**NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE**

# Minutes of the Board Strategy Meeting

Wednesday 21 April 2021 at the Royal College of Physicians and via Zoom

These notes are a summary record of the main points discussed at the meeting and the decisions made. They are not intended to provide a verbatim record of the Board’s discussion.

## Board members present

Sharmila Nebhrajani Chairman

Dr Mark Chakravarty Non-Executive Director

Dame Elaine Inglesby-Burke Non-Executive Director

Professor Gary Ford Non-Executive Director

Jackie Fielding Non-Executive Director

Professor Sir Bruce Keogh Non-Executive Director

Professor Tim Irish Non-Executive Director

Alina Lourie Non-Executive Director

Dr Rima Makarem Non-Executive Director

Dr Justin Whatling Non-Executive Director

Tom Wright Non-Executive Director

Professor Gillian Leng Chief Executive

Meindert Boysen Centre for Health Technology Evaluation Director

Dr Paul Chrisp Centre for Guidelines Director

Jennifer Howells Finance, Strategy and Transformation Director

Alexia Tonnel Digital, Information and Technology Director

## Directors in attendance

Jane Gizbert Communications Director

Dr Felix Greaves Science, Evidence and Analytics Director

Judith Richardson Acting Health and Social Care Director

## In attendance

Dr Hugh McIntyre Medical Adviser to the Board

David Coombs Associate Director, Corporate Office (minutes)

Javier Alonso Programme Manager, Digital, Information and Technology (item 10)

Carla Deakin Programme Director, Centre for Health Technology Evaluation (item 11)

Alison Liddell Programme Director, Digital, Information and Technology (item 10)

Carole Longson Life Sciences Adviser (item 11)

Mark Minchin Associate Director, Quality (item 9)

Jennifer Prescott Programme Director, Centre for Health Technology Evaluation (item 12)

Tanya Slinn Head of Digital Workplace (item 10)

Rebecca Threlfall Chief of Staff

## Also present

Maria Fay Leadership development consultant (observing for item 6 onwards)

## Apologies for absence (item 1)

1. None.

## Declarations of interest (item 2)

1. It was confirmed there were no conflicts of interest relevant to the meeting.

## Minutes of 25 February Board strategy meeting (item 3)

1. The minutes of the Board strategy meeting held on 25 February 2021 were agreed as a correct record.

## Action log (item 4)

1. The Board noted the update on the actions from previous Board strategy meetings.
2. The Board confirmed the actions marked ‘completed’ could be closed.

## Chairman’s remarks (item 5)

1. Sharmila Nebhrajani welcomed the new Non-Executive Directors (NEDs) to their first Board meeting and encouraged the new appointees to contact their executive and non-executive ‘buddies’ as part of their induction. Sharmila thanked the Executive Team and everyone involved in arranging the successful virtual event to launch NICE’s new strategy on 19 April. Lord Bethell’s opening comments highlighted what NICE is currently doing well, but also areas for development. Sharmila asked that a mapping exercise is undertaken to assess the extent these areas identified for further development are covered by the strategy. In addition, an analysis of the themes raised in the audience questions should also be circulated to the Board for information.

Action: Jennifer Howells and Jane Gizbert

## Chief Executive’s update (item 6)

1. Gill Leng briefed the Board on issues not otherwise covered on the agenda, including:
   * NICE’s contribution to a new Innovation Manifesto commissioned by Lord Bethell, which seeks to provide a joined-up narrative on how the different parts of the health system are working together to support UK life sciences.
   * The finalisation of a new 12-year contract for the British National Formulary (BNF) and British National Formulary for Children (BNFc), which includes year-on-year improvement objectives for the digital products and will therefore support NICE’s strategy to provide wider and easier access to evidence-based information, expert knowledge, and advice.
   * Planning for a 1-day event in late Spring 2022 to bring together NICE committee members, guideline developers, academic partners, and staff, with a view to then holding a standard conference for a wider audience in 2023.
   * The upcoming staff survey and the recently published gender pay reporting for 2019/20.
2. The Board discussed the issues raised in the update, with Board members highlighting the importance of industry being engaged in the development of the Innovation Manifesto. In relation to the staff survey, it was queried whether the questions have been reviewed to ensure they provide accurate insight into staff concerns. Jennifer Howells stated that the questions had been updated and would check the extent these changes have addressed this issue.

Action: Jennifer Howells

1. Board members reflected on the gender pay gap reporting and highlighted data from other organisations on the potential impact of new ways of working on promotion and career progression, including for example if men return to the office to a greater extent than women. The Board asked to see the recently developed equality and diversity action plan, along with the outcome of the analysis requested at an earlier Board meeting on the potential equalities impact of the shift to virtual recruitment.

Action: Jennifer Howells

1. Jennifer Howells updated the Board on the organisational design work and noted that SCW have been commissioned to support the next phase over the coming 9 to 12 months. The Board queried how NICE will access the senior level expertise required to lead the significant change programme beyond this period. Jennifer noted that additional expertise beyond SCW is not currently being sought, however the need for any such additional capacity could be considered as part of the upcoming review of the executive portfolios. In the interim, Sharmila Nebhrajani encouraged the executives to utilise the NEDs’ expertise and experience of leading transformational change. The Board noted the importance of ensuring the organisation has the required skills, informed by a skills mapping exercise, and suggested that the resources produced by professional societies in computing and informatics could assist with this. Jennifer confirmed this has been acknowledged as an important area of work and agreed to include further information on skills mapping as part of the update to the June Board meeting on the next steps with the organisational design review.

Action: Jennifer Howells

1. Meindert Boysen briefed the Board on the responses to a survey of the committee members in November 2020 about NICE’s virtual committee meetings. Most respondents had positive experiences, but there are opportunities to improve. The Board noted the survey results, including that 62% of respondents indicated they would like a mix of virtual and in-person meetings, and also more recent anecdotal feedback from the committee chairs that suggested a growing desire to return to in-person meetings. The Board highlighted that it will therefore be important to consider how to effectively run hybrid meetings, and that a desire for more in-person meetings may have implications for the level of audio visual facilities provided in the offices. Tim Irish, current lead for technology appraisal and highly specialised technologies appeals, stated that appeal hearings are slightly different to committee meetings and there may be stronger arguments for returning to in-person appeal hearings. He suggested Mark Chakravarty, who is taking over the lead role on appeals, considers this further in the summer, once social distancing requirements ease, taking account of the feedback from the appeal panel chairs.
2. Meindert Boysen briefly updated the Board on the timelines for the methods and process review, with the aim of the July Board meeting approving a unified manual for consultation. Mark Chakravarty highlighted the need to consider the implications of the proposals for appeals at an appropriate point in the timeline, potentially the autumn.

## Bridging the gap to access with Project Orbis (item 12)

1. Meindert Boysen presented the paper that set out details of time-limited arrangements to support access for a limited number of pharmaceuticals going through Project Orbis and the Innovative Licensing and Access Pathway where it has not been possible to change NICE's assessment timelines sufficiently to meet expectations for publication of timely guidance.
2. The Board expressed some concern that NICE had not been able to assess the implications of accelerated approvals coming from Project Orbis in the context of the strategic objective to improve horizon scanning. The Board agreed on the benefit of taking action to ensure NICE is supporting patient access to promising innovations and asked whether more could be done to bring forward the publication of the technology appraisal (TA) guidance for these individual topics, including seeking additional capacity from the external assessment centres. Meindert Boysen stated that while additional capacity is being sought, the key issue is the time required to undertake the appraisal. The scope to reduce the length of the NICE process was being explored, however this might increase the potential risk of appeal. Reprioritising the work programme to bring forward these assessments would displace topics already in the work programme and affect commitments already given to those companies.
3. The Board supported the proposals on the basis these would apply for an interim period. The Board highlighted the importance of ensuring the arrangements are clearly explained to industry and wider stakeholders, including why an alternative option of companies providing the technology at list or discounted price between marketing authorisation and NICE TA and then retrospectively rebating NHS England & NHS Improvement to the cost-effective price following the NICE decision, had been discounted. There was encouragement from the Board to ensure data on the real-world effectiveness of the technologies is collected during the interim access arrangements and fed into the NICE TA.
4. The Board highlighted the need for NICE to be able to respond to new strategic developments and noted that the process review will provide the opportunity to consider the flexibilities that can be deployed where appropriate. It was suggested that the organisational design work explores NICE’s current operating model, including where it is appropriate to seek capacity from external organisations, and which skills should be maintained as core competencies.

## Legal support for Managed Access (item 11)

1. Meindert Boysen presented the paper that outlined the legal advice on NICE’s role in making recommendations for managed access. As previously discussed with the Board, an interim procedural statement has been developed to capture NICE’s activities when developing managed access recommendations. This has now been through legal review, with the advice being that the statement is 'sound' and releasing it as soon as possible would be beneficial. Following this initial publication it is proposed that the content of the statement is reviewed for incorporation in the updated process guide and consulted on later this year. Meindert added that further development work to enhance the operation of NICE's Managed Access function will include legal review and come back to the Board for consideration in June 2021.
2. The Board noted the legal advice and agreed that Sharmila Nebhrajani would review the interim procedural statement on behalf of the Board and undertake Chairman's action for sign-off.

Action: Meindert Boysen and Sharmila Nebhrajani

## Building an efficient digital workplace: the case for change (item 10)

1. Alexia Tonnel presented the paper that set out the strategic case for change and background to the establishment of a digital workplace programme, for which a full business case will be presented to the Board in May 2021.
2. Board members supported the need for investment in this area but highlighted a number of issues to be considered further in the full business case, including how the digital workplace programme links into the wider transformation programme, and the other digital programmes that are outside of this work, notably the content strategy and enhanced data management capabilities. The business case should also outline further the proposed governance for the programme and the arrangements to oversee the overarching technical architecture of this and the out of scope digital developments. The importance of the human aspect of the change programme was highlighted, as was the need to ensure sufficient attention is given to business process reengineering before or alongside the digital transformation in order to realise the maximum value from the investment in Microsoft 365 and avoid simply digitising current processes. The Board noted the proposal to designate “change champions” and highlighted the need to consider the impact on these individuals’ current workload. Supporting internal collaboration was noted to be a key driver for the programme and it was recommended that the business case should also consider how the deployment of Microsoft 365 could support collaboration with NICE’s partners.
3. The Board noted the assurance activities that have taken place since September 2020 to validate the scale, likely cost, and approach of the proposed programme, but recommended that the final business case includes sufficient contingency and also a further gateway to provide the opportunity to consider the benefits realised from the initial expenditure.
4. The Board confirmed the critical importance of the digital workplace programme to the delivery of the overarching NICE strategy and supported the case for change. It was agreed that the business case to the May Board should address the points raised in the discussion and that the draft should be shared with Justin Whatling and Alina Lourie for comment prior to submission to the Board.

Action: Alexia Tonnel

## Monitoring progress against the new strategy (item 9)

1. Jennifer Howells presented the proposed set of indicators to monitor and measure success against the new strategy, and outlined some minor amendments proposed to 4 indicators after the papers were circulated. Subject to any comments from the Board, the next stage will be to develop an integrated performance dashboard. It is proposed to engage external capacity to help design this dashboard and advise on how to automate data capture.
2. Board members welcomed the direction of travel and the intention to move away from narrative reporting on performance. However, there were concerns about the proposed number of indicators and the resource burden of collecting this data. There was also encouragement to consider negative measures, including for example the extent that digital innovations commissioned by NHS England and NHS Improvement were not subject to a NICE appraisal. Board members expressed mixed views on the value of additional measures to monitor delivery of the strategy, or whether this would be measured by the delivery of the business plan, which is the year-on year operationalisation of the strategy.
3. It was agreed that the Executive Team would review the proposed measures in response to the Board’s feedback, including considering which indicators would be reported to the Board and on what frequency.

Action: Jennifer Howells

1. It was noted that an iterative approach would likely be required, and the Board may have further feedback on the measures once it starts to review the populated dashboard.

## Draft business plan 2021/22 (item 8)

1. Jennifer Howells presented the latest draft of the 2021/22 business plan and highlighted the changes made since the Board reviewed an earlier draft in February. Since then, the Department of Health and Social Care (DHSC) have confirmed NICE’s financial allocation for the year which should be sufficient to enable delivery of the objectives. Jennifer noted that while the financial resources will be available, the challenge will be to ensure the staff capacity and contracts with delivery partners are in place.
2. The Board gave positive feedback on the plan but queried whether it was overly ambitious and has taken sufficient account of the resources required to deliver the transformation programme at the same time as maintaining the core outputs. Concerns were raised about the impact on staff, particularly given the challenges arising from COVID-19 over the last year. The Board highlighted the importance of staff engagement and empowering staff to own and deliver the change. In response, Gill Leng highlighted that the Board agreed earlier in the year to stop some current work, which would help release capacity, but agreed to review the business plan to identify if any of the deliverables could be reprioritised in the context of the organisation’s capacity for change.

Action: Gill Leng

1. Subject to the above action, the Board supported the business plan for submission to the May public Board meeting for approval. It was agreed that the briefing on the 2021/22 budget to the morning session of the May Board meeting should include further information on how the funding has been allocated across the transformation programme.

Action: Jennifer Howells

1. The Board highlighted the importance of understanding how the change programme relates to the delivery of NICE’s business as usual activity and the sequencing of the change programme. Further information was therefore requested on the timeline for the change programme; which aspects are the greatest priority and those which could be deprioritised if resources become constrained; the governance for overseeing delivery; and how the NICE Connect programme stands in relation to the new strategy. It was agreed this information should be provided as part of the update on the next steps with the organisational design work to the June Board strategy meeting. The Board noted the various strands of work and encouraged the development of clear and concise communications about the purpose of the change programme to support staff engagement.

Action: Jennifer Howells

## Annual report and accounts 2020/21: progress update and performance report section review (item 7)

1. Jane Gizbert presented the update on the progress made in the production of the NICE annual report and accounts for 2020/21, and asked the Board to review the draft designed performance report section.
2. The Board welcomed the work undertaken to date. Subject to the addition of reference to supporting self-care, it was agreed no substantive amendments were required. Board members were asked to provide any drafting amendments on specific text to Jane Gizbert by Monday 26 April given the tight timescales for completing this work.

Action: Jane Gizbert

## Benefits and concerns (item 13)

1. The Board briefly reviewed the meeting, which was felt to have gone positively. Sharmila Nebhrajani noted that change has been a theme throughout the discussions and highlighted the importance of striking an appropriate balance between delivering change and the core business, and being clear on where there is a need to prioritise. Sharmila asked the Executive Team to relay the Board’s thanks to staff for their ongoing work.

## Any other business (item 14)

1. Felix Greaves noted that a workshop for the NEDs on digital health technologies will be arranged, and an invitation would be circulated in due course.

## Date of the next meeting

1. The next Board strategy meeting will be Wednesday 16 June 2021, 10.30am.