**National Institute for Health and Care Excellence**

Executive Team

# Minutes of the meeting held on 9 November 2021

## Present

Gill Leng Chief Executive

Meindert Boysen Deputy Chief Executive and Director, Centre for Health Technology Evaluation

Paul Chrisp Director, Centre for Guidelines

Nicole Gee Interim Chief People Officer

Jane Gizbert Director, Communications

Felix Greaves Director, Science, Evidence and Analytics

Judith Richardson Director, Health and Social Care

Alexia Tonnel Director, Digital, Information and Technology

## In attendance

Boryana Stambolova Deputy Director, Finance, Strategy and Commercial

Kendall Jamieson Gilmore Interim Chief of Staff and Associate Director, Strategy

David Coombs Associate Director, Corporate Office (items 4.1 and 5.2)

Helen O’Neil Head of Information Governance and Records Management (item 5.2)

Lorna Dunning Adviser, Health Technology Appraisals (item 6.2)

Lori Farrer Associate Director – Topic Selection (item 6.2)

Jenniffer Prescott Programme Director, HTA Process and Operations (item 6.2)

Sheela Upadhyaya Strategic Adviser, Rare Disease and RAPID C-19 (item 6.2)

Ian Watson Senior Technical Adviser, HTA (item 6.2)

Ann Hoskins Independent Public Health Consultant (item 6.3)

Lois Murray Public Health Specialty Registrar (item 6.3)

Elaine Repton Corporate Governance and Risk Manager (minutes)

**Shadowing**

Xavier Vaz Senior Analytical Manager, Health and Social Care

## Apologies (item 1)

1. Apologies for absence were received from Jennifer Howells who was represented by Boryana Stambolova.

## Declarations of interest (item 2)

1. The previously declared interests were noted.

## Notes of the previous meeting (item 3.1)

1. The minutes of the meeting held on 2 November 2021 were agreed as a correct record subject to the following corrections:

Minute 12 – Meindert Boysen confirmed that NICE has put in a spending review bid to support strategic topic selection. As it stands, we have decided not to bid for delivery of the AAC innovation service.

Minute 16 – Nicole Gee commented that she would like to bring a set of key HR metrics to ET for discussion and agreement of which should be reported to the board.

Minute 22 – It was also requested that the Resource Impact Team should have a higher profile in the implementation strategy.

## Matters arising (item 3.2)

1. The actions from the meeting held on 2 November 2021 were noted as complete or in hand.
2. A briefing note for the CEO was in hand ahead of her attendance at the AAC board meeting, as was a slide for the CEO update to the morning session of the November board meeting to facilitate a discussion on the current pressures in the TA programme.
3. Boryana Stambolova agreed to schedule a date for Nicole Gee and Jennifer Howells to meet to agree financial reporting on headcount, vacancy rates and live recruitments.

**ACTION: BS**

1. ET agreed that the NICE offices will be closed on the three days in between Christmas and New Year, subject to facilities team having arrangements in place for any emergency access which might be required by DIT staff. Nicole Gee confirmed that a communication was ready to go out to all staff advising of the office closure, the Christmas party arrangements and the two extra half days annual leave agreed by ET.

**ACTION: NG**

## Hot topics (item 4.1)

**November board meetings** – It was noted that the chairman may be unable to attend the November board meeting therefore it might be necessary to defer some items until she is present, notably the methods and process review. Tom Wright, Senior Independent Director, will be asked to chair the meeting in the absence of a vice chair. Tim Irish will be asked to attend as an observer. Gill Leng agreed to email the chairman with potential options, including deferring part or all of the private meeting agenda to an extra strategy meeting on 6 December, subject to checking board members’ availability.

**ACTION: GL**

**New Non-Executive Directors** – ET noted the appointment of a new medical non-executive director to replace Bruce Keogh who will be joining the NICE board with effect from 1 December 2021. An advert for two further NEDs had also gone live, specifically for a health economist and someone with experience of leading an ICS or a similarly large health and care organisation.

**Comprehensive spending review update** – Boryana Stambolova reported that NICE was in discussion with the DHSC Sponsor Team and the OLS to try to access some of the £95m allocated to support the government’s life sciences vision. Meindert Boysen added that NICE was also bidding against the £5bn allocated for innovative health related research and development.

**Business planning session** – Directors were requested to have thought about their key 2022/23 business plan objectives in advance of the session on 18 November, including being clear about where cross-directorate support will be required.

## Internal audit plan (item 5.1)

1. ET was asked to agree two amendments to this year’s internal audit plan relating to the Data Security and Protection Toolkit (DSPT) and an audit of recruitment. ET noted that the timeline for submission of the DSPT has been deferred from March to June 2022 therefore the proposal was to reduce the audit scope to an advisory review this year with a full review in Q1 2022/23. In relation to recruitment, it was agreed that there was limited value in an audit of the Hirelab system as this has now been replaced by Trac, therefore a lessons learned advisory report will be produced, with a re-scoped audit to give assurance on the current recruitment arrangements, the remit of which will be agreed with Nicole Gee. ET supported the amendments.
2. ET queried to the scope and value of the planned organisational design audit. It was agreed that Nicole Gee would speak to Niki Parker about the scope of the audit as the OD work has moved on since the internal audit plan was agreed. Felix Greaves also requested that Alexia Tonnel be included in the scoping of the information management audit planned for Q4.

**ACTION:NG**

## Annual information governance and records management review (item 5.2)

Helen O’Neil presented a draft paper for submission to the Audit and Risk Committee to give assurance on the arrangements for information governance and records management and ensure NICE is compliant with the Data Security and Protection Toolkit (DSPT).

ET provided feedback on the draft, as follows:

* cover paper – highlight more key issues and remove bullet points
* para 10 – remove sentence about the change in SIRO
* para 35 – explain how the severity of data breaches is assessed and reference the work underway to update the data breach policy to provide clearer guidance
* para 53 – amend wording as the IG/RM session is to be removed from the corporate induction training as there is a comprehensive e-learning module for staff and work is in hand to shorten the induction.

**ACTION: HO**

Helen confirmed that work has now started to explore software options to help reduce human error when redacting long and complex documents. Alexia Tonnel agreed to check that Civica are aware of the confidentiality issues, and to consider these as part of the data management strategy work.

**ACTION: AT**

## Critical workforce data (item 5.3)

Nicole Gee presented key ‘people’ metrics as dashboards at organisation and directorate level and sought feedback from ET on whether the metrics were helpful, whether any additional metrics were required and the frequency of reporting going forward. ET welcomed the data which they agreed would be helpful bi-monthly, with the addition of some wellbeing indicators, such as sickness absence and turnover.

**ACTION: NG**

ET reviewed the dashboards noting the majority of staff were in the band 8a pay category which has increased from band 7 historically, and that the average number of staff per manager was 2.4, which ideally would be nearer to 6 – 8. It was recognised that the NHS AfC pay framework was starting to cause issues, as highlighted in the trends. It was noted that NICE did have some flexibility around the application of the pay system and Nicole Gee agreed to look at options, including the Civil Service system.

**ACTION: NG**

##  Strategic risks (item 6.1)

ET reviewed the current strategic risks ahead of submission to the November Audit and Risk Committee. Elaine Repton was asked to make the following amendments:

* Cover paper – amend para 9 to read four new senior interim roles are being recruited to
* Risk 1.1 – add the recruitment of a new interim MedTech Director
* Risk 2.5 – add a new risk to reflect the potential business disruption caused by the transfer of the collaborating centre staff into NICE and the additional pressure the work will place on HR, DIT, finance and facilities teams
* Risk 5.2 – reduce both risk scores following the significant progress made with the methods and process review to date.

ET agreed the key risk at present to highlight to the committee was resourcing and capacity, specifically more business change partners to support the business transformation priorities. Nicole Gee agreed to review the three workforce related risks.

**ACTION: PC/NG/ER**

##  CHTE process and methods review update (item 6.2)

ET considered an overview of the responses from the consultation on proposals to change the methods and processes for the health technology evaluation programmes, focussing on three priority topics which require the board’s view: the severity modifier, discounting and the HST topic selection criteria.

ET discussed each topic in detail, concluding the following recommendations be made to the board for consideration:

* severity modifier – recommend option 1 with robust narrative to support it
* discounting – NICE in favour of changing from 3.5% to a 1.5% discount rate but consultation feedback shows a low level of support. It was agreed to ask the methods and process steering group whether there was a clear enough case for NICE to ask the DHSC to re-consider a change
* selecting highly specialised technologies – recognise this still needs more work but for now propose retaining the current criteria and supplementing it with vignettes and develop communications to explain the rationale.

Jenniffer Prescott also provided feedback in relation to processes which has shown the pharma industry respondents would like to see a shift in decision making to one that is jointly made by companies and NICE, and not by NICE alone.

Meindert Boysen and his team were asked to produce summary slides of the recommendations ET would like the board to consider and support, to be signed off by Gill Leng prior to circulation.

**ACTION: MB/GL**

## Update on health inequalities: expert view on NICE role and strengthening of approach (item 6.3)

Ann Hoskins updated ET on the work being undertaken on health inequalities to help clarify what NICE’s unique contribution is and how NICE can best add value to the health and care system both nationally and regionally. ET welcomed the presentation and agreed that it would be helpful to share it with a wider audience within NICE to gather further views. The general concern was the limited resource currently allocated specifically to health inequalities and the difficult task of NICE achieving a material impact across the whole health and care system, without significant support from system partners. It was agreed to include health inequalities as part of the business planning discussions on 18 November.

Ann was asked to have broader discussions with groups of staff across NICE and come back to ET with some practical recommendations of how to take the work forward.

**ACTION: JR/AH**

## Guideline development centre contracts (item 6.4)

Paul Chrisp updated ET on progress and discussions at the project board. There is now an oversight group including reps from the RCOG and RCP, to be supported by operational working groups focussing on the HR, DIT and finance deliverables. Alexia Tonnel advised that an IT project manager was needed as there was no spare capacity within her teams to support the project. ET agreed to this additional interim role to be sourced externally. There will be an update paper to the November board.

## Operational Management Committee (item 7.1)

ET noted the minutes, action log and forward plan following the meeting held on 1 November. There were no items from ET for escalating to the next OMC meeting.

## Review of the meeting (item 8)

No comments.

## Other business (item 9)

**All-staff event** – Directors were requested to circulate around the various stalls on the day. Nicole Gee agreed to email ET with more details.

**ACTION: NG**