

## **NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE**

Minutes of the Board Strategy Meeting held on 21 February 2018 in the  
Derwent meeting room, NICE London office

*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 David Haslam  
Professor Sheena Asthana  
Dr Rosie Benneyworth  
Professor Angela Coulter  
Professor Martin Cowie  
Elaine Inglesby-Burke  
Professor Tim Irish  
Dr Rima Makarem  
Tom Wright

#### **Executive Directors**

Sir Andrew Dillon  
Professor Gillian Leng  
Professor Mark Baker  
Ben Bennett

#### **Directors in attendance**

Jane Gizbert  
Mirella Marlow  
Alexia Tonnel

#### **In attendance**

Dr Peter Groves  
Dr Peter Jackson  
Professor Danny Keenan  
Professor Alan Maryon-Davis  
Norma O'Flynn  
David Coombs (minutes)

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

1      None.

### **Declarations of interest (item 2)**

2      None.

**Minutes of December 2017 Board Strategy meeting (item 3)**

- 3 The minutes of the Board Strategy meeting on 13 December 2017 were agreed as a correct record.

**Matters arising (item 4)**

- 4 The Board reviewed the actions arising from the Board Strategy meeting on 13 December 2017. It was noted that the review of the strategic risks has been added to the agenda planners for the Board and Audit and Risk Committee. The new policy on declaring and managing interests for advisory committee has been published, and the accompanying policy for staff and Board members is in development. Given the latter policy's profile and application to Board members, it will be brought to the Board for review. Andrew Dillon highlighted that the salary for the new Director of the Centre for Guidelines has been submitted to the Department of Health and Social Care Remuneration Committee, and the intention is to advertise the position in April.

**Chief Executive's update (item 5)**

- 5 Andrew Dillon updated the Board on a number of matters, summarised below.
- 6 Andrew stated that the Department of Health and Social Care (DHSC) is preparing the UK Government's response to proposed EU legislation, which would make the use of EU-wide 'clinical assessments' a compulsory part of member state health technology assessment (HTA) work from 2019. The proposal seeks to enable a more efficient use of resources across member states, but several matters require further clarification including the timing for producing the assessment, which is analogous to the submission currently required from companies to initiate a NICE technology appraisal, and how it will be compulsory. The Board discussed the proposal, noting the impact on NICE and the UK is unclear, given the context of the UK's withdrawal from the EU, and the work undertaken on a NICE appraisal prior to a technology's marketing authorisation and therefore before the proposed assessment may potentially be available.
- 7 Andrew updated the Board on the establishment of the Guideline Resource and Implementation Panel (GRIP) to review the resource impact of NICE guidelines and the context of wider implementation issues where these are significant. The panel comprises representatives from NICE, NHS England, NHS Improvement, Health Education England, and Public Health England, and through reviewing the financial and workforce impact of new NICE guidelines, aims to increase commissioner support for implementing the recommendations. In response to questions from the Board, Gill Leng confirmed that the

GRIP's terms of reference clearly outline the panel's remit which is focused on considering the implementation of NICE guidelines. There is no scope to influence or challenge the content of the guidelines. In response to questions from the Board, it was noted that whilst the group has initially been established to consider recommendations with a significant financial and workforce impact, it could also be a mechanism to gain support for recommendations that have scope to realise significant cost savings. Similarly, whilst the group is initially focused on guidelines, it could in theory be potentially extended to other NICE guidance such as medical technologies guidance.

- 8 Andrew noted that discussions continue with the British Council to develop NICE's interest on maintaining co-location when the lease on the current London office ends in 2020. A business case for the proposal will be required to secure Government approval. He highlighted that all staff are required to undertake information governance training by the end of March 2018, as part of the preparations for the new EU data protection regulations that come into force in May. He also noted that a proposal for updating NICE's 'social value judgements' statement will be brought to the Board in March.
- 9 A question was raised as to whether committee members can access the information governance training. Ben Bennett agreed to explore whether this is possible.

**ACTION: Ben Bennett**

#### **Draft 2018/19 business plan (item 6)**

- 10 Ben Bennett presented the draft business plan for 2018/19, which included the business objectives discussed by the Board in January. He outlined the information in the covering paper on the financial assumptions in the plan, and the risks to achieving a balanced financial position. He noted the prudent approach taken, particularly with pay budgets, which should mean any need for transition funding from the Department of Health and Social Care in 2018/19 is likely to be modest. However, as previously discussed, the current assumption is that more significant transitional support will be required in 2019/20. In response to a question from the Board, Ben confirmed that the plan takes account of activity pressures, both in terms of costs and income.
- 11 The Board identified minor amendments to paragraphs 36 and 122 of the draft business plan, before it is submitted to the March Board meeting for approval.

**ACTION: Andrew Dillon / Ben Bennett**

**Updated risks (item 7)**

- 12 Ben Bennett presented the high and medium risks to the 2018/19 business objectives. The risk register will be refreshed throughout the year and reviewed by the Senior Management Team (SMT) bi-monthly, and Audit and Risk Committee quarterly.
- 13 The Board discussed risk 02-18 relating to the NHS England review of the Quality and Outcomes Framework (QOF). The mitigations to the risk were discussed, including NICE's current and potential future role in developing other indicators for the health and care system. The value of the indicator programme was noted, as was the benefit of compiling evidence of the indicators' impact on quality improvement.

**NICE Foundation (item 8)**

- 14 Andrew Dillon introduced the proposal for an exploratory review of the case for establishing a new charity, provisionally titled the NICE Foundation, to undertake education, research and fee for service activity, related to NICE's purpose, expertise and experience. He outlined the context to the proposal, highlighting that at various times since NICE was established, consideration has been given to establishing an external vehicle to undertake functions that might perform more efficiently and productively outside of the NICE public sector platform. There are a number of factors that support returning to this proposal, including the recent interest from international health systems in knowledge transfer services; maximising the opportunity to access research grants; support from management teams in the affected functions; and the decision to create a new science advice and research programme, part of which could sit within the Foundation. The proposal also takes account of the ongoing fiscal pressures on NICE, and the wider public sector, which may constrain the ability to invest in services outside of NICE's core public task in the future.
- 15 The Board discussed and strongly supported exploring the case for establishing the Foundation. A number of issues for further consideration were identified, including the Foundation's charitable objectives, governance arrangements, relationship with NICE, and the structure of the charity's operating company. The reputational risk to NICE should also be considered. It was suggested that the proposal could potentially provide the scope to undertake some of the research activity NICE currently procures externally.
- 16 A report will now be developed, with input from non-executives with expertise in this area, to provide more detail on the purpose, content, governance, and revenue streams for the proposal. The aim is to bring this to the Board by June, to enable a decision on whether to develop a full business case to support an application to the Department of Health and Social Care to establish the Foundation.

**ACTION: Andrew Dillon****Reconfiguration of the Centre for Health Technology Evaluation (item 9)**

- 17 Andrew Dillon presented the paper on the management of technology evaluation, science advice, research and development, and other fee for service advisory services at NICE. He outlined the proposal, agreed by the Board in January, for the Centre for Health Technology Evaluation (CHTE) to retain its title and concentrate on delivering its current guidance and advice programmes. All other activities will be transferred to a new science advice and research function. It is proposed to transfer this function to the direct management of the Chief Executive, pending consideration of a NICE Foundation, discussed under the preceding agenda item, into which some of these services would transfer.
- 18 The Board noted and supported the proposed interim arrangements.
- 19 Andrew advised the Board of the intention to advertise the new CHTE Director position shortly. He noted that the outcome of the Department of Health and Social Care Remuneration Committee's consideration of the salary is awaited.

**Any other business (item 10)**

- 20 None

**Date of the next meeting**

- 21 The next Board strategy meeting will be on Wednesday 25 April 2018 in the Derwent room, NICE offices, London.