

NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

Senior Management Team

Minutes of the meeting held on 20 November 2018

Present

Gill Leng	Deputy Chief Executive and Director – Health and Social Care (meeting chair)
Ben Bennett	Director – Business Planning and Resources
Meindert Boysen	Director – Centre for Health Technology Evaluation
Paul Chrisp	Director – Centre for Guidelines
Jane Gizbert	Director – Communications
Alexia Tonnel	Director – Evidence Resources

In attendance

David Coombs	Associate Director – Corporate Office (minutes)
Grace Marguerie	Associate Director – Human Resources (item 7.1)
Lorna Scoular	Senior HR Business Partner (item 7.1)

Apologies (item 1)

1. Apologies were received from Andrew Dillon.

Freedom of Information and publication scheme (item 2)

2. The final minutes will be made available on the NICE website subject to the redaction of any exempt material.

Declarations of interest (item 3)

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

Notes of the previous meeting (item 4)

4. The minutes of the meeting held on 13 November 2018 were approved.

Matters arising (item 5)

5. The actions from the meeting held on 13 November 2018 were noted as complete or in hand.

November Board meeting (item 6)

6. SMT noted the agenda, papers and arrangements for the Board meetings on 21 November 2018.

Temporary contracts manager guide (item 7.1)

7. Grace Marguerie introduced the item and highlighted the use of fixed term contracts at NICE. While it is not inappropriate to have a small percentage of temporary roles in an organisation, the individual circumstances of temporary contracts can present challenges and risks for NICE, if they have not been carefully considered. Grace stated that the proposed guide seeks to help mitigate these risks and ensure managers put in place contracts appropriate to the

circumstances. Grace outlined scenarios when fixed term contracts may be appropriate, such as covering maternity, and those when they are not.

8. SMT reviewed the guide and requested a number of amendments. It was agreed that the guide should clearly outline scenarios in which fixed term contracts are suitable and not suitable, and those where case by case consideration is required. To be a practical resource for managers, the guide should provide alternative options where a fixed term contract is not appropriate. It was agreed that the text on external secondments should be amended to reflect SMT's previous discussions on this issue, in particular to note that external secondments will not usually be approved. The text on internal secondments should be expanded to provide further guidance on challenges commonly faced by managers in this area, including the arrangements for backfilling posts. The guide should also clarify the distinction between internal secondments, where there is a legal right to return to the substantive role, and the use of fixed term contracts for other reasons, where such right does not apply. It was agreed that the guide should clarify where text reflects legal requirements, including the use of the term 'dismissal'.
9. SMT highlighted the importance of ensuring the guidance is a practical resource to support managers with workforce planning, and welcomed the proposal to deliver briefing sessions for managers when the guide is launched. To further ensure the guide is accessible to managers, SMT agreed it would be helpful to include visual summaries such as flowcharts.
10. It was agreed that the guide should be amended in response to the discussion and brought back to SMT for further review.

ACTION: GM/LS/BB

11. SMT discussed the strategic workforce challenges that have led to the current prevalence of fixed term contracts. It was agreed that it would be helpful to explore the scope to develop job descriptions for some generic roles such as analysts that would enable more flexible deployment between different programmes. It was also suggested that it may be appropriate to use permanent contracts when appointing staff to work on a time limited project, as this would attract a wider talent pool. Due to turnover across NICE and ongoing recruitment challenges, the risks of redundancy are minimal as it is likely the staff could transfer to another team within NICE if there is no long-term funding for the project.

Myalgic encephalomyelitis (or encephalopathy) (ME)/chronic fatigue syndrome (CFS): diagnosis and management guideline committee (item 7.2)

12. Paul Chrisp presented the update on appointments to the guideline committee. He noted that following the extensive correspondence received about the committee's composition, the conflicts of interest reference panel comprising representatives of the Board met yesterday to review the committee members' declared interests.
13. Paul stated that the panel carefully reviewed the appointment process, and the committee members' declared interests. The panel agreed to retain the proposed membership, including an author of the PACE trial, noting the committee also contains members who strongly hold opposing views. Paul stated that the panel supported the approach of seeking a committee that contains a balance of views, and agreed that in line with NICE's policy on declaring and managing interests, the committee chair will consider whether to restrict committee members' involvement in drafting recommendations relating to areas in which they have publicly expressed a position.

14. SMT noted the update and welcomed the reference panel's scrutiny of the appointments.

Guideline committee chair appointment (item 7.3)

15. Paul Chrisp presented the proposal to appoint Professor Philip E M Smith to the position of chair of the NICE guideline committee on investigation and management of heart valve disease in adults. He highlighted the due diligence undertaken and the declared interests, confirming there were no conflicts of interest specific to the guideline.
16. SMT approved the appointment of Professor Smith as chair of the guideline committee.

Guideline committee chair appointment (item 7.4)

17. Paul Chrisp presented the proposal to appoint Dr Stephen Ward to the position of chair of the NICE guideline committee on epilepsies in adults. He highlighted the due diligence undertaken and the declared interests, confirming there were no conflicts of interest specific to the guideline.
18. Alexia Tonnel noted Dr Ward's background in pain medicine and anaesthesia, and highlighted treatments could be common to both fields. Paul stated he did not feel this was a risk, but agreed to confirm there was no conflict of interest.
19. SMT approved the appointment of Dr Ward as chair of the guideline committee, subject to confirmation that Dr Ward has not publicly expressed a view on an intervention likely to be considered by the committee.

ACTION: PC

NICE Foundation (item 8)

20. Gill Leng updated SMT on the discussions at yesterday's implementation group meeting. She noted that following a discussion with Lord O'Shaughnessy at NICE's annual accountability meeting, the case for establishing a non-charitable company will also be explored.

NICE pathways (item 9)

21. No further update.

Weekly staff SMT updates (item 10)

22. SMT agreed the staff updates.

ACTION: DC

Any other business (item 11)

23. Alexia Tonnel stated that following a discussion at yesterday's annual accountability meeting, she is exploring the possibility of seeking capital funding for digital investment.
24. Meindert Boysen briefly updated SMT on the sector deal for Life Sciences and the PPRS.