nature of the consultancy input and whether this is in an advisory or delivery role. SMT agreed that it is also important to clarify the nature of input required across the organisation and the role of the proposed business change leads. SMT noted the current pressures on staff and agreed that the required input will need to be handled sensitively and clearly communicated. It was suggested that it may be helpful to include additional HR resource in the business case, including to help with the required organisational change. SMT supported the proposed functional approach to records management and agreed this will need to be considered further to ensure it takes account of future organisational changes.
4. SMT agreed that implementation of M365 will release staff time, but highlighted this will not be uniform across the workforce and may not release cash savings. It was agreed that the section on benefits realisation in the draft business case should therefore be reviewed further to avoid unduly raising expectations.
5. SMT noted the level of records management input required as part of the initial implementation and then the ongoing use of M365. It was noted that this expertise is also required to deliver other NICE Connect projects and therefore it was agreed that recruitment could commence for the two new permanent records management posts outlined in the business case. The business case to the Board would then note these posts were now a budgeted commitment, approved by SMT.
6. Subject to these comments and amendments, SMT supported the business case for submission to the Board. Alexia stated that she would continue to refine the business case to reflect the discussion, including the financial section and may bring it back to SMT depending on the level of changes made. It was noted that the proposed further expenditure with Capgemini, when added to the expenditure to date, would exceed the £1m threshold that requires DHSC approval. Given the timescale for seeking this approval it was agreed that Alexia should start to prepare this submission prior to the Board meeting.

ACTION: AT

## Counter fraud functional standard: Q1 return (item 6.6)

1. Elaine Repton presented the update on NICE’s consolidated data return (CDR) made to the Cabinet Office covering quarter 1. Elaine also presented the latest counter fraud action plan, risk assessment and annual compliance checklist, which are not required for the Cabinet Office during COVID-19 but have been reviewed and updated internally for good practice.
2. SMT noted the consolidated data return, and the updated counter fraud action plan, fraud risk assessment, and annual assurance checklist. SMT confirmed that the Accountable Individual and Senior Lead have discharged their responsibilities in line with the Cabinet Office functional standard GovS 013: counter fraud, and supported the proposed proactive fraud detection work.

## Staff survey (item 6.7)

1. Grace Marguerie presented the paper that asked SMT to consider whether to proceed with the staff survey considering the ongoing disruption to working arrangements due to COVID-19. Grace reminded SMT that at the onset of the COVID-19 pandemic and subsequent move to homeworking, it was agreed to defer the survey from May and revisit the position in the summer.
2. SMT agreed that given the ongoing changes to working arrangements, the 2020 survey should be deferred and the next survey should take place in May 2021. In the interim, the audience insight team would continue to run ‘pulse surveys’ that could utilise relevant questions from the staff survey, with the results continuing to be shared with the Board. Grace stated that she would check the implications of this deferral with the current survey provider’s contract and let SMT know if there were any issues.

ACTION: GM

## EU exit (item 7)

1. SMT noted that a paper has been prepared to update next week’s Board meeting on the implications of EU exit.

## London office move (item 8)

1. SMT noted the latest update given to the gold group yesterday, and that due to technical issues the office may now not be available until the end of November. The team are also reviewing the office’s revised capacity to allow social distancing.

## Any other business (item 9)

1. Judith Richardson briefly updated the meeting on an issue in the endorsement programme previously noted at SMT, which has led to the withdrawal of NICE’s endorsement of a resource supporting the diabetes guideline.