**National Institute for Health and Care Excellence**

Executive Team

# Minutes of the meeting held on 13 June 2023

## Present

Sam Roberts Chief Executive (chair)

Helen Brown Chief People Officer

Mark Chapman Interim Director, Medical Technologies and Digital Evaluation

Paul Chrisp Head of Publishing and Products

Felix Greaves Director, Science, Evidence and Analytics

Helen Knight Director, Medicines Evaluation

Naomi Lee Head of Organisational Transformation

Alison Liddell Acting Director, Digital, Information and Technology

Clare Morgan Director, Implementation and Partnerships

Boryana Stambolova Interim Director, Finance

## In attendance

Hilary Baker Programme Director, Transformation (for items 4.1 and 4.2)

Jennifer Beveridge Senior Manager – Strategic Engagement (for item 4.3)

Deborah Collis Associate Director / Freedom to Speak Up Guardian (for item 5)

Lori Farrar Associate Director, Topic Selection (for item 7)

James Fitton Management Accountant (for item 7)

Alice Murray Senior Public Engagement Analyst (for item 9)

John Pegington Head of Management Accounts (for item 7)

Jenniffer Prescott Programme Director, HTA Process and Operations (for item 7)

Koonal Shah Associate Director, Science, Policy and Research (for item 9)

Nicky Tyson OD and EDI Consultant (for item 5)

David Coombs Associate Director, Corporate Office (minutes)

## Apologies (item 1)

1. Apologies were received from Jonathan Benger.

## Declarations of interest (item 2)

1. The previously declared interests were noted. No new interests were disclosed.

## Notes of the previous meetings (item 3.1)

1. The minutes of the meeting held on 16 May 2023 were agreed as a correct record.

## Review of the actions (item 3.2)

1. The actions were reviewed, and the following updates discussed:

* **Anti-Microbial Resistance (AMR):** It was agreed to close the action as the MOU is currently being finalised.
* **UK Pharmascan:** It was noted that further consideration is required as to whether NICE should submit a bid for funding.
* **People data:** It was requested that rolling averages are provided to give greater insight into trends.

1. ET discussed the latest position with the VPAS negotiations and noted the pause could affect the funding available for investments in projects such as Pharmascan and the integration of guidelines and technology appraisals. In the meantime, Sam Roberts highlighted the importance of NICE exploring proposals around conditional reimbursement.

## Transformation (item 4)

## Progress update and approach to digital transformation (items 4.1 and 4.2)

1. Naomi Lee presented the update on progress with the business plan priorities and the transformation strategic plan. Naomi highlighted the focus for the upcoming month and the ‘asks’ of ET, including the meetings spring clean.
2. ET reviewed the updates from the programme boards and highlighted the importance of future updates highlighting the tangible changes to date and their impact. Hilary Baker and Jane Gizbert were asked to help ensure the senior responsible officers are clear on the requirements for these updates. In addition, it was agreed that Sam Roberts, Mark Chapman and Helen Knight would consider how to further develop the useful and useable programme board to ensure greater discussion of the key issues.

Action: HB/JG

Action: SR/MC/HK

1. ET discussed the proposed development support for the senior leader’s cohort, including the first planned ‘heads together’ session later this month. It was noted that this group will have a central role in delivering the transformation and there will be greater engagement and development beyond the existing monthly senior leaders forum meeting.
2. ET discussed the upcoming management of change consultations and Sam Roberts requested confirmation of the circumstances in which NICE is required to seek external approval for settlement agreements.

Action: BS/HB

1. In terms of the digital transformation, Alison Liddell highlighted the need to further raise awareness and understanding of the proposed changes among the senior leader’s cohort.

## Stakeholder engagement (item 4.3)

1. ET reviewed and amended the proposed allocation of ET members as the nominated ET lead for each key strategic stakeholder organisation.
2. ET discussed the expectations for this engagement and the materials that would be available to support these discussions. Rather than the slide-deck that had been drafted, ET agreed there should be a short (ideally 1 page) summary of how NICE is changing in response to stakeholder feedback, and the impact to date (with different versions tailored to life sciences and NHS audiences). Jane Gizbert was asked to ensure updated materials are available on SharePoint/Teams to ensure access to the latest versions.

Action: JG

1. Clare Morgan was asked to circulate the updated allocation of ET leads, and bring the framework for this engagement to ET, which would include the role of the delivery leads. This would also facilitate a discussion on the extent that engagement should be undertaken by the ET and delivery leads only, and the level of central control over external speaking engagements.

Action: CM

## Staff network – Freedom to Speak up Guardians (item 5)

1. Deborah Collis and Alison Liddell provided an overview of the areas considered by the Freedom to Speak Up Guardians since the last ET update in January 2023, noting the common themes.
2. ET discussed the current process to appoint a new Freedom to Speak Up Guardian to replace Brad Groves and to appoint the newly created Freedom to Speak Up Ambassador roles. ET considered the current requirement for the Guardians to be band 8c and above and agreed that in line with the NICE value of expertise over seniority, the role should be open to any staff with the required experience and skills.
3. It was agreed that Sam Roberts and Helen Brown would review the staff survey data to identify if there were any particular teams where the feedback indicated similar issues to the themes raised by the Guardians, and then triangulate these with the teams from which cases have been referred to the Guardians. This would help identify if any areas would benefit from further support with improving line manager relationships, potentially from teams that scored highly in the staff survey.

Action: SR and HB

1. The Guardians were thanked for their attendance.

## People update (item 6)

## People KPIs (item 6.1)

1. The people KPIs were noted. As discussed at the start of the meeting, it was agreed that rolling averages would provide greater insight into trends. Helen Brown confirmed that next month’s report would have data on changes to the establishment and starters and leavers.

**Action: HB**

## Hybrid and homeworking (item 6.2)

1. Sam Roberts briefed ET on the initial feedback from Unison on the proposals and noted that Helen Brown is drafting a response to clarify the expectations around when a voluntary homeworking contract is likely to be appropriate. It was noted that Unison expect to provide comments later in the month and therefore it was agreed to defer launch of the new documentation until w/c 8 July.

## Management of change (item 6.3)

1. Sam Roberts stated that a guide on undertaking management of change exercises has been developed, based on feedback from past exercises. The guide was discussed with Unison last week and outlines expectations and timescales. The intention is to update it annually based on any lessons learnt.
2. ET noted the planned upcoming management of change exercises and agreed that it would be more appropriate for the Operational Management Committee to receive a brief overview of the changes once the consultation has started, rather than review the full business case.

Action: HB

## Consistency of banding (item 6.4)

Not discussed.

## Finance and commercial (item 7)

## Financial position at M2 (item 7.1)

1. Boryana Stambolova presented the month 2 financial position which reported a £577k overspend primarily driven due to below plan recovery of TA income. Looking ahead at the topics in the pipeline, the TA programme is forecast to generate £1.9m less income than planned. However, if NICE receives funding for half of the 2023/24 pay award, this would reduce overall financial pressure to £1.3m.
2. ET discussed the situation with the TA income and noted the importance of understanding the longer term outlook and whether the reduced volume of new topics in recent months is likely to continue. The TA team confirmed that the £1.9m shortfall is felt to be the worst case scenario, and the actual shortfall may be less. In addition, it was noted that the reduced number of topics starting in recent months should not affect the overall output in 2023/24 due to the time-lag for producing guidance.
3. ET confirmed the importance of understanding the cost base for the TA programme, ensuring that the capacity in place reflects the level of demand, and that the charges are set at a level that recover the costs of the programme. ET therefore agreed that the TA and finance teams should consider how to map the resources required to deliver a TA under the current processes informed by early information from the ‘Clicktime’ trial, the modelling from when TA charging was introduced, and the baseline assumptions around staffing capacity. The teams were asked to consider how best to complete this work as quickly as possible, and whether it would be beneficial to utilise external capacity to supplement the internal expertise. ET noted the need to also undertake a wider piece of work, supported by the DIT and transformation teams, that would model the end-to-end process and identify the scope for efficiencies.

Action: JF and LF

1. ET discussed how to utilise the staff capacity arising from the lower than planned volume of TA topics. It was agreed to explore the scope to utilise these staff in enabling additional NICE Scientific Advice projects and to cover vacancies in other teams.
2. ET discussed the wider actions to mitigate the financial shortfall and agreed to defer the CCMS business case and review the spend on the EAG contract. Alison Liddell was asked to review the planned DIT spend to identify what could be deferred to a later year. Sam Roberts asked Helen Brown and Boryana Stambolova to develop a new vacancy review process, that would be suitably light touch and agile.

Action: AL

Action: BS/HB

1. It was agreed that the finance report to the next meeting should provide an update on the impact of the above mitigations and information on the TA pipeline.

Action: BS

## Risk (item 8)

## Strategic risk register (item 8.1)

1. ET discussed the latest version of the strategic risk register, which incorporated feedback from the May board seminar.
2. ET discussed the action from the Audit and Risk Committee to consider scoring the controls, and taking account of the advice on best practice outlined in the paper, agreed to maintain the impact x likelihood scoring. ET supported the proposal to amend the format of the risk register to better distinguish between how the risk is being managed and the assurance on whether these actions are effective. It was agreed to also review the section on further planned actions to likewise clarify whether these seek to reduce the level of risk or improve the assurance on the effectiveness of the actions. It was agreed that David Coombs and Elaine Repton would discuss further whether it would be helpful to add a RAG for the controls with Boryana Stambolova and the Audit & Risk Committee chair and external member.

Action: DC and ER

## Risk ‘deep dive’ and ‘bow tie’– prioritisation (item 8.2)

1. It was agreed to defer this to the July meeting in light of Jonathan Benger’s apologies.

## Outstanding internal audit recommendations (item 8.3)

1. The outstanding internal audit recommendations were noted and the relevant ET leads were asked to ensure their actions were closed before the next Audit and Risk Committee.

Action: HB/NL/BS/AL

## NICE Listens (item 9)

1. ET considered the paper that set out 2 options for the next NICE Listens project. Having considered the paper, ET selected prioritisation as the topic for the next project as it would inform a key NICE-wide project and NICE’s response to stakeholder feedback on the importance of focusing on what matters most. It was noted that the pathways project would then work better the following year, when NICE’s thinking on pathways is more developed.
2. The NICE Listens team were asked to check with Jonathan Benger that the timescales for the NICE Listens project are such that the outputs could be used to inform the development and publication of the prioritisation framework.

Action: FG

## Items for information (item 10)

# Operational Management Committee (item 10.1)

1. ET noted the minutes and actions from the OMC meetings held on 15 and 22 May 2023.

## Other business (item 11)

## NED email address (item 11.1)

ET noted the new email address for Justin Whatling.

## Healthwatch session on ‘what we know’ (item 11.2)

ET welcomed an offer from Healthwatch England to deliver a session on Healthwatch’s feedback from engagement with the health and care system. Sam Roberts stated that she would arrange this for a future informal ET.

Action: SR

## Tech panel for CIO recruitment (item 11.3)

ET were asked for any suggestions of CIO’s in other organisations who could take part in the upcoming recruitment for NICE’s new CIO.

## ET sponsor for women’s network (item 11.4)

Boryana Stambolova and Jane Gizbert agreed to be the ET sponsors for the new women in NICE network.

## Sharing of ET papers

ET discussed the arrangements for sharing ET papers with the senior leaders cohort and agreed that at the end of each ET meeting moving forward ET would agree which papers could be shared.