**National Institute for Health and Care Excellence**

Executive Team

# Minutes of the meeting held on 15 August 2023

## Present

Jonathan Benger Chief Medical Officer and interim Director, Centre for Guidelines (meeting chair)

Mark Chapman Interim Director, Medical Technologies and Digital Evaluation

Paul Chrisp Head of Publishing and Products

Nick Crabb Interim Director, Science, Evidence and Analytics

Jane Gizbert Director, Communications

Helen Knight Director, Medicines Evaluation

Naomi Lee Head of Organisational Transformation

Alison Liddell Interim Director, Digital, Information and Technology

Boryana Stambolova Interim Director, Finance

## In attendance

Nick Baillie Acting Programme Director, Implementation & Partnerships

Adam Linney Interim Associate Director, Human Resources

James Fitton Senior Management Accountant (item 6)

Lori Farrar Associate Director, Topic Selection (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 Sam Roberts, Helen Brown and Clare Morgan.

## 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 11 July 2023 were agreed as a correct record.

## Review of the action log (item 3.2)

1. The actions were reviewed, and the following updates discussed:
2. **UK Pharmascan** – the longer term funding for a system re-build was still unresolved. There were a number of issues that needed to be considered including: funding in the context of the VPAS negotiations; availability of DIT contractor resources to complete any interim work; and regulatory changes with MHRA from January 2024. Taking all this into account, it was agreed that ET needed a fundamental discussion on NICE’s position both from an internal technology support perspective, and from an external perspective, to support the wider system. It was agreed that a ‘rounded’ paper be produced for an informal ET in the coming weeks to discuss NICE’s policy and strategic approach to UK Pharmascan, with a view to taking a decision at the September formal meeting. Alison Liddell, Nick Crabb, Helen Knight and Boryana Stambolova were asked to collaborate on a joint paper for ET to consider.

**Action: NC/AL/HK/BS**

1. **Fixed term, part-time and temporary working principles** – fixed term contracts were still under discussion; principles for part-time and temporary contracts have been agreed with Unison and signed off. ET queried the position on secondments as there are some issues which need to be resolved. Adam Linney agreed to check the position regarding NICE’s policy on secondments.

**Action: AL**

1. **All staff event in 2024** – Jane Gizbert advised that is has been a challenge to find a venue large enough at an affordable rate. Her team will bring a paper to ET.
2. **External approvals** – It was agreed that a summary of the circumstances in which external approval is required from either the DHSC or Cabinet Office for HR decisions will come to ET for information.

**Action: AL/BS**

1. **Templates for guidance products** – The issues were how to structure recommendations in guidance and the governance (i.e. ownership) of the templates. For that reason, Paul Chrisp suggested sharing the templates with both the OMC and GE to gain maximum feedback and input from the guidance development teams. It was agreed that feedback from OMC be sought before coming GE.
2. **Manchester office lease** – ET noted that the change to the lease has consequences for the planned wifi investment. A business case to OMC had recommended doing nothing at this stage, but the DIT team has been asked to consider an interim solution to utilise some of this year’s capital allocation. This work will improve security end points but not necessary speed up the performance of the system.

## Transformation (item 4)

## Transformation progress update (item 4.1)

1. ET noted the progress on activities across the four programmes since the last meeting. This week is key for those involved in the ‘NICE Way’ which is being co-designed to ensure everyone has a shred view of what it will look like.
2. The External Assessment Group (EAG) contracts are up for renewal in 2024/25 and ET agreed that work needs to begin soon to plan for this in terms of what work can be brought in-house in future. Meetings are in the diary with the EAGs, but a potential solution is not yet clear. A paper was requested to allow ET to consider the options.

**Action: MC**

1. ET discussed the merits of having a central team of experts managing all the external contracts (with BNF, EAG, Technical Support Units) to develop a unified approach, better co-ordination and greater efficiencies. This may or may not include DIT contracts, which needs further consideration.
2. Jonathan Benger also mentioned the requirement for a centralised prioritisation team, to avoid duplication. He is currently discussing the proposal with the relevant people in CfG and CHTE.
3. In terms of the ‘asks of ET’, Naomi Lee agreed to develop a rota for ET members to record a video of the monthly message from ET. Dates for the transformation drop ins have been published on NICE Space and directors were asked to encourage staff to sign up for one of the sessions.
4. There was recognition that line managers will need support over the coming weeks in light of some key messages to be shared around the vacancy review panel, prioritisation of activity, the management of change exercises underway, and the challenging financial position. It was expected that that there will be lots of questions to line managers following the 14 September all-staff meeting. Additionally, the staff survey engagement scores will be shared by directorate. It was agreed to set aside 45 minutes at the informal ET next week to agree the management of all the messages with Sam Roberts, ahead of the September all-staff meeting.

## People update (item 5)

## KPIs (item 5.1)

1. ET reviewed the people KPIs, noting that turnover was relatively low, as was sickness absence, but that the percentage of sickness due to stress was high. Adam Linney was asked to look at NICE’s figures in comparison to other health ALBs. ET also asked if the stress category could be broken down between work related or personal issues, and whether sickness could differentiate between long term and short term, by directorate. In relation to mandatory training, it was queried whether all mandatory requirements could be reviewed as some seemed outdated such as the writing for NICE course.

**Action: AL/HB**

## Finance and commercial update (item 6)

1. The M4 financial position was reviewed reporting a full year outturn deficit of £513k. Boryana highlighted key budget lines by directorate. CfG was performing very well, although FCC was reporting an overspend due to higher than planned legal costs due to the number of appeals.
2. Mark Chapman requested more income forecasting data for Med Tech, which the finance team will look to provide.The position on the use of the strategic reserve was noted, including the mitigations to off-set the overspend, reducing the digital platform investment and the vacancy review panel. Other areas to be explored were the EAG contracts and use of the OLS funding.

**Medicines appraisals income**

1. ET reviewed the latest position which was reporting TA income at £11.5m as a best case scenario. Lori Farrar updated ET on the Click Time work to gain a clearer idea of unit costs. This work was still on going and whilst some data will be available, a full data set will not be completed in time for the charging review. James Fitton added that he had started looking at direct and indirect costs to inform next year’s budgeting.
2. ET will have a further discussion at next week’s informal meeting.

## Risk (item 7)

## Strategic risk register (item 7.1)

1. ET discussed the strategic risk register, agreeing that it was in need of a significant review and updating before the September Audit & Risk Committee as it no longer reflected ET’s and the Board’s current discussions.
2. Current issues which needed to be reflected in the risk register were TA income/charging, funding and people related issues (other than recruitment). ET risk leads were asked to review their own risk by the end of August, and also to consider their risks holistically where they may impact other business areas, for example the current challenges within DIT.

**Action: All**

1. It was noted that work was also underway to amend the format of the register to clearly differentiate between mitigations and the sources of assurance to show whether the mitigations are effective, as well as reviewing risk appetite, which was a recommendation from the board effectiveness review. This work will come to ET in October for consideration.
2. The next risks to be presented in the ‘bow tie’ format were funding and people.

**Action: BS & HB**

## Outstanding internal audit recommendations (item 7.2)

1. The outstanding internal audit recommendations were noted. Good progress has been made to reduce these down to three. Naomi agreed to follow up the two project management actions as this work will fall into the ‘NICE Way’. ET noted the senior managers still to complete the contract management training and agreed to pick this up with their teams.

**Action: NL**

**Annual report on patient safety (item 8)**

1. Jonathan Benger presented a draft annual patient safety report which will be submitted to the September board meeting. ET provided comments on NICE’s role in patient safety, including where patient safety issues are raised and how NICE should respond. Jonathan agreed to incorporate the feedback.

**Action: JB**

## Items for information (item 9)

# Operational Management Committee (item 9.1)

1. ET noted the minutes and actions from the OMC meetings held on 3 and 17 July 2023. The key items discussed were non-staff reimbursement, a number of new and updated HR policies and the business cases for CCMS and Manchester office wifi upgrade.

## Other business (item 10)

1. There were no further items of business.

## ET papers to be shared (item 11)

ET agreed the papers to be shared with senior leaders.