**NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE**

Public Board Meeting held on 25 March 2020
Via Zoom

These notes are a summary record of the main points discussed at the meeting and the decisions made. They are not intended to provide a verbatim record of the Board’s discussion. The agenda and the full documents considered are available in accordance with the NICE Publication Scheme.

# Board members present

Professor Tim Irish Interim Chair

Professor Sheena Asthana Non-Executive Director

Professor Martin Cowie Non-Executive Director

Dr Rima Makarem Non-Executive Director

Tom Wright Non-Executive Director

Sir Andrew Dillon Chief Executive

Professor Gillian Leng Health and Social Care Director and Deputy

 Chief Executive

Alexia Tonnel Evidence Resources Director

# Directors in attendance

Meindert Boysen Centre for Health Technology Evaluation Director

Paul Chrisp Centre for Guidelines Director

Jane Gizbert Communications Director

Catherine Wilkinson Acting Business Planning and Resources Director

# In attendance

David Coombs Associate Director – Corporate Office (minutes)

Leighton Coombs Senior Programme Analyst – Health and Social Care (for 20/029)

Fiona Glen Programme Director – Centre for Guidelines (for 20/030)

Adrian Jonas Associate Director – Data and Analytics (for 20/028)

Grace Marguerie Associate Director – Human Resources (for 20/030)

Mark Salmon Programme Director – Information Resources (for 20/028)

# 20/019 APOLOGIES FOR ABSENCE

1. Apologies were received from Elaine Inglesby-Burke.

# 20/020 EXCLUSION OF THE PRESS AND PUBLIC

1. Tim Irish welcomed the Board to the meeting which for the first time was taking place through Zoom web-conferencing. Due to the rapidly evolving situation with coronavirus it had not been possible to provide the opportunity for the public to observe the meeting.
2. The Board noted the unprecedented circumstances and challenges, and agreed to proceed with the meeting without the press and public present.

# 20/021 DECLARATIONS OF INTEREST

1. The previously declared interests recorded on the register were noted, and it was confirmed there were no conflicts of interest relevant to the meeting.

# 20/022 MINUTES OF THE LAST MEETING

1. The minutes of the Board meeting held on 29 January 2020 were agreed as a correct record.

# 20/023 MATTERS ARISING

1. The Board reviewed the actions arising from the public Board meeting held on 29 January 2020 and noted that:
* Feedback on the Field Team’s activities in Wales will be brought to the Board as requested, but later than the timescale suggested at the last meeting due to coronavirus.
* The colour scheme in the impact report has been amended in line with the Board’s feedback.
* The Principles have been published.
* The approach to engaging with stakeholders about the proposed changes to the prioritisation of the guidelines programme is outlined in a report to be discussed later in the meeting.
* Following testing of different models, the Senior Management Team (SMT) decided to buy two models of laptop for staff. The standard model, for the majority of staff, has a range of features to support collaborative working, while a more powerful model will be purchased for a small number of staff who require a machine with greater processing power. Once there is greater clarity on the delivery timescale the arrangements for storing and building the laptops during the office closure will be considered.

# 20/024 CHIEF EXECUTIVE’S REPORT

1. Andrew Dillon presented his final Chief Executive’s report which provided an update on the main programme activities and a summary of the financial position at the end of February 2020. Andrew offered his congratulations to Gill Leng and Sharmila Nebhrajani on their appointments as Chief Executive and Chair respectively.
2. Andrew briefed the Board on the actions that the Senior Management Team (SMT) were taking in response to the coronavirus (COVID-19) pandemic. The Institute had moved to home working with effect from 20 March and the two offices had been closed until further notice. A decision had been taken to focus activity on therapeutically critical topics, including cancer and on new commissions from NHS England/Improvement on the management of patients suspected of having or who have been diagnosed with COVID-19 in inpatient settings. The first of this guidance had been published on 21 March and would be followed by a further 3 topics each week, until further notice. In addition, evidence reviews were being conducted on COVID-19 related treatments. He noted that as a result of the disruption to current and planned activities caused by coronavirus, it was not possible to submit the 2020/21 business plan to this meeting as planned. It will be necessary to review the key business objectives and programme outputs and bring a revised plan to the Board.
3. Catherine Wilkinson updated the Board on the production of the annual report and accounts. If the planned tasks can be completed in the next 3 weeks, then the accounts could potentially be produced to the usual deadline. However, it is likely that the laying of annual reports and accounts before Parliament will be deferred until after the summer recess.
4. The Board received the report.

# 20/025 RESOURCES REPORT

1. Catherine Wilkinson presented the report which outlined the financial position at February 2020, provided an update on workforce developments, and included the statutory reporting on the gender pay gap. At the time of writing the report there was a £1.7m underspend which was forecast to reduce to £1.3m at the year-end. However, as a result of the disruption from coronavirus the underspend is now likely to be nearer £2m due to lower than planned spend on the laptops in 2019/20 and reduced travel and subsistence. The budgets for 2020/21 will be reviewed in light of the disruption from coronavirus and it is likely to be a challenging year financially due to under-recovery of technology appraisal income and potential cost pressures arising from a delay to the London office move. Catherine highlighted the workforce update, including the statutory reporting on the gender pay gap.
2. It was noted that the median gender pay gap had reduced to 1.5% at 31 March 2019, but the mean pay gap increased to 7.9%. Catherine stated that the finance and HR teams have explored this issue but have been unable to conclusively identify the reason for the divergent trends.
3. The Board received the report.

# 20/026 CENTRE FOR HEALTH TECHNOLOGY EVALUATION TOPIC SELECTION

1. Meindert Boysen presented the paper that set out proposed changes to the topic selection processes for guidance produced by the Centre for Health Technology Evaluation (CHTE). In summary, the proposals seek to consolidate existing eligibility, selection, and routing criteria to improve clarity; align decision making and stakeholder engagement processes to improve efficiency; and better describe governance arrangements to improve accountability and transparency. Meindert noted that the Board may wish to consider deferring the planned consultation on the proposals in line with the decision to limit NICE’s outputs during the coronavirus pandemic.
2. Meindert highlighted that the criteria used to decide whether a technology should be routed to either the highly specialised technologies programme or technology appraisals programme are still under review and will be subject to consultation at a later date.
3. The Board discussed and supported the proposals. Given topic selection is a sensitive issue, it was agreed that the proposals would benefit from a robust consultation and engagement with stakeholders. As such, it was agreed that the planned initial 6 week consultation should be delayed. In the interim it was agreed that the topic selection oversight panel (TSOP) should be established and start work in line with the terms of reference in the paper. Prior to the consultation, it was agreed that planning for the changes should continue, so these could be implemented in a timely manner if the feedback from the consultation is positive. In addition, it was agreed that it would be helpful to test the proposed new topic selection criteria on a range of technologies to see whether this would lead to different outcomes to the current criteria.

ACTION: Meindert Boysen

# 20/027 NICE GUIDELINES PROGRAMME: PRIORITISATION OF ACTIVITIES

1. Paul Chrisp presented the paper that provided an update on the initial engagement on the proposed approach to prioritisation of activities in the guidelines programme. He noted the significant change in context due to coronavirus since the paper was produced, which has highlighted the importance of prioritising NICE’s work programme. The pandemic will also delay the engagement with key national stakeholders.
2. The Board discussed the proposed principles for assessing the priority areas for new guideline development and updates to existing guidelines. It was suggested that the principles for prioritisation could be too broad and may need to be refined in order to enable sufficient prioritisation between topics. It was agreed that the need for a quality standard should be removed from the prioritisation principles, and the approach for prioritising areas for quality standards should be considered separately. It was noted that this work would de-prioritise some topics and so the proposals should be tested through consultation.
3. Subject to these comments, the Board broadly supported the proposals. It was agreed that Paul Chrisp should reflect on the timescale for this work and the approach to consultation on the proposals.

ACTION: Paul Chrisp

# 20/028 WIDENING THE EVIDENCE BASE: THE USE OF BROADER DATA AND APPLIED ANALYTICS IN NICE’S WORK

1. Gill Leng presented the paper that set out the next steps to implement the aims of the statement of intent regarding the appropriate use of data analytics across NICE including development of a data and analytics standards framework.
2. The Board reviewed the report and welcomed the activities undertaken. It was suggested that it would be helpful to acknowledge the risks of using data that had not been generated from randomised control trials, and to look back and evaluate decisions made using such data in order to identify any learning for future analytics.
3. The Board supported the planned next steps for the data and analytics transformation programme including the development of a standards framework setting out best practice in conducting analyses as the first output from the planned data and analytics methods and standards programme.

# 20/029 IMPACT REPORT: CHILDREN AND YOUNG PEOPLE’S HEALTHCARE

1. Gill Leng presented the impact report on how NICE’s evidence-based guidance contributes to improvements in children and young people's healthcare. As usual with these reports, there is a mixed picture in terms of successes and areas for further improvement. Positive trends include the reduction in antibiotic prescribing to children, young people and adults in primary care; and fewer children and young people with asthma, diabetes or epilepsy admitted to hospital in an emergency. Areas for improvement include further increasing the proportion of children and young people with a learning disability who have a health check, and completing sepsis risk assessments in emergency departments.
2. The Board noted and welcomed the report.

# 20/030 EQUALITY OBJECTIVES

1. Catherine Wilkinson presented the paper that set out proposed equality objectives for 2020 to 2024. There has been some positive progress with the current objectives, which seek to increase the proportion of applicants for committee roles from people from Black, Asian and minority ethnic groups, and to increase the proportion of staff in senior roles from these groups. The SMT propose retaining these as objectives but with refocused language, alongside a new objective around the way equality issues are identified and considered in guidance development.
2. Board members supported these objectives but expressed concerns about the way they were presented in the report, which could inadvertently indicate the objectives arise from an external requirement rather than a commitment from the organisation. In addition, it was felt that the objectives were too narrowly focused and should take account of other protected characteristics.
3. It was therefore agreed that the SMT should consider further areas for equality objectives and bring these back to the Board alongside the annual equality report. This would provide the opportunity to present the objectives in the context of the wider activities at NICE on equality and diversity outside of the formal equality objectives. In addition to the 3 objectives already proposed, there should be objectives that relate to other protected characteristics. This would mean objectives would be set slightly longer than the maximum 4 yearly interval, but it was agreed this short delay was justifiable to ensure the right approach to setting objectives.

ACTION: Catherine Wilkinson

# 20/031 APPOINTMENT OF A COMMITTEE OF A BOARD

1. Andrew Dillon presented the paper that set out a proposal to establish a committee of the Board, comprising all of the Board members, to exercise the Board’s powers once the number of Non-Executive Directors (NEDs) falls below the statutory minimum on 1 April 2020. The committee would for all practical purposes operate in the same way as the Board, including meeting in public. It would cease to exist once the new chair is in place and the legally required minimum number of NEDs are in place. The proposal had been developed on the advice of NICE’s legal advisers who had reviewed the paper and the committee’s terms of reference.
2. The Board agreed to establish the time-limited committee of the Board in line with the terms of reference set out in the Board paper.

ACTION: David Coombs

# 20/032 AUDIT AND RISK COMMITTEE MINUTES

1. Dr Rima Makarem, chair of the Audit and Risk Committee, presented the unconfirmed minutes of the committee’s meeting on 22 January 2020. She noted that since the meeting was held, implementation of IFRS 16 has been deferred.
2. Catherine Wilkinson advised the Board that contingency arrangements for the likely delay to the London office move are being considered, and the need to include provisions in the 2019/20 accounts for these cost pressures will be discussed with the external auditors shortly. Gill Leng confirmed that NICE’s risk register will be substantially reviewed in light of coronavirus.
3. The Board received the unconfirmed minutes.

# 20/033 DIRECTOR’S REPORT FOR CONSIDERATION

1. Meindert Boysen presented the update from the Centre for Health Technology Evaluation. He noted that the report was produced prior to the coronavirus pandemic and stated that the resulting prioritisation of NICE’s guidance activities will help mitigate the capacity issues in the technology appraisals programme in the short term. There remains a need however to look at the actions required to ensure the Centre can deliver the commitments for technology appraisals in the 2019 voluntary scheme for branded medicines pricing and access in the medium to long term. Meindert highlighted a range of other activities underway across the Centre, including the work on commercial and managed access and the pilot evaluation of digital health technologies. He noted that the timetable for the methods review will be reconsidered in light of the coronavirus pandemic.
2. The Board noted the report and thanked Meindert for the centre’s work.

# 20/034 – 20/037 DIRECTORS’ REPORTS FOR INFORMATION

1. The Board discussed the increased number of HM Coroner's regulation 28 reports sent to NICE, as referenced in the Communications Directorate report. It was noted that NICE’s patient safety lead, Professor Kevin Harris, is involved in preparing NICE’s response to each report and it was agreed that the Chief Executive’s report to the Board would in future highlight any significant action for NICE arising from these reports.

ACTION: Gill Leng

1. Gill Leng highlighted the changes in the Health and Social Care Directorate from 1 April 2020, when Judith Richardson will become Acting Health and Social Care Director and Interim Responsible Officer for Revalidation.
2. The Board received the Directors’ Reports.

# 20/038 A SHORT STATEMENT FROM THE CHIEF EXECUTIVE

1. Tim Irish repeated his comments at Andrew Dillon’s leaving event in February and paid tribute to Andrew’s character which has defined NICE. On behalf of SMT, Gill paid tribute to Andrew and stated he will be greatly missed.
2. Andrew responded by stating how it has been privilege and pleasure to work at NICE. He thanked Board colleagues for their advice, support and friendship over the years and in particular thanked Gill Leng for her support.

# 20/039 ANY OTHER BUSINESS

1. Tim Irish noted this was Sheena Asthana’s last Board meeting, and on behalf of the Board, thanked Sheena for her contribution to NICE.

# NEXT MEETING

1. The next public meeting of the Board will be held on 20 May 2020 at 1.30pm. The meeting arrangements are to be confirmed in light of the coronavirus pandemic.