**National Institute for Health and Care Excellence**

Senior Management Team

# Minutes of the meeting held on 15 October 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

Jacoline Bouvy Senior Scientific Adviser – CHTE (item 7.2)

Nick Crabb Programme Director – Science Advice and Research

Brad Groves Associate Director – Managed Access (item 7.3)

Helen Knight Programme Director – TA and HST (item 7.2)

Mirella Marlow Programme Director – Device and Diagnostics (item 7.1)

Elaine Repton Corporate Governance & Risk Manager (minutes)

## Apologies (item 1)

1. There were no apologies for absence.

## Freedom of Information and publication scheme (item 2)

1. The final minutes will be made available on the NICE website subject to the redaction of some exempt material in items 7.2 and 7.3.

## Declarations of interest (item 3)

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

## Notes of the previous meeting (item 4)

1. The minutes of the meeting held on 1 October 2019 were agreed subject to the following amendments:

**London office move** (para 7) – last sentence to read “SMT discussed this as a possible option which requires agreement with the other ALBs sharing the office.”

**Business planning 2020/21** (para 17) – first sentence to read “the section on NICE Connect from the centre and directorate plans will help to shape the Connect plan, which will be produced as a separate document.”

## Matters arising (item 5)

1. The actions from the meeting held on 1 October 2019 were noted as complete or in hand.
2. **NICE Principles** - Nick Crabb confirmed that he had written to interested parties to inform them of the next steps with the NICE principles.
3. **Prioritisation of Digital Services activity 2019/20** - Alexia Tonnel confirmed that she would be bringing a longer-term view of the Digital Services roadmap to a future SMT meeting.
4. **Career break application** - Ben Bennett has still to confirm with Grace Marguerie whether annual leave is accrued during a career break.
5. **London office move** – Andrew Dillon noted a conversation with Catherine Wilkinson about access to capital funding for new laptops.

**October Board strategy away day planning (item 6)**

1. Gill Leng confirmed that she is preparing a set of slides to inform the strategy. Gill agreed to share the slides with Andrew ahead of the meeting.

**ACTION: GL**

1. Elaine Repton to confirm to SMT which NEDs and committee chairs will be attending.

**ACTION: ER**

1. SMT discussed the possibility of capitalising some of the elements of the NICE Connect transformation project (for example IT/digital investment, content modelling and data curation), for which there may be funding available from the DHSC and/or NHS improvement & NHS X.

## Capacity expansion for guidance on medical technologies, diagnostics and digital health technologies (item 7.1)

1. Mirella Marlow presented a proposal to expand capacity in the Diagnostic Assessment Programme (DAP) and the Medical Technologies Evaluation Programme (MTEP) to meet the significantly increased demand for medtech, diagnostic and digital products requiring NICE guidance, and which was recommended in the Life Sciences Sector Deal 2 and the NHS Long Term Plan. The proposals will double the guidance outputs from 2020/21 at an estimated full year recurrent cost of £1.6m, to be funded by DHSC through Grant-in-Aid.
2. SMT asked whether the planned expansion was an upscaling based on the current approaches within CHTE and queried the absence of any reference to the Connect transformation aspirations, which may affect how the programme evolves. Mirella advised that the CHTE 2020 project is already looking to change the Centre’s structure to centralise some functions and processes to improve efficiencies and that a new process for medtech guidance is being piloted.
3. With regarding to the additional posts required, SMT noted that recruitment will begin in 2019/20 before funding has been received and asked for clarification about the level of risk involved. It was noted that the Catherine Wilkinson has been in discussion with the DHSC’s finance team and given the go ahead to start recruitment. The new job roles will be flexible to respond to change and will not be specific to any individual programme so that if need be, staff can be redeployed within NICE to other vacancies. Additionally, it was noted that there will be internal staff movements as a result of NICE Connect which may free up people for these roles.
4. SMT supported the proposed expansion to the DAP and MTEP programmes and the approach outlined for the recruitment of staff. SMT approved the recruitment of eleven staff in 2019/20 on the assumption that DHSC funding is available and is re-current, if not staff will be absorbed into other roles as part of the NICE Connect project.

**ACTION: MM**

1. Nick Crabb asked if funding could be made available to continue supporting an on-line version of the Meta tool that would be helpful in light of the MedTech expansion.

## End-of-life criteria for histology-independent cancer drugs (item 7.2)

1. SMT considered the different ways in which end-of-life criteria could be applied to histology-independent cancer drugs, in advance of two separate technology appraisals with the first one (for larotrectinib) scheduled for November 2019. Helen Knight and Jacoline Bouvy joined the meeting to advise SMT of the difficulties in applying an end-of-life criteria due to the heterogeneity of the patient population and the limited evidence base. This presents a problem for the appraisal committee as there is no precedent to rely on, no comparators and substantial uncertainty around the estimates of both life expectancy and extension to life of a histology-independent cancer drug.
2. SMT considered the different approaches outlined in the report that committees could take in applying end-of-life criteria and the benefits and risks of each. Given the nature of the evidence available in such appraisals, SMT concluded that committees should not apply the end-of-life criteria as they stand but be encouraged to explore other flexibilities available to it.
3. Gill Leng asked if this piece of work had provided learning about the evidence requirements that pharma companies should be providing at an earlier stage. It was agreed that NICE should develop a statement outlining the reason why the end-of-life protocol as it stands could not be applied in the appraisal of histology-independent drugs, so that this can be shared with companies, NHS England and the appraisal committees.

**ACTION: MB/HK**

## Managed access in CHTE – achievements, roles and responsibilities (item 7.3)

1. Meindert Boysen and Brad Groves gave an overview of the CHTE Managed Access programmes, their achievements and impact to date and the emerging opportunities working in conjunction with NHS England and NHS Improvement. A new 3-year Memorandum of Understanding and funding agreement is due to be signed at the end of 2019/20.
2. SMT welcomed and noted the report.

## Proposed changes to Publication Executive membership (item 7.4)

1. SMT considered changes to the membership of the Publication Executive. The Deputy Chief Executive will be replaced by the Evidence Resources Director as chair and the Communications Director will be appointed to the group. Consideration was given to whether representation was required from CHTE and the CfG. It was agreed that the facility to invite CHTE and CfG reps, if required, be included in the group’s terms of reference.
2. It was agreed that the terms of reference and standing orders be amended to reflect the membership appointments above and that paragraph 4, bullet point 3, be amended to read ‘or by exception, new products where additional input is required at the early stages of development’.

**ACTION: AT**

## Guideline committee chair appointment (item 7.5)

1. Paul Chrisp presented the proposal to appoint Marie Burnham to the position of chair of the NICE guideline committee on shared decision making. Marie currently chairs the NICE looked after children and young people guideline committee. None of her declared interests were specific to the shared decision making guideline.
2. SMT approved Marie Burnham’s appointment as chair of the guideline committee.
3. Paul referred to a complaint against a staff member raised by a previous chair and sought SMT’s view on whether it was appropriate for it to be dealt with through NICE’s formal complaints process. It was agreed that the report of the independent investigating officer should be completed and sent to Andrew Dillon who would respond to the complainant in writing.

**ACTION: FG/AD**

## Guideline committee chair appointment (item 7.6)

1. Paul Chrisp presented the proposal to appoint Phil Taverner to the position of chair of the NICE guideline committee on advocacy services for adults with health and social care needs. Phil is currently the chair of the supporting adult carers guideline committee. None of his declared interests were specific to the advocacy services guideline.
2. SMT approved Phil Taverner’s appointment as chair of the guideline committee.

## Webpage for guidance post-Brexit (item 7.7)

1. Meindert Boysen reported that the advice from the DHSC and MRHA is that ministers are suggesting adoption of the EMA website for six months post-Brexit. The need for the webpage will be reviewed in the light of the meeting with the MHRA on Friday.

**ACTION: MB/AD**

**EU Exit (item 8)**

1. No further developments to discuss. A question was asked about travel insurance for NICE staff who will be travelling on business to the EU after 31 October, in the event of no deal. Ben was asked to check and confirm to Directors, whether in the event of a no-deal exit, will NICE’s travel insurance cover staff for medical expenses when on business within Europe.

**ACTION: BB**

## NICE Connect project (item 9)

1. Nothing further to update. The Board will discuss in detail at its Strategy meeting on 15 October 2019.

## London office move (item 10)

1. SMT will visit the site on the morning of 22 October 2019. The Steering Group of ALB reps is meeting this week and the ICT working group is also due to start meeting.

## Chair and Chief Executive appointments (item 11)

1. The interviews for the role of chair are taking place on 29 October. The closing date for the chief executive role is 6 November and interviews will take place on 9 December.

## Weekly staff SMT updates (item 12)

1. SMT agreed the staff updates.

## Other business (item 13)

**Christmas holidays 2019**

1. SMT discussed whether the NICE offices should be closed on Friday, 27 December and staff be offered a discretionary extra day’s holiday or be given the option to work from home or book a day annual leave. It was agreed that the HR and Facilities teams be asked their views and SMT will make a final decision next week.

**ACTION: BB**

1. The meeting closed at 12:55pm.