**National Institute for Health and Care Excellence**

Executive Team

# Minutes of the meeting held on 14 February 2023

## Present

Sam Roberts Chief Executive (chair)

Jonathan Benger Chief Medical Officer

Helen Brown Chief People Officer

Mark Chapman Interim Director, Medical Technologies and Digital Evaluation

Paul Chrisp Director, Centre for Guidelines

Jane Gizbert Director, Communications

Felix Greaves Director, Science, Evidence and Analytics

Helen Knight Director, Medicines Evaluation

Clare Morgan Director, Implementation and Partnerships

Boryana Stambolova Interim Director, Finance

## In attendance

Alison Liddell Programme Director, DIT Strategy and Governance

Jean Bennie Senior Technical Analyst, Health & Social Care (item 5)

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

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

Stevie Okoro Technical Analyst, Commercial Risk, CHTE (item 5)

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

Hilary Baker Programme Director, Transformation (items 9.2 & 9.3)

Kendall Jamieson Gilmore Associate Director, Strategy (item 9.3)

Elaine Repton Corporate Governance & Risk Manager (minutes)

## Apologies (item 1)

1. Apologies for absence were received from Alexia Tonnel.

## Declarations of interest (item 2)

1. The previously declared interests were noted. There were no new interests for adding to the register.

## Notes of the previous meetings (item 3.1)

1. The minutes of the meeting held on 24 January 2023 were agreed as a correct record.

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

1. The actions were reviewed, and the following updates discussed:
2. **ET collaboration space** – The ET channel in Teams has now been restricted to just ET members to provide an area for sharing documents which need comments and input.
3. **Freedom to Speak Up Ambassadors** – Alison Liddell confirmed that a proposal is being shaped to recruit ambassadors and a blog will go on NICE Space soon.
4. **Routine evaluation and payment framework for antimicrobials** – A further paper will come back to ET in early March to respond to the queries raised.

**ACTION: NC/JP**

1. **UK Pharmascan** – DIT have provided finance with the costings for the basic maintenance support for the next 12/18 months, which is covered later in the finance M10 slides. Martin Davison is exploring with DHSC if they will fund the major investment needed. It was agreed to keep this action open.

**ACTION: MD**

## People update (item 4)

1. ET discussed the people KPIs, specifically turnover, sickness absence and the vacancy rate and agreed the focus should be on the highest risk areas. Helen Brown was asked to provide narrative for the Board on the following points:

* Review whether the same turnover target was appropriate across all areas of the business – should there be differentials for specialist teams/roles which are harder to recruit to eg some DIT & data roles and health economists?
* Where there is repeated turnover in the same role/team or where new starters leave very soon after joining – what are the underlying issues?
* Where are there potential ‘single points of failure’ if staff leave critical roles – how can resilience be built in?
* What does turnover look like by protected characteristic?
* What are the reasons given for stress – is it work or personal related stress?

1. Helen Brown was asked to bring the turnover and vacancy targets to the next formal ET meeting drawing out the specific actions for ET to focus on.

**ACTION: HB**

## Equality, diversity and inclusion (item 5)

# Connecting (item 5.1)

1. Nicky Tyson gave an update on progress against the EDI KPIs. It was noted that the data protection issue with the hiring manager feedback forms had now been resolved. Nicky agreed to send ET instructions on how add the interview scores and feedback into TRAC.
2. The KPIs reported no improvement since last month. It was queried whether any activity within the action plan could be brought forward for implementation in order to start seeing some positive results. Sam Roberts asked for a balanced scorecard to be presented to the NEDG and ET to measure progress.

**ACTION: NT**

1. In relation to the four ‘connecting’ initiatives, it was agreed that future events be offered as hybrid, by default.

# Race Equality Network (REN) (item 5.2)

1. Jean Bennie and Stevie Okoro reflected on the activities arranged during Race Equality Week and the ‘5 day challenge’. ET agreed the talk from Dr Adam Rutherford on racial bias in real world data was of huge interest and relevance to NICE. Sam Roberts agreed to speak to Lesley Owen and Zoe Garratt and come back to an informal ET with further thoughts on how to take this forward.

**ACTION: SR**

1. ET mentioned the feedback from their November session with Yvonne Coghill which has identified that NICE had moved straight into targets and comms, before agreeing the equality ‘vision’ and ‘leadership’ stages of an overall strategy. Sam Roberts and Helen Brown are due to meet with Yvonne and will discuss whether it would be appropriate for NICE to go back to the start to consider leadership and vision, and also to ask her views on how other organisations are addressing these stages, to inform next year’s EDI action plan.

**ACTION: SR/HB**

1. Jean also raised an oversight on the NICE jobs page which makes no reference to race equality in recruitment. Additionally, a recommended ‘quick win’ to add the phonetic spelling of names to email signatures. Helen Brown agreed to have these actioned.

**ACTION: HB**

**Finance and commercial (item 6)**

# Financial position at M10 (item 6.1)

1. The month 10 financial position was reviewed. Boryana highlighted the key headlines of turnover, vacancy rates, progress with investments and TA income.
2. ET discussed the vacancy rate and queried whether some teams were holding on to vacant posts that they were unlikely to recruit to, rather than giving these up. In anticipation that future year’s budgets will be challenging, ET will need to agree and have a clear understanding of the baseline budget required to deliver programmes and services. This will be a discussion for the mid-term review financial planning session. In the meantime, directors were asked to speak with their PDs and ADs to identify all vacancies that are being held back and to advise Martin Davison which ones can be released.

**ACTION: All**

1. Martin Davison asked ET to consider bids for utilising reserves in 2023/24 and 2024/25 respectively. ET approved the following as immediate calls on future year’s reserves:

* energy price increase
* MDM and CMS licenses
* UK Pharmascan back end IT investment (backfill)
* SEA data licenses (CPRD, COVID, NCRAS)

1. ET discussed three further requests which required clarity. It was agreed that discussions needed to take place with the ET leads and their PDs and ADs involved in the business cases between now and 6 March to work through exactly what the requirements were for:

* PATT delivery, increased capacity, CMA support – Helen Knight, Mark Chapman and Felix Greaves to discuss with Brad Groves and Tom Strong.

**ACTION: HK/MC/FG**

* CCMS build and licenses – Paul Chrisp, Michaela Heigl and Alexia Tonnel to discuss and agree a full business case providing clarity on what is included in terms of licenses and staff costs.

**ACTION: PC/AT**

1. Feedback to be given to Sam Roberts, Boryana Stambolova and Martin Davison for final review.

# Commercial (item 6.2)

1. Boryana Stambolova gave an overview of activities within the commercial team. The list of ‘gold’ contracts due for renewal were noted. ET members were asked to encourage all their contract managers to take up either the DHSC training or in-house course. Reference was also made to the new Iproc and Atamis systems that are being introduced for purchase orders and contract management, respectively. Iproc in particular may cause some disruption as all teams will be required to adopt a new business process for raising purchases.

## Risk and performance (item 7)

1. These items were deferred to the informal ET meeting on 28 February.

## Transformation (item 8)

## Transformation update (item 8.1)

1. Hilary Baker joined the meeting to review the transformation lessons learnt so far, which were to have clarity of scope, resources defined, effective governance and behaviours, and ensure input ‘v’ output are commensurate with each other. It was also highlighted that any challenges need to be raised and properly discussed at the Programme Board meetings.
2. The report was noted.

## Other items for decision (item 9)

## Fixed term, part time and temporary working principles (item 9.1)

1. ET was asked to approve proposed principles for fixed term, part time and temporary working at NICE, and the supporting guidance for managers.
2. In relation to fixed term contracts (FTC), it was noted that following new legislation, ending a FTC potentially risks incurring a redundancy payment if the employee has more than 2 years’ service with NICE or more than 2 year’s continuous NHS service. Therefore, the reasons for a FTC and the time period, need to be made clear in the offer letter.
3. With regard to part time working, it was proposed that all roles, at the point of advertising, should be considered whether they would be suitable for part time working in order to attract as wide a pool of applicants as possible. ET challenged whether the wording should be amended to ‘due consideration’ will be given to whether the role is suitable for part time working, rather than having a commitment to offer all roles as part time.
4. It was agreed that further work was required to align the slides with the policy documents. Helen was asked to review the FTC policy to take out the reference to financial risks and to emphasise the need for the fixed term period to be agreed at the outset and not extended thereafter. It was also agreed that the communication of these principles required more than lunch and learn sessions. The HR team was asked to replicate the hybrid working comms plan, which involves directors, PDs and ADs awareness raising amongst their teams, rather than just focussing on hiring managers. ET also requested clarity on issues that were mandatory and those which were at the hiring manager’s discretion. Helen was asked to bring revised documents back to the next formal ET.

**ACTION: HB**

## Transformation team proposal (item 9.2)

1. ET was asked to consider a request for a management of change proposal in the transformation team. The proposal was approved.
2. Future MoC proposals were to be presented to the Operational Management Committee.

## Proposal for clinical leadership and topic selection (item 9.3)

1. ET considered a proposal to establish of a formal Clinical Directorate within NICE, and associated clinically led activities including topic selection, prioritisation and horizon scanning. The paper outlined the HR and financial implications as a consequence of moving existing roles into a unified function.
2. The proposal included the creation of a single horizon scanning function across NICE that will provide a central point of collection for all system intelligence around a newly established ‘prioritisation board’ that will be applied to all areas of NICE activity to determine priority for product development.
3. ET raised a number of queries regarding resourcing, phasing of the process re-design for topic selection and horizon scanning, and where the system intelligence will be held – in a CRM system or other collaboration tool. Alison Liddell requested that DIT be involved in the digital platform work.
4. ET approved the establishment of a clinical directorate and the indicative timeline commencing discussions in February to establish the principles, through to October 2023 for the first formal meeting of the NICE prioritisation board.

## Terms of reference for ET, GE and OMC (item 9.4)

1. The revised terms of reference for the Executive Team and Guidance Executive were approved. The revised terms of reference for the Operational Management Committee were also supported, but ET noted that the OMC will be discussing the changes at its meeting on 27 February.

# Operational Management Committee (item 10)

1. ET noted the minutes, actions and decisions arising from the OMC meeting held on 30 January 2023. Boryana highlighted that a Task & Finish group had been set up to review the complex issues to be addressed within the non-staff reimbursement policy. A report with recommendations has been requested to come back to OMC by the end of March 2023.

## Other business (item 11)

No further items were raised.