**National Institute for Health and Care Excellence**

Executive Team

# Minutes of the meeting held on 9 March 2021

## Present

Gill Leng Chief Executive

Meindert Boysen Director – Centre for Health Technology Evaluation

Paul Chrisp Director – Centre for Guidelines

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

Rebecca Threlfall Chief of Staff

David Coombs Associate Director – Corporate Office (items 7 & 8)

Danielle Mason Associate Director – Brand and Marketing Communications (item 9)

Kate Scott Marketing Communications Manager (item 9)

Carla Deakin Programme Director – Commercial Managed Access (item 10)

Brad Groves Associate Director – Managed Access (item 10)

Elaine Repton Corporate Governance and Risk Manager (minutes)

## Apologies (item 1)

1. There were no apologies for absence.

## 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 2 March 2021 were agreed as a correct record.

## Matters arising (item 4)

1. The actions from the meeting held on 2 March 2021 were noted as complete or in hand.
2. Jennifer Howells and Alexia Tonnel will agree how the three transformation projects discussed can be mapped into a business planning objective for 2021/22, to ensure that they are included, and resources are allocated.
3. The board will be updated in March on progress with the digital workplace business case, with a further paper in April requesting final sign off. Both papers will be reviewed in the board’s private session.
4. It was confirmed that the B2B2C topic will be covered on a slide within the CEO’s update report to the morning session at the April board meeting.
5. Following the previous discussion of whether there should be a formal mechanism established for responding to consultations published by key partners, Rebecca Threlfall agreed to bring a short slide set to a future ET meeting for agreement of a process, which should also include suggestions for an ET email etiquette.

**ACTION: RT**

1. Jane Gizbert confirmed she had shared the updated NICE Charter with the chairman but was awaiting her feedback.
2. ET briefly discussed the issues concerning contingent approvals for medical technologies, and the potential risks of companies by-passing NICE to deal directly with NHSE, if the correct process is not documented and funding allocated.

## Hot topics (item 5)

### Responding to formal consultations

1. ET noted Rebecca Threlfall’s offer to suggest a formal process for when it would be appropriate for NICE to respond to system-wide consultations. Jennifer Howells advised she has a meeting next week to discuss the health and care white paper with the policy leads at the Department of Health and Social Care. There was not a strong desire from ET to provide a formal response to the select committee’s call for evidence. It was noted that David Coombs has sought legal advice on the proposed power of the Secretary of State to re-configure ALBs. Once this has been confirmed, ET would decide whether to draft evidence for submission to the inquiry.

**ACTION: JH**

1. Meindert Boysen added that it would be useful to comment on some aspects of the APPG inquiry including whether QALYs were still the right tool, and also potentially working across the whole of the UK. It was agreed that Meindert discuss his thoughts further off-line with Felix Greaves and Jane Gizbert, and follow-up with the DHSC Sponsor Team for their view on whether a formal response would be appropriate.

**ACTION: MB/FG/JG**

## FST senior appointment

1. Jennifer Howells advised that she had made an appointment to her deputy director role and was hoping the person would be able to join NICE from 1 June 2021.

## NIHP announcement

1. ET noted that Jenny Harries had been mentioned as the future CEO of the National Institute for Health Protection in The Times, but this has not been formally confirmed.

## Organisational design – next steps

1. ET discussed the next steps with the organisational design work. The final report from SCW was awaited following feedback from the February board meeting. Gill Leng advised that she would include a slide in her presentation at the all-staff meeting to share some high level headlines and outline next steps. SCW had suggested a small design team of ET members to begin the work, supported by the interim PD role, plus some admin support. It was agreed to discuss next steps at the informal ET meeting on Thursday, including when to socialise SCW’s final report with the senior leader’s forum.

**ACTION: GL/JH**

## Draft internal audit plan 2021/22 (item 6)

1. Jennifer Howells shared a draft internal audit plan for 2021/22 and sought ET’s views on the proposed audits.
2. ET noted that whilst there was not a planned audit of a significant contract, the contract management function within NICE was proposed for review next year.
3. ET queried whether Q3 was too early for an audit of the organisational design review. It was agreed to consider the position nearer the time, and if need be, defer the OD audit and substitute it with something from the reserve list, or a contract management audit.
4. Some of the text in the ‘risks addressed’ column was out of date and required alignment with the strategic risks for 2021/22. Elaine Repton agreed to feedback to Niki Parker.

**ACTION: ER**

1. ET discussed the proposed business continuity audit and agreed it would be helpful to undertake a further Business Continuity Plan (BCP) exercise ahead of the audit to check arrangements remain robust post-COVID, the London office move and staff changes. It was agreed to arrange a further BCP exercise. Alexia Tonnel added that the Data Security and Protection toolkit required an annual exercise to be undertaken.

**ACTION: JH/AT**

## Draft risk register 2021/22 (item 7)

1. ET reviewed a revised set of risks for 2021/22 aligned to the strategic plan delivery. Further amendments were agreed, and Elaine Repton was asked to circulate an updated version to ET for each risk lead to provide a risk score. This version will be shared with the Board in March for discussion, following review by Gill Leng.

**ACTION: ER**

1. It was noted that an internal audit of risk management is planned for Q1 next year which will provide an opportunity to review arrangements for escalating risks to ET and to streamline the various risk registers across directorates, programmes and projects.

## ET and Board meeting arrangements in the new ‘normal’ (item 8)

1. David Coombs sought feedback on proposals for the future format of ET and board meetings as restrictions on travel are lifted, also taking into account virtual meeting capabilities and the potential tax implications of providing evening dinners.
2. ET discussed a number of issues including rotating board meetings between NICE offices, whether evening meals with the board constituted a business meeting and the likely preference for venue of the newly appointed NEDs. David Coombs was asked to check how other ALBs class hospitality provided for their board meetings.

**ACTION: DC**

1. For the April board meeting, enquiries have been made with several organisations, including the Royal College of Physicians, which will be able to accommodate a hybrid meeting for those who do not wish to travel to London while restrictions are still in place. It was agreed to clarify how many ET and board members would be willing to travel to London, and how many prefer virtual, and to check the AV equipment capability for hosting hybrid meetings.

**ACTION: DC**

1. In relation to ET meetings, it was agreed to hold face to face ET meetings monthly, the day before the board meeting, starting from the July meeting. The meetings will run 11-2.30pm with a 30 minute lunch break with GE meetings running for an hour from 3.30 – 4.30pm. When the board meeting is on a Thursday, ET meetings will move to Wednesday and GE will remain on its Tuesday slot. Contributors for specific papers will be able to attend virtually. David Coombs was asked to work through the arrangements and actions to amend diary invites etc.

**ACTION: DC**

1. It was noted that a meeting of the standing committee chairs has been arranged for 24 June. It was proposed that the meetings be held six monthly, to be hosted virtually to begin with, subject to the group’s preference thereafter.

## Draft strategic plan (item 9)

1. Dani Mason sought views on the latest designed version of the strategic plan for approval by ET, ahead of its submission to the March board meeting for final sign off. Discussions with the DHSC were still outstanding, which David Coombs has chased up.
2. ET reviewed the document in detail and Dani Mason noted amendments to the text and requests for alternative images. Dani was asked to provide Gill Leng with a final version to approve before the board papers are circulated.

**ACTION: DM**

## Commercial managed access (item 10)

1. Meindert Boysen sought feedback on a draft board paper recommending that the current position regarding NICE’s role in developing commercial managed access requests for pharmaceuticals should be maintained, based on legal advice, while further work takes place on the development and publication of an interim addendum to the process guide.
2. ET agreed this was strategically important for NICE’s future role in managed access and the IMF, and therefore the paper should include all the risks for the board to consider, including extracts from the legal advice received. A number of amendments were requested which Brad Groves was asked to make and to provide Gill Leng with the updated version for approval.

**ACTION: BG**

1. There is a further commercial managed access paper on the March board agenda in the morning session, and the team were asked to ensure that the two were cross-referenced.

**ACTION: MB**

## Gold group (item 11)

1. ET noted the decision taken at the Gold group:
* agreed the carers leave policy should be re-instated from 1 April 2021.

## Strategy and business planning (item 12)

1. Nothing further to discuss.

**Review of the meeting (item 13)**

1. ET agreed that many of items on the agenda had required detailed review and debate. To address this, it was queried whether comments on some papers could be provided in advance of the meeting to reduce the length of the discussions.

## Technology governance board membership

1. Alexia Tonnel advised that the terms of reference for the Technology Governance Board had now been refined and requested that ET members nominate staff to join the group.

**ACTION: All**