**NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE**

# Minutes of the Board Strategy Meeting

Wednesday 22 April 2020 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.*

## Present

**Non-Executive Directors** Professor Tim Irish

Professor Martin Cowie

Elaine Inglesby-Burke (item 8 onwards)

Dr Rima Makarem

Tom Wright

**Executive Directors** Professor Gillian Leng

Meindert Boysen

Paul Chrisp

Alexia Tonnel

Catherine Wilkinson

**Directors in attendance** Jane Gizbert

Judith Richardson

**In attendance** Dr Jane Adam (items 1 to 8)

Dr Gita Bhutani

Dr Peter Groves

Dr Peter Jackson

Professor Daniel Keenan

Dr Mark Kroese

Dr Tessa Lewis

Professor Gary McVeigh

Norma O’Flynn

Jane Newton

Liz Woodeson (items 1 to 6)

Phil Hemmings (item 10)

David Coombs (minutes)

## Apologies (Board and Senior Management Team) (item 1)

1. None.

## Declarations of interest (item 2)

1. No new interests were declared and it was confirmed there were no conflicts of interest relevant to the meeting.

## Minutes of February 2020 Board strategy meeting (item 3)

1. The minutes of the Board strategy meeting held on 26 February 2020 were agreed as a correct record.

## Matters arising (item 4)

1. The Board reviewed the actions from the Board strategy meeting on 26 February 2020 and noted that:

* The senior management team (SMT) have agreed interim changes to the technical engagement step to help alleviate the capacity challenges in the technology appraisal (TA) programme. A wider package of changes is being considered, taking account of the COVID-19 related disruption to guidance production.
* Gill Leng will liaise with Paul Chrisp to write to the advisory committee chairs to explain the exceptional circumstances around the AAA guideline and to reaffirm the Board’s commitment to the independence of the advisory committees.
* The business plan and risk register have both been comprehensively updated to reflect the impact of COVID-19. The Board will be asked to review and approve an updated business plan at the May public Board meeting.

## Update on NICE’s response to COVID-19 (item 5)

## Financial scenarios for 2020/21 (item 6)

1. Catherine Wilkinson updated the Board on the impact of COVID-19 on the financial position. Due to a reduction in TA income, and increased provisions and other costs, the net year-end underspend has reduced from the £1.3m forecast at the March Board meeting to £0.4m.
2. Catherine outlined the COVID-19 related financial implications for 2020/21, with the reasonable worst-case scenario a £1.4m deficit. The matter has been discussed with DHSC, with the aim of securing additional funding to cover this deficit. The initial response from DHSC was positive, given NICE’s past financial management and the resources committed by NICE to COVID-19 related activity. Discussions will continue and a further update will be provided to the Board in May. Catherine noted the indicative capital funding for 2020/21 and stated that consideration will be given to delaying the Manchester office refurbishment in light of the delay to the London office move.
3. The Board discussed the revised financial forecast for 2020/21 and the further additional financial pressures in 2021/22. In particular, Board members suggested the reduction in TA income could be greater than forecast. Catherine stated that she felt the assessment was appropriate and Meindert Boysen noted that it takes account of the number of topics already referred to NICE. Tim Irish asked that nonetheless, consideration is given to a scenario of a further significant reduction in TA income (for example £2m) beyond that already modelled, and the options for addressing any such shortfall.

ACTION: Catherine Wilkinson

## Chief Executive’s update (item 7)

1. Gill Leng briefed the Board a range of recent developments and topical issues. She noted the potential ongoing impact of COVID-19 on NICE’s work in 2020/21 and explained the revised priorities for the NICE Connect transformation, building on the opportunities from the COVID-19 response. Meindert Boysen explained further the RAPID-C19 proposals discussed earlier in the meeting, and summarised NICE’s contribution to assessing COVID-related technologies. Gill highlighted that NICE may be subject to judicial review proceedings in relation to critical care decision making and access to treatment.
2. Gill explained that the COVID-19 disruption will also affect the planned London office move in November. There is no option for NICE to extend the current lease at Spring Gardens so alternative options are being explored, including moving to the new office in Stratford with limited facilities, moving into temporary London accommodation, or staff working from home.
3. Gill advised the Board that Ben Bennett has now resigned from his post as Business Planning and Resources Director and so there is a need to appoint his substantive replacement. The proposal is to expand the role to include responsibility for the transformation unit and have a more strategic focus, as Director of Finance, Strategy, and Transformation. A wider review of the SMT roles and responsibilities will then come to the Board in May or June. Board members queried the span of the role and whether it would be possible to attract a candidate suited to the dual focus of the corporate ‘back-office’ functions and the newly added strategy and transformation aspect. Gill stated that she felt the two elements were complementary, and the existing functions within the business planning and resources directorate would help drive transformation. It was agreed that the draft job description should be circulated to the Board members for comment and then discussed at next week’s Remuneration Committee as planned. It could then be discussed further by correspondence if concerns remained. To inform this discussion, it was agreed that it would be helpful to seek feedback from the search agency on the market for the role. It was agreed to defer the wider discussion on the SMT roles and responsibilities to June once Sharmila Nebhrajani has taken up her post as Chair.

ACTION: Gill Leng

1. Gill briefly updated on the Board on the project co-sponsored with NHS England/Improvement to develop and test innovative models for the evaluation and purchase of antimicrobials; and also the revised timescale for the review of the methods and processes within the Centre for Health Technology Evaluation. Both of these will be subject to further updates to the Board.

## Committee chair update (item 8)

1. Dr Jane Adam, chair of Technology Appraisal Committee A, gave a presentation on the Committee’s work. She briefly summarised the committee’s work since January 2019 and then gave feedback from the committee’s use of Zoom to discuss 2 topics in March. The benefits included avoiding any risk from COVID-19, and increased convenience due to lack of travel. However, the feedback from the participants highlighted a range of challenges from the perspective of the invited experts, committee members, committee chair, and NICE staff.
2. The Board discussed the feedback on the use of Zoom. The need to ensure virtual meetings are accessible to people with disabilities was highlighted, and this will be considered in further detail. It was suggested that legal advice may be required on this matter if the use of virtual committees is to become more widespread.
3. On behalf of the Board, Tim Irish thanked Dr Adam for her presentation and the Committee’s work.

## EU exit (item 9)

1. Meindert Boysen updated the Board on the planning for the trade negotiations and transition period following the UK’s exit from the EU. He reminded the Board of NICE’s previous preparations for EU exit, and updated the Board on the DHSC’s workstreams in this area and the scope for NICE’s involvement. Meindert noted that NICE Scientific Advice (NSA) can no longer be part of the EUnetHTA Early Dialogues with the European Medicines Agency (EMA) and to mitigate this loss of income have developed a concurrent advice process  to allow the life sciences industry to seek advice from NICE alongside existing European routes. NSA have also expanded its publicly funded work.
2. The Board noted the update.

## Draft annual report (item 10)

## Any other business (item 11)

1. David Coombs briefly outlined the arrangements for the May public Board meeting which will take place as a Zoom webinar. Tim Irish stated that he would liaise with Sharmila Nebhrajani on whether a decision should be taken now to move the July Board meeting to Zoom.

ACTION: Tim Irish

## Date of the next meeting

1. The next Board strategy meeting will be on Wednesday 17 June 2020, venue TBC.