**National Institute for Health and Care Excellence**

Executive Team

# Minutes of the meeting held on 5 January 2021

## Present

Gill Leng Chief Executive

Meindert Boysen Director – Centre for Health Technology Evaluation

Jane Gizbert Director – Communications

Felix Greaves Director – Science, Evidence and Analytics

Jennifer Howells Director – Finance, Strategy and Transformation

Judith Richardson Acting Director – Health and Social Care

Alexia Tonnel Director – Digital, Information and Technology

## In attendance

Fiona Glen Programme Director – Centre for Guidelines

David Coombs Associate Director – Corporate office (item 5)

Carla Deakin Programme Director – commercial and Managed Access (item 7)

Carole Longson Life Sciences Advisor (item 7)

Lori Farrer Associate Director – Topic Selection (item 10)

James Fitton Senior Management Accountant (item10)

Johanna Hulme Associate Director – Medicines Evidence and Advice (item 11)

Adrian Jones Associate Director – Data and Analytics (item 12)

Seamus Kent Senior Advisor – Data and Analytics (item 12)

Grace Marguerie Associate Director – HR and Facilities (items 14 & 15)

Rebecca Threlfall Chief of Staff

Elaine Repton Corporate Governance and Risk Manager (minutes)

## Apologies (item 1)

1. Apologies were received from Paul Chrisp who was represented by Fiona Glen.

## Declarations of interest (item 2)

1. The previously declared interests were noted.

## Notes of the previous meeting (item 3)

1. The minutes of the meeting held on 15 December 2020 were agreed as a correct record.

## Matters arising (item 4)

1. The actions from the meeting held on 15 December 2020 were noted as complete or in hand.
2. It was agreed that the ET needed to have a further discussion of the re-prioritisation decisions and agree next steps. Gill Leng asked for a communication to be shared with staff this week. Jennifer Howells agreed to discuss the proposal with the OD consultants.

**ACTION: JH**

1. It was agreed that Judith Richardson and Jane Gizbert should sign off the revised CVD prevention and management impact report for the January Board meeting.

**ACTION: JR/JG**

1. It was agreed that the invites to the NICE Strategy pre-launch engagement events be shared with the ET members so they are aware of what has been sent to partners.

**ACTION: JR/MA**

## December Board actions (item 5)

1. The ET reviewed the actions from the December board strategy meeting.

## Hot topics (item 6)

1. Jennifer Howells advised ET of a communication from NHS England regarding an opportunity to form a consortium to bid for work from NHSX to develop Artificial Intelligence to assist lung scan work. It was agreed that NICE would be interested in engaging with the successful bidder, but would not be putting together a bid to lead on the work. Jennifer agreed to respond to Matthew Swindells.

**ACTION: JH**

1. Judith Richardson advised that NHSE/I was consulting on the future of integrated care systems, with the potential for new primary legislation. NICE had not been formally invited to make a submission. It was agreed that a response to register NICE’s interest in providing feedback should be made by the deadline of 8 January 2021.

**ACTION: JR**

1. The ET also noted that NICE continues to be invited to meetings to discuss its role in supporting social care within the context of ‘Integrating Care – the Next Steps’. This should provide further opportunity for NICE to clarify and consolidate with stakeholders its role in social care.
2. The ET referred to the BMJ and WHO use of MAGICapp in therapeutics guidance and the opportunities for future collaboration with NICE. ET considered whether NICE should re-visit the purchase of MAGICapp. It was agreed that NICE should collaborate for this topic area.

**ACTION: FGl**

## Procedures for the review of commercial and managed access proposals: interim statement (item 7)

1. Carla Deakin sought ET approval of an interim statement on the procedures for the review of commercial and managed access proposals which explains the current activities of the NICE Commercial and Managed Access (C&MA) function in relation to the commercial flexibilities outlined in the imminently expected publication of the NHSE Commercial Framework for New Medicines. Due to the NHSE publication, it has not been possible to await the publication of NICE’s new TA programme manual (expected September 2021).
2. The ET agreed that publication of the NICE interim statement should coincide with the release of the NHSE CFNM to give companies a clear understanding in advance of the planned CHTE process review output, of the role of NICE in managing the processes by which the commercial flexibilities outlined in the NHSE CFNM interact with the TA and HST processes. It was hoped that companies would then be clear that NICE should only be assisting with the most complex technologies, and the majority should progress through a simple process.
3. The ET was asked whether the statement should be shared with the life sciences industry colleagues prior to formal publication. This was agreed, and also to share the paper with the Board during the morning session of the January public board meeting.

**ACTION: CD**

1. It was anticipated that the statement would significantly increase the rate of requests for NICE involvement in early-stage discussions with companies, but this could not be accurately quantified at this stage. Jennifer Howells was concerned about the anticipated additional demand on resources in light of the expected ‘static’ grant-in-aid allocation in 2021/22. It was agreed that Carla and Jennifer should discuss the financial implications further.

**ACTION: JH/CD**

1. Reference was made to the wording in para 17 of the statement which reflected NHSE’s current position. It was agreed to await comments back on the draft statement from NHSE, before agreeing whether to amend the wording.

## Open Access Publishing (item 8)

1. This paper was deferred to next week’s meeting.

## Policy on declaring and managing interests for advisory bodies (item 9)

1. Following a recent incident where a topic expert gave an incomplete declaration, it was proposed that the policy on declaring and managing interests for advisory committee members be strengthened further to request project teams to routinely review information available in the public domain at appointment of committee members, to identify any other relevant interests that need to be declared. ET agreed the change was sensible and in line with best practice, but it would not address topic experts who are significant in number and nominated by organisations not recruited by NICE.
2. It was accepted that checking the interests of topic experts would present a huge admin burden for teams, therefore a balanced approach should be taken. Discussions were being held with teams to agree whether it would be reasonable to ask topic experts to undertake a check of their nomination form and sign it off to confirm their declaration was complete.

**ACTION: DC/ER**

## Charging (cost recovery) implications for a Multiple Technology Appraisal (item 10)

1. Lori Farrer advised ET of a company's decision to withdraw from a Multiple Technology Appraisal (partial review of TA375), and the implications of this to the charging process. ET was asked to approve a charge to the company of 15% of their invoice value (plus £100 administration fee) for the work carried out up to the evidence submission milestone.
2. The ET agreed to proceed with option 2 as outlined in the paper in this instance but with a caveat that the position on refunds for an MTA be reviewed. In that context, the ET noted that it would consider it reasonable to offer no refund if the company decides to withdraw from a MTA once the work has started.
3. Meindert Boysen was asked to review the proposal further as part of the TA process review and TA charging review.

**ACTION: MB/LF**

## NICE Connect Consultancy approval: content design and digital workplace (item 11)

1. Johanna Hulme asked ET to consider approving consultancy support to provide advice to the integrated guidance taskforce in Q4 2020/21. The aim was that the work will help with planning of the taskforce’s longer-term content design activity.
2. The ET questioned how this work would align with the earlier discussion on the potential purchase of MAGICapp and suggested that it would not make sense to do the two pieces of work in isolation. It was agreed to defer a decision on the next stage of the integrated guidance work until a discussion can take place with Paul Chrisp, after which a further paper should come back to ET proposing how the work is shaped to align with the future transformation ambitions.

**ACTION: AT/PC**

1. Alexia Tonnel also requested approval to commission external expertise to support the next stages of the digital workplace programme in Q4 2020/21. The work was to help with scoping the core business processes and will contribute to the creation of a full business case to be taken to the NICE Board in April 2021. The request was approved.

## Data and analytics methods and standards programme and implementation update (item 12)

1. The ET reviewed a draft board paper seeking approval of a proposed Data and Analytics Methods and Standards programme and giving an update on the appropriate use of data analytics across NICE. The ET also noted a supplementary paper detailing the ongoing initiatives, led by the data and analytics team in collaboration with colleagues across NICE, to increase the use of broader data and analytics in NICE’s work.
2. Jennifer Howells requested a separate discussion on the programme finance section.

**ACTION: FG/JH**

1. Whilst the ET supported the general direction of travel, the following amendments were requested to be made to the board paper:
* re-order the paper so the questions to the Board are clear at the start of the paper
* frame it accordingly for the reader (paras 14 – 16 are too technical), and figure 1 is overcomplicated
* the Board is likely to challenge the timings so it would help to highlight any early outputs/deliverables in the cover paper
* consider including an image or some principles to illustrate what and how data will be generated
* reduce the overall length of the report if possible.
1. Jane Gizbert requested that the Audience Insight Team be advised of the report in view of proposal to involve a stakeholder insight group within the programme governance structure.

**ACTION: FG/AJ**

## London office move (item 13)

1. This item was not discussed.

## Support for vaccine roll-out (item 14)

1. Rebecca Threlfall advised that approx. 29 NICE staff had volunteered to support the Government’s vaccine roll out programme. ET noted that the Government’s requirement for support had shifted to more senior roles and nurses/clinicians who were able to administer vaccinations. It was agreed that staff from the CHTE and CfG should not be released due to the pressure on core activities. Additionally, some staff will now have children at home who require home-schooling which will add pressure to capacity in teams.
2. Rebecca agreed to respond to staff thanking them for volunteering and advising that the role requirements had changed following the move to tier 5 but suggest that they could offer to support the vaccination efforts locally in their community, subject to agreement with their line manager, and protecting NICE’s core outputs and business plan deliverables.

**ACTION: RT**

## Gold group (item 15)

1. The ET noted the following decision made by the Gold group:
* the inclusion of pre-publication study results from high quality publicly funded platform trials (such as RECOVERY, REMAP CAP and PRINCIPLE) alongside published RCT evidence in evidence summaries for COVID-19 treatments.
1. Grace Marguerie joined the meeting to discuss the announcement of the Government’s tier 5 lockdown, including school closures and the impact this will have on staff and for the planned office openings.
2. **Carers leave policy** – Grace Marguerie asked the ET to consider whether the carers leave policy should be suspended or the 10 day limit extended, for a period of 7 weeks, to support staff with children at home. It was agreed to suspend the carers leave policy for the period of school closure and request staff to discuss their requirements for time off with their line manager. Grace and Jane Gizbert agreed to provide wording for a communication from Gill Leng.

**ACTION: GM/JG**

1. **Office opening** – The ET debated the balance of risk regarding those staff feeling isolated and the facilities team having to be on site to open offices. It was noted that some IT staff are still attending to build laptops. It was agreed that we should ask staff who are struggling at home to contact HR, via the daily message, and that we would look for suitable office accommodation for these individuals.

**ACTION: GM**

**Review of the meeting (item 16)**

1. The ET preferred the layout of the revised agenda with the urgent items at the start. It was agreed that the papers presented were relevant but some were too long where there was a full pre-paper and a board paper.

## Other business (item 17)

1. There were no further items of business.