

NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

Senior Management Team

Minutes of the meeting held on 29 January 2019

Present

Andrew Dillon	Chief Executive
Paul Chrisp	Director – Centre for Guidelines
Jane Gizbert	Director – Communications
Gill Leng	Director – Health and Social Care
Alexia Tonnel	Director – Evidence Resources
Catherine Wilkinson	Acting Business Planning and Resources Director

In attendance

Mark Campbell	Acting Programme Director – Centre for Health Technology Evaluation
David Coombs	Associate Director – Corporate Office (minutes)
Lori Farrar	Senior Manager – Centre for Health Technology Evaluation (item 7.2)
Cheryl Pace	Programme Manager – Health and Social Care (item 7.1)
Jennifer Prescott	Associate Director – Centre for Health Technology Evaluation (item 7.2)

Apologies (item 1)

1. Apologies were received from Ben Bennett, and Meindert Boysen who were represented by Catherine Wilkinson and Mark Campbell respectively.

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 previously 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 22 January 2019 were approved.

Matters arising (item 5)

5. The actions from the meeting held on 22 January 2019 were noted as complete or in hand.
6. Andrew Dillon stated that he raised the delay in commencing recruitment of a new NICE chair with the DHSC Permanent Secretary, who agreed to pursue the matter. Andrew stated that if the recruitment process cannot shortly commence, the DHSC would need to consider extending David Haslam's tenure, should David be willing to do so.

January Board meeting (item 6)

7. SMT noted the agenda, papers and arrangements for the Board meetings on 30 January 2019.

NICE's 20 birthday: outstanding contribution awards (item 7.1)

8. Cheryl Pace presented the nominations from the centres and directorates for potential recipients of the outstanding contribution awards that form part of NICE's 20th birthday celebrations.
9. SMT reviewed the nominations, and agreed that, ideally, the recipients should be drawn from a range of backgrounds and represent the breadth of NICE's work over the last 20 years. Also, there should as far as possible, be a gender balance. After careful consideration, SMT agreed to propose the recipients to the Board.
10. Andrew Dillon asked Cheryl Pace to prepare the paper for the February Board Strategy meeting with a short biographical paragraph on each proposed recipient. He would then add information on the nominees who were identified during this SMT discussion, prior to SMT undertaking a final review of the Board paper.

ACTION: CP/AD

Charging for technology appraisals and highly specialised technologies (item 7.2)

11. Catherine Wilkinson presented the paper that set out the arrangements to support implementation of charging for technology appraisals (TA) and highly specialised technologies (HST) evaluations.
12. SMT reviewed the proposed charging process set out in the appendices and the draft documents that would form the information pack for companies. It was agreed that the documents should clarify that small companies must notify NICE if they wish to take up the opportunity of phased payments, and that an editor should review the documents to improve their accessibility. Subject to these amendments, and other minor drafting points, SMT approved the documents for publication. It was agreed the document should be referred to as a procedure, rather than a process, to distinguish it from the process guides for guidance development.

ACTION: CW/MB/JG

13. SMT agreed that NICE may pause ongoing TA/HST assessments if a company has not provided a unique reference number or paid by specific points in the process. In taking this decision, SMT noted that the process ensures companies will have a significant timeframe to raise the unique reference or to pay, as well as detailed information on the process, and support from the CHTE topic selection team. SMT agreed that if a company continues not to engage, agreement should be sought from SMT to terminate the assessment.
14. SMT discussed the approach when one or more companies in a multiple technology appraisal (MTA) do not provide a unique reference number or choose not to participate. SMT agreed option 2 in the paper, which Catherine noted was supported by the Association of the British Pharmaceutical Industry (ABPI) and complies with Managing Public Money. In this approach, the technology of any non-paying company would be withdrawn from the MTA and the assessment of

that product terminated. The costs of the remaining assessment would be shared between the participating companies as either an MTA or STA as appropriate.

15. SMT discussed the approach when TA or HST guidance is reviewed. It was agreed that any review of negative guidance would be subject to the standard charging arrangements. SMT confirmed that the default approach is that NICE will not usually review guidance that recommends a product for use in routine commissioning. Should there be exceptional circumstances to justify such a review, a proposal should be brought to SMT for agreement to commence this work, alongside the proposed arrangements for recovering the costs of the review. It was agreed that the approach for recovering the costs of reviewing drugs in the Cancer Drugs Fund should be considered further and brought back to SMT.

ACTION: MB/CW

16. SMT supported the proposal to reserve the right to charge interest and or an administration fee for late payments, noting the intention to adopt a measured approach in this regard.
17. SMT agreed that where NHS England (or other bodies outside of DHSC) wish to commission a chargeable service such as an MTA they will be charged the set fee because Managing Public Money full cost recovery guidance applies. Andrew Dillon asked that the circumstances in which NICE would seek funding from a public sector body for an MTA rather than the sponsoring companies are clarified, and brought back to SMT.

ACTION: MB/CW

18. In response to a question from Andrew Dillon, Catherine Wilkinson clarified that the existing funding from NHS England for the TA programme will be required in 2019/20 to help address the shortfall arising from the part year effect of introducing charging for appraisals that commence after 1 April 2019.

SMT strategy meeting (item 7.3)

19. SMT discussed issues to consider at the SMT strategy meeting on 1-2 April 2019, and agreed to focus the meeting on NICE Connect.

NICE Foundation (item 8)

20. Andrew Dillon updated SMT on the discussions at the NICE Foundation Implementation Group meeting on 24 January. He noted that the group reviewed legal advice on the organisational form for the Foundation, and supported the use of a charitable company, subject to clarifying the arrangements for transferring the Foundation's assets in the event the organisation is dissolved. The group also reviewed the draft licence for the Foundation to use NICE's intellectual property.

EU exit (item 9)

21. Not discussed.

NICE Connect project (item 10)

22. Not discussed.

Weekly staff SMT updates (item 11)

23. SMT agreed the staff updates.

ACTION: DC

Any other business (item 12)

24. None.