**NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE**

Public Board Meeting – meeting as the Board Committee
held on 16 September 2020 via Zoom

Unconfirmed

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

Sharmila Nebhrajani Chairman

Professor Tim Irish Non-Executive Director

Dr Rima Makarem Non-Executive Director

Tom Wright Non-Executive Director

Professor Gillian Leng Chief Executive

Meindert Boysen Centre for Health Technology Evaluation Director

Dr Paul Chrisp Centre for Guidelines Director

Jennifer Howells Finance, Strategy and Transformation Director

Alexia Tonnel Digital, Information and Technology Director

# Directors in attendance

Jane Gizbert Communications Director

Dr Felix Greaves Science, Evidence and Analytics Director

Dr Judith Richardson Acting Health and Social Care Director

# In attendance

David Coombs Associate Director – Corporate Office (minutes)

Leighton Coombs Senior Programme Analyst – Health and Social Care (for item 16)

Louise Eaton Analyst – Health and Social Care (for item 16)

Dr Kevin Harris Senior Responsible Officer for Patient Safety (for item 13)

Victoria Thomas Head of Public Involvement (for item 15)

# 20/075 Apologies for absence

1. Apologies were received Elaine Inglesby-Burke.

# 20/076 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.

# 20/077 Minutes of the last meeting

1. The minutes of the Board meetings held on 15 July 2020 and 19 August 2020 were agreed as correct records.

# 20/078 Action log

1. The Board noted the progress with the actions arising from the Board meeting on 15 July 2020 and agreed those marked closed on the log were complete.

# 20/079 Chief Executive’s report

1. Gill Leng presented the Chief Executive’s report which provided an update on the outputs from the main programmes for the first 5 months of the year together with information on other matters of interest to the Board. Gill highlighted the activity over the last 2 months to return the organisation to ‘normal’ including to facilitate the phased return to the Manchester office from 8 October, and noted that NICE is supporting the third phase of the NHS’ response to COVID-19.
2. Gill highlighted that the main programme outputs at the end of the reporting period are broadly in line with the reforecast targets in the business plan. The format and content of the balanced scorecard is under review, with a view to implementing changes for 2021/22. The aim is to have a more visually appealing presentation, with metrics that give a broader overview of performance rather than focusing solely on published outputs. Board members supported this work on the balanced scorecard and noted that reporting on the position at the various stages of guidance production would give advance notice of future delays to publishing the final outputs. It was also noted that the strategy work provides the opportunity to reflect on where NICE has been agile and reduced the timelines for guidance production.
3. The Board received the report.

# 20/080 Centre for Guidelines progress report

1. Paul Chrisp presented the update on key issues and developments in the Centre for Guidelines in July and August 2020. In this period, 1 new rapid COVID-19 guideline was published, with the previously published rapid COVID-19 guidelines subject to ongoing review and update. Work is underway to build the team that will be responsible for updating these guidelines and integrating them with relevant NHS England and Improvement (NHSE&I) speciality guides. Paul highlighted other activities in the Centre including engagement with international initiatives to share learning on COVID-19, and progress with the guidelines strategy previously agreed with the Board, which entails working with the Department of Health and Social Care and NHSE&I to focus resources on new commissions and updating existing recommendations that are priorities for the health and care system.
2. In response to questions from the Board, Paul confirmed that the prioritisation envisaged under the guidelines strategy will become even more important if funding is not provided for the ongoing work to integrate and update the NHSE&I speciality guides.
3. The Board received the report and confirmed the importance of the guidelines programme drawing on learning from other countries.

# 20/081 Centre for Health Technology Evaluation progress report

1. Meindert Boysen presented the update on key issues and developments in the Centre for Health Technology Evaluation in July and August 2020, and noted that the recovery from the COVID-19 disruption is on plan. The Centre continues to support the health system’s response to COVID-19 and is looking at working with NHS Test and Trace to develop medtech innovation briefings for COVID-19 diagnostics. In addition, Meindert noted the Centre’s work to support innovation more widely, including through the Accelerated Access Collaborative.
2. In response to questions from the Board, Meindert confirmed that NICE is collaborating with partners on the development of the innovative medicines fund, including to clarify the fund’s relationship with the technology appraisal programme. He updated the Board on the take-up of NICE Scientific Advice’s free advice for developers of diagnostics and therapeutics targeting COVID-19 and noted this offer will continue and be kept under review. In response to a question from the audience, Meindert stated that he believed the current positive collaboration with NICE’s European counterparts would continue when the UK’s transition agreement with the EU ends on 31 December 2020.
3. The Board received the report.

# 20/082 Digital, Information and Technology Directorate progress report

1. Alexia Tonnel presented the first report from the Digital, Information and Technology Directorate, which was formally established on 1 September 2020 by bringing together the digital services and IT teams. Alexia summarised the teams’ key activities in July and August, and highlighted the significant reorganisation to create the new directorate structure was now complete.
2. Board members asked about the actions taken to mitigate the risks around remote working and for the outcome of the latest round of penetration testing. Alexia highlighted the training for staff on the use of MS Teams and Zoom, and the controls around their use. Changes have been made to the network to take account of the current working arrangements, including remote monitoring. Penetration testing is undertaken regularly, and the latest tests did not identify any issues of concern.
3. The Board received the report.
4. In response to a question from the audience, Alexia stated that accessibility assessments have been undertaken on NICE’s digital services and the team are reviewing and acting upon the results, taking a proportionate response.

# 20/083 Science, Evidence and Analytics progress report

1. Felix Greaves presented the first report from the Science, Evidence and Analytics Directorate that was established on 1 September 2020 by bringing together the information resources, data and analytics, and science policy and research teams. Felix summarised the innovative work underway across these teams, which includes supporting guidance production and working with national and international partners on methodological developments.
2. The Board discussed the impact on the licensing and regulatory framework of the end of the UK-EU transition agreement. Gill Leng stated that in the short-term the disruption should be minimal as the latest arrangements published by the MHRA align with NICE’s processes. The two organisations continue to work closely on the development of new medicines regulatory arrangements for the longer-term with the aim of establishing a novel innovative licensing and access pathway in the UK. The Board noted that a statement on the impact on NICE of the end of the transition agreement is being prepared for the NICE website, which would be shared with the Board prior to publication in October.

ACTION: Jane Gizbert

1. The Board received the report.

# 20/084 Health and Social Care Directorate progress report

1. Judith Richardson presented the update on key issues and developments in the Health and Social Care Directorate in July and August 2020, and noted that most of the Directorate’s work in this period has been to support the health and care system to use NICE’s guidance, quality standards and advice. Following the questions at the last Board meeting, Judith highlighted the support for the social care sector and the engagement with the Care Quality Commission (CQC) to reference NICE’s products in the CQC’s emergency support framework.
2. The Board discussed NICE’s ongoing engagement with the social care sector, and the review of quality standards to ensure they remain suitable and accurate during the COVID-19 pandemic. Judith confirmed that the review did not lead to changes to the quality statements, but some of the supporting narrative has been updated to reflect the changed circumstances for their implementation.
3. The Board received the report and requested an update on the engagement with the Association of Directors of Adult Social Services in England and Skills for Care.

ACTION: Judith Richardson

# 20/085 Resources report

1. Jennifer Howells presented the report which outlined the financial position at 31 July 2020 and provided an update on workforce developments. At the end of July, there was an underspend of £0.9m with a forecast deficit of £0.1m. However, since the report was produced the position has improved with breakeven or a small surplus forecast – although there remains a significant degree of uncertainty around the financial position. Jennifer noted that NICE is currently heavily engaged in the Government’s Comprehensive Spending Review which aims to set revenue budgets for the years 2021-24 and capital budgets for the years 2021-25, working closely with the sponsor team on bids for new activity and cost pressures. Jennifer thanked Catherine Wilkinson for covering the Director role since January 2020 and wished her well for the future.
2. Board members noted the additional workforce data that had been provided, broken down by protected characteristics, and the recent media coverage of NICE’s performance in some of the indicators in the workforce race equality standard (WRES). Board members asked whether the equalities implications of moving to virtual interviews had been considered. Jennifer Howells noted the importance of the composition of the interview panel and stated that holding interviews virtually can facilitate a more diverse panel. She would though explore this issue further with the HR team to consider if further actions are required.

ACTION: Jennifer Howells

1. The Board discussed the financial position, including the risks to the technology appraisal (TA) income and the scope to deliver recurrent savings from the future operating model for committees. It was noted that both issues will be explored as part of the upcoming business planning process for 2021/22, and that ensuring sufficient staff capacity is in place is a key factor in realising the TA income.
2. The Board received the report.
3. In response to a question from the audience, Gill Leng confirmed NICE’s commitment to equality, diversity, and inclusion and stated that feedback from staff listening events will be used to inform short-term actions and new multi-year equality objectives.

# 20/086 Communications Directorate progress report

1. Jane Gizbert presented the update on key issues and developments in the Communications Directorate in July and August 2020, including promoting existing NICE guidance to help the health and care system in the latest phase of the COVID-19 pandemic. Jane highlighted the key priorities for the new brand and marketing communications team and noted that the publishing team are moving to the Centre for Guidelines to support the content strategy that is part of the NICE Connect transformation.
2. The Board received the report.

**20/087 Strategic outline business case: enabling an efficient digital workplace**

1. Alexia Tonnel presented the strategic outline business case for investment in a 'digital workplace' through the implementation of SharePoint and Microsoft 365 (M365) suite. Alexia outlined the background to the paper, which takes forward the conclusions from the digital workplace strategy shared with the Board in May 2020, that itself built on the NICE Connect case for change presented to the Board in September 2019. Alexia highlighted that the programme is not simply implementing new software. It entails transforming the business processes that involve handling information and documents – NICE’s core assets.
2. Alexia highlighted the discussions with Board members since the paper was produced and clarified that the Board is not being asked to approve the full programme at this stage. Rather, the Board is asked to approve 2 posts (a Programme Manager with SharePoint implementation expertise and a Business Change Manager) to provide the sufficient expertise and capacity to do the further investigation that is required – including benchmarking and scrutiny of the approach to ensure value for money, and reviewing the nature of external expertise required. The posts will also enable work to start promptly if/when approval is given to proceed in the new year. They will be fixed term appointments, potentially as day-rate contractors, which provides flexibility if this work does not proceed. The required funding for 2020/21 is approximately £130k, and has been factored into the year-end forecast.
3. Sharmila Nebhrajani thanked Alexia for the clarification and confirmed the Board’s support for this transformation. As noted in Alexia’s introductory comments, Sharmila confirmed the need for further review and scrutiny of the proposed approach, and stated that this limited expenditure provides a balance between minimising the risks of investment and providing capacity for this work. Board members echoed these comments, and there was a recommendation to develop in-house expertise rather than use external consultancy where possible, in order to provide long-term capacity for the new ways of working.
4. The Board therefore approved the requested investment for the appointment of a Programme Manager with SharePoint implementation expertise and a Business Change Manager on a fixed term basis, with a financial commitment of £130k in 2020/21.
5. It was agreed that the proposals should be refined to:
* clarify the sequencing of the transformation activities and how this could de-risk the investment
* scrutinise the costs and review the use of external expertise to ensure this offers value for money, taking account of external benchmarking
* clarify the centrality of the programme to the NICE Connect vision
* further articulate the scale of the business process transformation and cultural change it will introduce for NICE.
1. An updated business case would then be brought to the Board for approval.

ACTION: Alexia Tonnel

**20/088 The Independent Medicines and Medical Devices Safety (IMMDS) Review: considerations for NICE**

1. Kevin Harris presented the report that summarised the conclusions from the IMMDS review, together with the implications for NICE and the proposed next steps, including the exceptional review of NG123: urinary incontinence and pelvic organ prolapse in women: management.

1. The Board noted NICE’s work with regulators and professional organisations to reinforce the use of NICE guidelines through their professional standards and inspection or accreditation processes, and noted this includes working with Health Education England and the Royal Colleges to ensure NICE is refenced in medical training. It was noted these references are often focused on NICE guidelines and it was therefore agreed the review’s findings should be used as an opportunity to work with partners to reinforce the importance of NICE’s interventional procedures guidance.

ACTION: Judith Richardson and Kevin Harris

1. The Board endorsed NICE’s proposed response to the review and agreed this should be publicised on the NICE website.

ACTION: Jane Gizbert

# 20/089 Research to Access Pathway for investigational Drugs – COVID-19 (RAPID-C19)

1. Meindert Boysen presented the report that set out progress with the RAPID-C19 initiative, in which NICE and partner organisations work together to seek to enable safe and timely patient access to medicines showing evidence of benefit in treating or preventing COVID-19.
2. The Board discussed NICE’s involvement in the initiative and noted this could provide the model for wider cross-system collaboration in the future. Meindert highlighted that the impact of the different organisational cultures has been a key learning point, while NICE has also gained an understanding of wider issues such as medicines supply.
3. The Board supported NICE’s ongoing participation in the RAPID-C19 initiative and noted the interim process guide.

# 20/090 Public involvement programme annual report

1. Judith Richardson presented the annual report from the public involvement programme (PIP) and highlighted that public involvement is central to how NICE operates. Victoria summarised the highlights in the report, including PIP’s support for individuals, voluntary and community sector organisations, and NICE staff. Victoria also highlighted the impact of the COVID-19 pandemic on NICE’s public engagement. While virtual working presents new opportunities for public engagement, voluntary and community organisations are faced with significant uncertainty over their future funding.
2. The Board received the report, congratulated staff for the excellent work undertaken, and supported the proposed activities to publicise the report. Board members highlighted the importance of ensuring an innovative approach to public involvement, utilising the opportunities of modern technology.
3. A member of the audience gave negative feedback on their experience as a lay member on a NICE committee including around conflicts of interest. Gill Leng highlighted the rigorous process in place around conflicts of interest and stated that NICE would be happy to look into any specific concerns if this detail is received.

# 20/091 NICE Impact report: end of life care in adults

1. Judith Richardson presented the latest impact report, which this month focused on how NICE’s guidance is being used to help improve outcomes on end of life care for adults. The report used data collected before the COVID-19 pandemic and does not therefore take account of how the pandemic has impacted the delivery of care. Judith noted that Leighton Coombs, who has led the team which produces the impact reports, will shortly be leaving NICE and thanked him for his work.
2. The Board received the report.

# 20/092 Any other business

1. None.

# Next meeting

1. The next public meeting of the Board (meeting as the Board Committee) will be held on 18 November 2020 at 1:30pm via Zoom.