

NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

Senior Management Team

Minutes of the meeting held on 25 April 2017

Present

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| Andrew Dillon | Chief Executive |
| Mark Baker | Director – Centre for Guidelines |
| Ben Bennett | Director – Business Planning and Resources |
| Jane Gizbert | Director – Communications |
| Gill Leng | Director – Health and Social Care |
| Carole Longson | Director – Centre for Health Technology Evaluation |
| Alexia Tonnel | Director – Evidence Resources |

In attendance

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| David Coombs | Associate Director – Corporate Office (minutes) |
| Paul Chrisp | Programme Director – Health and Social Care (item 6.2) |
| Mirella Marlow | Programme Director – Centre for Health Technology Evaluation (item 6.5) |
| Victoria Thomas | Head of Public Involvement (item 6.1) |
| Teresa Whalen | Programme Manager – Corporate Communications (item 6.4) |

Apologies (item 1)

1. None.

Freedom of Information and publication scheme (item 2)

2. The final minutes will be made available on the NICE website subject to the redaction of any exempt material.

Notes of the previous meeting (item 3)

3. The minutes of the meeting held on 18 April 2017 were approved as a correct record subject to the amendment of paragraph 17.

Matters arising (item 4)

4. Ben Bennett confirmed the 2017-18 budget packs will be sent to Directors imminently and asked for any feedback by the end of the week.
5. SMT discussed the implications of the general election purdah period on the publication of the updated interim process and methods of the highly specialised technologies (HST) programme. It was noted that the material amendments to the guide implement the changes agreed at the public Board meeting in March prior to the purdah. SMT therefore agreed the document should be published on the website once agreed at the Board Strategy meeting on 26 April, and take effect for any evaluations commencing thereafter. In light of the purdah, SMT agreed there should not be communications activity to publicise the updated interim guide.
6. All other actions from the meeting held on 18 April 2017 were complete or in hand.

April Board Strategy meeting (item 5)

7. SMT noted the agenda, papers and arrangements for the Board Strategy meeting on 26 April 2017.

Public involvement programme (PIP) annual report 2016-17 (item 6.1)

8. Gill Leng and Victoria Thomas presented the PIP annual report for SMT's review prior to consideration at the May Board meeting.
9. SMT discussed the report and the impact of public involvement at NICE. It was agreed that it would be helpful to add a statement at the start of the report on the value NICE places on public involvement.
10. SMT discussed lay member recruitment to NICE's committees, including the balance between continuity of involvement and refreshing membership to seek new views. Victoria confirmed that NICE continues to receive good interest in lay member roles, and she is looking at ways to utilise the expertise and interest of applicants who are not appointed to committees. Jane Gizbert suggested involving these individuals with NICE's audience insight panel.
11. Andrew Dillon welcomed the exit survey of departing lay members, in order to capture feedback on lay members' contributions to NICE's work.
12. Alexia Tonnel referred to the table of speaking engagements in the report, noting that several were to international audiences. She suggested further consideration is given to the income generation potential of international speaking engagements, in the context of the wider review of NICE's international activities.

ACTION: AT / VT

13. Subject to the above amendments and other minor clarifications, SMT approved the report for submission to the May Board.

ACTION: VT / GL

Uptake and impact report: mental health (item 6.2)

14. Paul Chrisp presented the uptake and impact report for SMT's review prior to consideration at the May Board meeting. This is the first of the new regular reports to the public Board meetings and the report will continue to develop and evolve for future meetings.
15. SMT thanked Paul and the adoption and impact team for producing the report in the short time frame since the March Board meeting. It was agreed that the report should be revised to note the challenge in drawing a clear causal link between the publication of NICE guidance and changes in practice. In recognition of this challenge of determining NICE's impact, it was proposed to amend the report's title to remove reference to impact. SMT also agreed that the report should more explicitly include examples of where NICE's guidance has had less impact on practice, with information provided on the actions planned to address this.
16. Subject to these changes, and other minor amendments to formatting and content, SMT agreed the report for submission to the May Board.

ACTION: PC / GL

17. It was noted that the report will continue to evolve, including to improve the accessibility of the content.

IR35 legislation briefing paper (item 6.3)

18. Ben Bennett presented the briefing on the implications of the IR35 intermediaries legislation. Ben highlighted that paying experts who advise Scientific Advice, the Office for Market Access, and committees, through the payroll will not remove the need to run a tender process for repeat suppliers when the value of services exceeds the tender threshold.
19. SMT noted the report and supported the actions outlined to ensure compliance with the legislation. The importance of ensuring staff are aware of the new requirements, and that any issues are escalated as appropriate, was noted.

Policy on managing unreasonable or persistent behaviour (item 6.4)

20. Teresa Whalen presented the policy on managing unreasonable or persistent enquirer contact for SMT's approval. Teresa noted that the policy formalises arrangements already in place in the enquiry handling team. Whilst it will predominantly be used by the enquiry handling team, the policy will also apply to teams across NICE.
21. Andrew Dillon asked about the facility to record phone calls when a caller's conduct is a concern. Teresa confirmed that callers to the NICE switchboard and the enquiry handling team are advised that calls are recorded, before connecting to a staff member. Andrew confirmed that given this pre-recorded warning it is appropriate for staff to commence recording of such calls if concerns arise.
22. SMT approved the policy and agreed this should be communicated to staff. It was noted that the enquiry handling team will continue to provide advice to staff on dealing with challenging enquiries as required.

ACTION: TW / JG

MedTechScan (item 6.5)

23. Mirella Marlow presented the update on the proposal to develop a MedTechScan. Since the paper to the SMT in February, NHS England have indicated willingness to make a third year of funding available for the MedTechScan, in the form of a letter of intent. The Office for Life Sciences have confirmed the importance of the MedTechScan for the implementation of the Accelerated Access Review, and a senior project consultant has been seconded to NICE, at no salary cost to NICE, to explore the medium to longer term funding of the MedTechScan. In light of these developments, Mirella asked SMT to agree to start work on the development phase as outlined in the report.
24. Jane Gizbert asked about the impact of this project on other digital projects. Alexia Tonnel stated there should not be an impact on delivery capacity, given the intention to engage external capacity for the development work. There will though be an impact on management capacity. Alexia highlighted the implications for the project timescale of utilising external capacity and asked this is communicated to NHS England.

25. SMT noted the outstanding risks outlined in section 6 of the report, but in light of the developments since the February SMT paper and the options to mitigate the risk around long-term funding of the MedTechScan, agreed the development phase of the MedTechScan could commence. It was agreed that a brief paper should be brought to SMT clarifying the funding for the project, and how this will be utilised on internal and external capacity. It was agreed that a paper on the MedTechScan should also be brought to the Board.

ACTION: MM / CL

General election (item 6.6)

26. SMT noted the Cabinet Office General Election guidance. Andrew Dillon highlighted the agreement with the Department of Health (DH) on NICE's activities during the purdah period, both in terms of publications and the 2017 annual conference. Guidance on the agreed approach and the purdah restrictions will be circulated to staff shortly, and the Board will be briefed at the Board Strategy meeting on 26 April.

Strategy (item 7)

27. None.

Weekly staff SMT updates (item 8)

28. SMT agreed the staff updates.

ACTION: DC

Any other business (item 9)

29. None.