**National Institute for Health and Care Excellence**

Executive Team

# Minutes of the meeting held on 21 September 2021

## Present

Gill Leng Chief Executive (chair until item 7.1)

Meindert Boysen Director, Centre for Health Technology Evaluation and Deputy Chief Executive (chair from item 7.1)

Nicole Gee Interim Chief People Officer

Jane Gizbert Director, Communications

Felix Greaves Director, Science, Evidence and Analytics

Jennifer Howells Director, Finance, Strategy and Transformation

Judith Richardson Acting Director, Health and Social Care (from item 7.1)

Alexia Tonnel Director, Digital, Information and Technology

## In attendance

Eric Power Programme Director – Medicines and Technologies

Rebecca Threlfall Chief of Staff

Moya Alcock Programme Director – Strategic Engagement (items 1 to 7.1)

Chris Carson Programme Director – Centre for Guidelines (item 4)

David Coombs Associate Director, Corporate Office (items 5.1 – 6.2)

Martin Davison Associate Director, Finance (item 7.2)

John Pegington Head of Management Accounts (item 7.2)

Elaine Repton Corporate Governance and Risk Manager (minutes)

## Apologies (item 1)

1. Apologies for absence were received from Paul Chrisp who was represented by Eric Power, and also from Judith Richardson for part of the meeting, during which she was represented by Moya Alcock.

## Declarations of interest (item 2)

1. The previously declared interests were noted. Gill Leng declared that she had a new non-remunerated role with the Global Evidence Commission.

## Notes of the previous meeting (item 3.1)

1. The minutes of the meeting held on 14 September 2021 were agreed as a correct record, subject to following amendments:
* Minute 8 to remove the words ‘higher than anticipated’
* Minute 12 to read Deloitte were likely to be appointed to undertake the high level strategic exercise
* Minute 18 to read Neil Drake.

## Matters arising (item 3.2)

1. The actions from the meeting held on 14 September 2021 were noted as complete or in hand.
2. Alexia Tonnel confirmed the full specification had been received for the Manchester office AV kit. There was now a three week procurement exercise underway.
3. Jennifer Howells confirmed that she had spoken with David Coombs regarding the difficulties in finding space for papers in the board’s forward agenda planner. It was agreed that David be asked to collate a separate list of items which ET members want to bring to the board, in addition to those already scheduled in the forward plan, so that ET could review the wider list.

**ACTION: DC**

1. Rebecca Threlfall agreed to give further thought to ideas for engaging the NEDs in visits to NHS trusts and ICSs. She will discuss this with Gill Leng in the first instance.
2. The final agenda and arrangements were still being worked through for the NICE and MHRA board to board meeting on 19 October. David Coombs and Rebecca Threlfall were liaising with the MHRA’s chair and CEO private office. Gill Leng will also be speaking with their chair and CEO at a joint meeting next week. The external guest speaker was still to be confirmed.

## Hot topics (item 4)

1. **National Overprescribing Review** – Eric Power advised that he had been given early sight of the recommendations from the National Overprescribing Review which recommended that NICE "should include recommendations for reviewing and discontinuing medicines, where appropriate, and in the context of shared decision-making supported by decision aids". ET supported the recommendation. Eric and Jane Gizbert were asked to pick up any communications response that may be required.

**ACTION: EP/JG**

1. **ME/CFS roundtable** – ET noted that a formal statement will be published today confirming the roundtable event with Carol Black agreeing to chair the meeting. Gill Leng agreed to review the wording in the comms.

**ACTION: GL/JG**

1. **COVID-19 Public Inquiry** – Jennifer Howells confirmed that NICE had appointed Eversheds as its legal advisor for the government’s C-19 public inquiry. Gill Leng asked to be forwarded the latest details. It was noted that the inquiry terms of reference have not yet been published.

**ACTION: JH**

1. **International travel** – Requests have been received from staff to attend international events. ET confirmed the current position as outlined in the NICE operating levels document, that being for international travel: the default should be virtual, but essential international travel may be considered in line with government advice, and with approval of the relevant Director. Jennifer Howells asked that the finance team be made aware of any international travel as travel insurance will need to be arranged. ET agreed the principle that NICE would reimburse the cost of any COVID test requirements arising from essential business travel.
2. **Collaborating centres contract** – Jennifer Howells and Chris Carson updated ET on the most recent discussions with the Royal Colleges, the outcomes of those discussions and next steps, including seeking legal advice. ET agreed that Nicole Gee and Chris Carson would meet separately to discuss the remit and membership of a project group consisting of reps from HR, IT, Comms and facilities to start scoping out a high level project plan, to be shared with ET next week.

**ACTION: NG/CC**

## September board meeting actions (item 5.1)

1. ET reviewed the actions from the September private and public board meetings.
2. It was agreed to close the action 21/02 regarding NICE publishing MIBs on COVID-19. Meindert Boysen agreed to provide David Coombs with appropriate wording. Felix Greaves queried the action regarding the timescale and process for selecting future topics for NICE Listens and stated that it would be preferable to select the next topic before the first topic on health inequalities concludes. It was agreed that Felix would discuss further with the chairman.

**ACTION: MB/FG/DC**

1. It was noted that the NICE International strategy will be submitted to the board meeting in November. Meindert will produce a slide for the morning session.
2. Jennifer Howells added that a more structured approach for providing additional financial information to the board would be helpful and agreed to think about where additional oversight and assurance of the financial position could be provided.
3. ET discussed the importance of the board development work in light of the increasing number of requests from the board to receive updates on various topics. It was agreed that most of the current requests could be covered in the CEO’s update but ideally the board development work would identify the knowledge gaps to be addressed. It was noted that the next session with the whole board was not until February 2022. Gill Leng agreed to contact Maria Fey for a progress update and to discuss the proposed topics for the February session.

**ACTION: GL**

## October board strategy away day (item 5.2)

1. ET reviewed the draft agenda for the October board strategy day and agreed the level of detail required for the presentations. Rebecca Threlfall agreed to follow up with NHSE to confirm attendance of the external guests and to work with David Coombs to suggest a seating plan to ensure of mix of skills per table and add the session leaders and notetakers to the agenda. It was agreed that each session leader would prepare a background information pack for pre-reading.

**ACTION: RT/DC**

## Risk management internal audit report (item 6.1)

1. ET reviewed the findings of the internal audit report on risk management and considered whether or not to accept the recommendations in the draft management response.
2. It was agreed to progress a risk management training session which ET felt would help senior managers to better understand the difference between the three levels of risk – strategic, operational and transformation/project risks, and to support the escalation and de-escalation of risks between the three. There was also a request for the course to cover risk appetite and risk tolerance to help raise awareness of this with staff.
3. ET also agreed that a move to a 5x5 risk scoring matrix would be beneficial but did not support the inclusion of an additional inherent risk column. The other recommendations relating to amending the risk management policy and updating guidance on completion of the risk section of the ET report template were all supported.

**ACTION: DC/ER**

## Establishment of a new operational management group (item 6.2)

1. ET reviewed a draft terms of reference for a proposed new operational management group to provide a forum to discuss NICE-wide operational issues, with an appropriate level of delegation from ET. There had been positive support for a new operational group at the Senior Leader’s Forum on 1 September, now that the Gold group and CRG had been stood down.
2. ET was generally supportive of the group which it was felt would also provide a succession plan for ET and a conduit for cultural change, subject to a concern that the group’s role was too broad, and a request that the terms of reference be looked at again to provide greater clarity of its remit. Additionally, in terms of the membership, some ET members felt there were too many ET members on the group. A governance diagram was requested to show how the operational management group links in with the Senior Leader’s Forum and the transformation programme boards, among others.

**ACTION: DC**

1. It was agreed that a revised paper comes back to ET with clear terms of reference for ET sign off.

**ACTION: DC**

## HR update (item 6.3)

1. Nicole Gee shared her initial thoughts on how the HR team can be more responsive and act as an enabler for ET to the rest of the organisation. There was an immediate requirement to upskill the HR Business Partners (HRBP) and develop their role to better support workforce planning and promote cultural change. ET members were requested to invite their HRBP to their weekly senior team meetings with a standing item on ‘people planning’. ET agreed to an initial trial for one month and to review the position thereafter.
2. It was also considered whether IT, Comms and Finance Business Partners would be appropriate for inviting to SLTs. Alexia Tonnel agreed to speak separately with Nicole Gee about an IT business partner role, which is currently undertaken by IT Programme Director attending directorate senior team meetings on a quarterly basis.

**ACTION: AT/NG**

## NICE International advisory group - terms of reference (item 6.4)

1. This item was deferred.

*Gill Leng left the meeting at this item and Meindert Boysen took over as chair*

## ET/Senior Leader’s retreat (item 7.1)

1. The agenda and arrangements for the ET and senior leader’s retreat were reviewed. It was agreed to reduce the topics to be covered in session 1 to fit the time available and to include hearing from the field team in session 2 to consider the external environment. It was agreed to change the planned session 3 as a discussion of priorities for 2022/23 will take place at the October board strategy day.
2. ET suggested that as this was the first face to face meeting with senior leaders, and many will be new to NICE, there should be an item on the staff survey and staff wellbeing. Nicole Gee also recommended including an activity to get attendees moving around. Rebecca Threlfall agreed to revise the agenda and circulate two different options for ET to consider, and to arrange an informal get together after the event for those who wanted to meet up.

**ACTION: RT**

*Judith Richardson joined the meeting at this point and Moya Alcock left*

## Financial position (item 7.2)

1. Martin Davison presented an update on the cost improvement programme targets set in 2021/22 for delivery as part of the 2022/23 budget setting round and the additional cost pressures identified, which will need to be mitigated in 2022/23 and future years.
2. ET supported the proposed 50% reduction in travel and subsistence costs across directorates and discussed other potential savings and new funding sources to be explored. Martin emphasised the need to continue to build on the 2% target through greater efficiencies. It was noted that the slides did not take account of the CSR bid or impact of the organisational design review. ET discussed the current level of vacant posts, noting the request to give any up if they are no longer needed. Nicole Gee was asked to circulate a full list of vacant posts for ET members to review.

**ACTION: NG**

1. Martin also gave a brief update on the current year end forecast which had improved giving greater headroom due to slippage in the digital workplace programme and the re-prioritisation of some business plan objectives. ET were encouraged to look for opportunities to utilise this funding before March 2022 and to liaise with finance if they wish to access budget from reserves.

## Review of the agenda (item 8)

1. No comments.

*Gill Leng re-joined the meeting*

## Other business (item 9)

1. **Health Minister** – ET noted that Lord Kamall had been appointed to replace Lord Bethell as Minister for Innovation. Gill Leng advised that she is making arrangements to meet with him. Rebecca Threlfall suggested producing a NICE briefing pack for him.

**ACTION: RT**