NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

Senior Management Team

Minutes of the meeting held on 8 January 2019

Present

Andrew Dillon	Chief Executive
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
Gill Leng	Director – Health and Social Care
Alexia Tonnel	Director – Evidence Resources

In attendance

David Coombs	Associate Director – Corporate Office (minutes)
Sarah Cumbers	Programme Director – Health and Social Care (item 6.2)
Adrian Jonas	Associate Director – Data and Analytics (item 6.2)
Grace Marguerie	Associate Director – Human Resources (item 6.4)
Kelly Parry	Data Protection and Information Governance Manager (item 6.3)
Eric Power	Programme Director – Health and Social Care
Shaun Rowark	Senior Analyst – Health and Social Care (item 6.1)

Apologies (item 1)

1. None.

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 18 December 2018 were approved.

Matters arising (item 5)

5. The actions from the meeting held on 18 December 2018 were noted as complete or in hand.

6. Jane Gizbert confirmed that she had clarified the rationale for the investment on SNAP survey software, following the queries raised at the last SMT meeting. The additional licences will enable teams across NICE to utilise the software, bringing information governance benefits and giving the audience insight team greater control over surveys undertaken by teams across NICE, including to utilise consistent branding.

Impact report: sexual health (item 6.1)

7. Eric Power presented the report on the impact of NICE's sexual health guidance, which subject to any amendments from SMT will be presented to the January Board meeting.

8. SMT welcomed the report, and agreed it for submission to the January Board meeting subject to adding in reference to the sexual health quality standard that the Guidance Executive are shortly due to approve for publication.

ACTION: EP/GL

Progress report: the use of data analytics at NICE (item 6.2)

9. Sarah Cumbers presented the progress report for the January Board meeting on how NICE is enhancing its capability to identify and use data and analytics in its work.

10. SMT reviewed the report and agreed to remove the appendix on the Science Policy and Research programme activities, and instead include text in the main body of the report on the Manchester 'datalab'. In addition, SMT agreed to include more information in the report on the long term data and analytics strategy that is being prepared; an appendix that lists the membership of the external reference group; and note the relationship between data analytics and NICE Connect, and that the forthcoming updates of the CHTE methods guides will take account of this data analytics work.

11. Subject to these amendments, the report was approved for submission to the Board.

ACTION: SC/GL

Data security and protection toolkit: interim submission (item 6.3)

12. Kelly Parry presented the report that outlined compliance with the Data Security and Protection (DSP) toolkit, and highlighted the areas where further work is required before the year-end submission. She noted that most of these can be addressed relatively easily, while a small number require more extensive activity.

13. SMT discussed a number of the areas where further work is required to achieve compliance. It was agreed that:
    - Annual tests of the continuity plan for data security incidents should be undertaken with participation by some members of the SMT.
    - Options for staff providing ongoing confirmation that they understand usage of IT systems can be monitored should be explored, including potentially adding this to the annual information governance training. This would be in addition to the existing requirement for new staff to confirm they have read the IT policy (which includes a statement about usage monitoring) as part of their induction.
    - Alexia Tonnel should clarify the rationale for ongoing use of a piece of unsupported software in Evidence Resources and review the risks this poses. Ben Bennett, as Senior Independent Risk Owner (SIRO) would then make a decision on whether to accept the risk, in line with item 8.2.3 in the toolkit.

- Ben Bennett, as SIRO, should review the outcomes of penetration testing at least quarterly, with Alexia Tonnel having first considered the outcome of the testing in the areas within her remit.
- Spot checks of the controls in relation to de-identified and pseudonymised patient level data should be undertaken.
- SMT should in future review the annual cyber security report before it is presented to the Audit and Risk Committee. The report should be expanded to include the results of the tests of the continuity plan, the outcome of the SIRO's consideration of the use of unsupported systems, and the outcome of penetration testing.

ACTION: KP/BB/AT

14. It was agreed that staff should be reminded of the need to complete information governance training by the end of March.

ACTION: KP/JG

Using the apprenticeship levy to support personal development (item 6.4)

15. Grace Marguerie presented the proposals for the use of the apprenticeship levy to support development opportunities for existing staff, which were agreed in principle at the SMT meeting on 11 December. As the meeting was not quorate, the proposals have been brought back for formal approval. Grace highlighted that as requested in that discussion, the paper now clarifies that participants must have been working for NICE for at least a year, and will be required to sign a training agreement to cover the circumstances should they leave NICE shortly after completing the qualification.

16. SMT discussed the requirement for participants to be given 20% of their contracted hours as development time for their apprenticeship. It was agreed the arrangements for how this would operate in practice should be explored between potential applicants and managers before the application, and carefully managed to mitigate the risks to business delivery. It was also agreed that the training courses should be consistent with personal development plans.

17. SMT agreed to pilot the proposals and discussed the process for determining the participants. It was agreed that following prior review by any local training panel, a panel of SMT members should coordinate the allocation of places across NICE. This would enable the panel to consider whether to revise the allocation of places between the courses and centres/directorates in line with the volume of applications.

ACTION: GM

Risk register (item 6.5)

18. David Coombs presented the latest versions of the strategic and business risk registers. The strategic risk register reflects both the amendments requested at the December Board Strategy meeting and the new strategic ambitions, while the business risk register reflects the updates made by individual directors.

19. SMT reviewed the business risk register and agreed that:
- The target rating for the cyber security risk (03/18) should remain medium at year-end given the underlying risks in this area. Completion of the data security protection toolkit should be added as a further planned mitigation/assurance.

- Risk 04/18 relating to the London office move should remain medium given the potential impact of moving from central London.
- Due to funding challenges, the year-end target rating for risk 26/18 relating to digital services' ability to support the NICE business agenda should be increased to medium.
- The risk on the implications of the UK's exit from the EU would be broadened from the existing risk that is focused on Scientific Advice income and European research grants (risk 15/08).
- Gill Leng would review risks 28/18 and 09/18 to clarify that one relates to NICE Connect and the other data analytics.

ACTION: DC/AD/GL

20. Subject to these amendments, the risk registers were agreed for submission to the Audit and Risk Committee on 23 January.

ACTION: ER/DC

Draft corporate business plan (item 6.6)

21. David Coombs presented the latest draft of the 2019/20 corporate business plan, which subject to any further amendments will be submitted to the sponsor team at the Department of Health and Social Care (DHSC).

22. SMT reviewed the draft plan and agreed a number of amendments, including to the sections on NICE's preparations for the UK's exit from the EU, the vision for NICE Connect, the proposed integrated topic selection process in CHTE, and to the balanced scorecard.

ACTION: AD/GL/MB/DC

23. Andrew Dillon asked Directors to provide either a target quarter for completing the actions under the strategic ambitions or instead indicate the action will be ongoing throughout 2019/20.

ACTION: SMT

24. Subject to these amendments, the draft was agreed for submission to the sponsor team. It was agreed that the cover note to the sponsor team should highlight that the business plan is premised on the understanding that the DHSC will cover the aspects of the deficit arising from the delayed timescale for introducing cost recovery in the technology appraisal and highly specialised technologies programmes, and the changes to the charging regime following the public consultation.

ACTION: BB

EU exit preparations (item 6.7)

25. Andrew Dillon highlighted the letter from the Health Minister and stated that he, and fellow Chief Executives of the health ALBs are meeting with the Minister tomorrow to discuss preparations for the UK's exit from the EU. Andrew stated that he would circulate the slide on NICE's preparations produced for the meeting to SMT.

ACTION: AD

26. SMT discussed NICE's preparations for UK's exit from the EU, noting that
   - The impact of a 'no deal' scenario on the timescales for publishing NICE technology appraisal guidance will be formally highlighted to the DHSC.
   - NICE staff from the EU have been encouraged to register for settled status.
   - Income from NICE Scientific Advice is being monitored. While there is potentially scope to diversify income sources, these activities cannot realistically deliver increased income in time for the UK's exit from the EU.
   - The government has committed to underwrite income from European research grants.

27. It was agreed that current risks were therefore currently being addressed to the extent that is reasonably possible.

NICE Foundation (item 7)

28. Andrew Dillon provided an update from the Foundation Implementation Group meeting held on 20 December, which considered the implications of the Board's decision to refocus the Foundation on NICE Scientific Advice and other fee for service activity.

29. SMT noted that Nick Crabb will inform the staff in the Scientific Affairs programme of the revised proposals at a meeting on 30 January, following which Andrew Dillon will advise the DHSC of the revised proposals and ask for a formal decision, or alternatively notification of the issues that require resolution. Andrew stated that if a decision is not received by the middle of the year, it may be necessary to withdraw the proposals and put in place long term arrangements for managing these activities within the NICE management structure to give certainty to staff.

NICE Connect project (item 8)

30. Gill Leng briefly updated SMT on the arrangements for the upcoming meetings of the steering group and advisory committee.

Weekly staff SMT updates (item 9)

31. SMT agreed the staff updates.

ACTION: DC

Any other business (item 10)

32. SMT discussed the agendas for the January Board meetings. It was agreed that Andrew Dillon would draft a short paper on the publication of the NHS long term plan, including the implications and opportunities for NICE. The morning session would include an update on the UK's exit from the EU, drawing on the slide prepared for the Ministerial meeting, with a brief update included in the Chief Executive's report to the public Board meeting.

ACTION: AD/MB