**National Institute for Health and Care Excellence**

Executive Team

# Confirmed minutes of the meeting held on 11 April 2023

## Present

Sam Roberts Chief Executive (chair)

Jonathan Benger Chief Medical Officer and interim Director, Centre for Guidelines

Helen Brown Chief People Officer

Paul Chrisp Head of Publishing and Products

Felix Greaves Director, Science, Evidence and Analytics

Helen Knight Director, Medicines Evaluation

Clare Morgan Director, Implementation and Partnerships

Boryana Stambolova Interim Director, Finance

Alexia Tonnel Director, Digital, Information and Technology

## In attendance

Jean Bennie Senior Technical Analyst (item 5)

Kathryn Birds Co-ordinator, Leadership and Engagement, H&SC (item 5)

Jeremy Dietz Scientific Adviser (item 5)

Portia Dodds Project Services Co-ordinator, Managed Access (item 5)

Geoff Ellison-Roberts Project Manager, Transformation Team (item 5)

Nicola Tyson OD and EDI Consultant, HR Team (item 5)

Martin Davison Associate Director, Finance (item 6)

John Pegington Head of Financial Management (item 6)

David Coombs Associate Director, Corporate office (item 7)

Elaine Repton Corporate Governance & Risk Manager (minutes)

## Apologies (item 1)

1. Apologies for absence were received from Mark Chapman.

## Declarations of interest (item 2)

1. The previously declared interests were noted.
2. Sam Roberts confirmed her appointment to the Singaporean Agency for Care Effectiveness, as a member of the International Advisory Group.

## Notes of the previous meetings (item 3.1)

1. The minutes of the meeting held on 14 March 2023 were agreed as a correct record.

## Matters arising from the minutes

1. **All staff event** - ET discussed the feedback from the all-staff event on 29 March. Whilst it was very well received, there had been concerns raised that staff had not been consulted about the revised NICE Values. It was agreed that Helen Brown would produce a single slide graphic for the next all staff meeting to explain how the new Values had evolved following staff involvement in the RCTs and the crowdsourcing. It was also agreed to show at the April all-staff meeting, the two external speaker videos which were not shared at the all staff event. Directors agreed to pick this up in their directorate meetings to explain how the Values evolved.

**ACTION: HB**

1. **ET meeting agendas** - The agendas for forthcoming informal ET meetings were discussed. Sam Roberts agreed to send a note of the items to ET and David Coombs.
2. **DAWN quiet space** – Helen Brown advised that Alan Smith was working with the staff Network to resolve this issue in the Manchester office.

**Review of the actions (item 3.2)**

1. The actions were reviewed, and the following updates discussed:
2. **UK Pharmascan** – ET noted that the ABPI could be a potential future provider. Felix Greaves agreed to come back in the next two weeks with a definitive decision and timeframe.

**ACTION: FG**

1. **Racial bias in real world data** – ET was keen to progress a strategy but accepted that due the sheer size and complexity of the issue, NICE’s approach would have to be proportionate, in the context of taking racial bias in health data into account when assessing evidence. It was agreed that Sam Roberts and Jonathan Benger would meet with the team to agree a timescale for producing something within this calendar year.

**ACTION: SR & JB**

1. **People KPIs** – ET had requested that the turnover KPI be re-visited as it was the same as the pre-COVID period, and to include the actual figures as well as the percentages. Helen Brown confirmed that all the HR KPIs are being refreshed for 2023/24 and would include these requests.
2. **Race equality strategy** – Sam Roberts and Helen Brown had met with Yvonne Coghill to discuss NICE’s approach to tackling race equality and had concluded that NICE had progressed into stages 3 and 4 of data collection and target setting, without firstly addressing stages 1 and 2 to agree the Vision and leadership for the race equality strategy. It was agreed that the ‘allyship wheel’ was the preferred model to be adopted. Helen Brown and Nicky Tyson were leading on this work forward.

## People update (item 4)

## People directorate plan 2023/24 (item 4.1)

1. ET reviewed the People directorate plan for 2023/24 and agreed that the priorities were:
* HR business partnering
* Talent management
* PD & AD roles (alignment, grades etc)
* Relationship with Unison
* EDI strategy
* Development of the “NICE Way” – transformation and continuous improvement model

## People KPIs (item 4.2)

1. The people KPIs were noted.

## Principles for part time working (item 4.3)

1. Discussion of this item was deferred.

## Equality, diversity and inclusion (item 5)

# KPIs (item 5.1)

1. Nicky Tyson gave an overview of progress against the workforce EDI targets, noting that there were discrepancies in different reports which needed to be clarified. Progress with non-declaration rates in ethnicity and disability were improving but this was not being seen for sexual orientation and religion.
2. ET agreed the priorities were recruitment, mentoring & coaching and communications. In relation to the recruitment page of the website, it was agreed that further work was required to showcase a diverse range of staff experiences of what it is like to work at NICE, to make the page more engaging.

**ACTION: HB/JG**

# Gender pay gap reporting (item 5.2)

1. The annual report for 2022/23 showed a slight increase on last year’s gender pay gap, and ET queried whether enough was being done to address the issues. Jean Bennie raised a concern that NICE was too quick to jump into action planning without taking a step back to really understand what the data is saying. Sam Roberts agreed, referring to the race equality allyship wheel which requires the vision to be agreed before looking at data, targets and action plans. It was requested that the pay gap data also be presented by sexual orientation. This was agreed.
2. Nicky Tyson advised that she will be bringing an EDI roadmap back to ET ahead of the September board meeting, which will include proposals for addressing gender pay.

**ACTION: HB/NT**

## NICE and Proud update (item 5.3)

1. Geoff Ellison-Roberts and Jeremy Dietz gave an update from the NICE and Proud staff network on their work supporting LGBTQ+ staff, including a data project which aims to support those staff who prefer not to disclose their gender or sexual orientation, and understand the reasons behind this. The staff network will be working with HR to better understand the data in ESR and to use the feedback from the staff survey to understand the challenges and barriers this group of staff face and look at how best to support them in their role at NICE. This will include whether staff are also experiencing mental health issues.
2. ET fully supported the data project and the development of a trans inclusion policy for NICE.
3. Sam Roberts briefed ET and the staff networks on the recent approach from the Secretary of State regarding a challenge from the Clinical Advisory Group about NICE’s use of gender neutral language in its guidance. No action will be taken at present, although future amendments to the NICE style guide may be required. It was requested that the NAP group be involved in any review work.

**Finance and commercial (item 6)**

# Financial position at M12 (item 6.1)

1. ET reviewed the month 12 financial position which reported a forecast outturn underspend of £0.7m before the non-consolidated pay review, which the DHSC will be providing for. The in-year investments totalled £1.9m. ET noted that the year-end provisions totalled £281k. Legal expenditure had increased significantly on previous years, particularly on appeals and HR work. John Pegington agreed to provide ET with a more detailed summary to understand the movements on legal spend.

**ACTION: BS/JP**

## 2023/24 budgets – DIT and P&P (item 6.2)

1. Boryana Stambolova confirmed that the 2023/24 budget allocation was received on 31 March and advised that it was in line with the Spending Review request, minus the capital allocation which has not yet been confirmed, which means that the September 2022 mid-term plan remains valid for the next 12 months.
2. ET discussed the cost improvement programme efficiencies which will have to be achieved to support NICE’s longer term financial sustainability. There were three key issues to address: a balanced budget for 2023/24; the impact of the ALB regulatory review; and the Secretary of State’s efficiency targets.
3. ET discussed the key areas that will be required to reduce the cost base. These will need to be agreed by the end of May as the regulatory review was due to report in June. These included full cost recovery in TAs, income generation from MedTech, capitalisation where possible, and increasing funding into SP&R. Directors were asked to work with their finance business partner during April.
4. Alexia Tonnel explained the detailed DIT budget, including calls on reserves in 2023/24 and business cases which will be presented to OMC. The figures did not include any capital costs at this stage, for example for new laptops.
5. ET also reviewed the proposed budget for the people and places directorate which was reporting a 4% deficit at this stage with some energy costs still unknown. The future management of both offices was discussed, plus potential team structure changes.
6. The final budget will come back to ET for sign off on 25 April 2023.

# Commercial (item 6.3)

1. Boryana Stambolova gave an update on progress against the commercial improvement framework and requested that contract managers engage as early as possible to negotiate better contract terms. The report was noted.

## Risk and performance (item 7)

## Strategic risk register (item 7.1)

1. ET agreed updates to the strategic risks following the session with the board in March. Two new risks were added and updates to the risk scoring descriptors were agreed.

## Risk ‘deep dive’ – Topic selection and horizon scanning (item 7.2)

1. Jonathan Benger presented a deep dive risk assessment of topic selection and horizon scanning which detailed how the risk will be addressed through a prioritisation framework and single prioritisation board. The focus for 2023/24 will be setting up the new framework, making the internal changes required to support the new approach and engaging with stakeholders.

## Next steps – board risk management session (item 7.3)

1. It was agreed to produce a bow tie analysis of the highest risks to better understand the current controls and any gaps in mitigations. Starting with topic selection, a bow tie analysis exercise will take place each month at a formal ET meeting, with a view to taking two fully worked examples to the audit and risk committee in September.
2. It was agreed to invite Jo Collins back for a follow- session in around 12 months.

**ACTION: ER**

1. It was also agreed that it was important to ensure that board and ET papers outline the risk implications. Also, when considering new developments and changes to ways of working, leaders must be encouraged to think about the risks of retaining the status quo – this would be something to pick up through the management development training.
2. It was agreed that David Coombs would also check with the chairman how she wanted to cover risk at the board meetings to avoid duplication with the discussions at the audit and risk committee.

**ACTION: DC**

## Performance report (item 7.4)

1. The integrated performance report was noted.

## Business planning and transformation (item 8)

## Key performance indicators (item 8.1)

1. This item was deferred.

## Other items for decision (item 9)

# Operational Management Committee (item 9.1)

1. ET noted the minutes and actions from the OMC meetings held on 13 March and 3 April 2023.

## Other business (item 10)

## Automation (item 10.2)

ET was asked to consider the opportunities for automation in NICE’s work, including AI and new technologies. It was agreed that it would be beneficial to have a single co-ordination point for all projects to avoid confusion and duplication. Fiona Glen and Mark Salmon were suggested as potential senior leads. Felix Greaves agreed to progress this internally.

**ACTION: FG**

## Review of the meeting (item 10.3)

It was agreed to amend the formal ET meeting finishing time to 3:30pm and reduce the EDI slot to 30 minutes in future.