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.

Present

Professor David Haslam  Chair
Dr Maggie Helliwell  Non-Executive Director
Professor David Hunter  Non-Executive Director
Tim Irish  Non-Executive Director
Professor Finbarr Martin  Non-Executive Director
Professor Rona McCandlish  Non-Executive Director
Bill Mumford  Non-Executive Director
Linda Seymour  Non-Executive Director
Jonathan Tross  Non-Executive Director

Executive Directors

Sir Andrew Dillon  Chief Executive
Professor Gillian Leng  Health and Social Care Director and Deputy Chief Executive
Ben Bennett  Business Planning and Resources Director
Professor Carole Longson  Centre for Health Technology Evaluation Director

Directors in attendance

Professor Mark Baker  Centre for Clinical Practice Director
Alexia Tonnel  Evidence Resources Director

In attendance

David Coombs  Associate Director – Corporate Office (minutes)
Meindert Boysen  Programme Director – Technology Appraisals, PASLU and HST
Larraine Howard-James  Associate Director – Human Resources
Jeremy Shaw  Revalidation Adviser
Marion Spring  Associate Director – Evidence Information Services

15/053 APOLOGIES FOR ABSENCE

1. Apologies were received from Andy McKeon and Jane Gizbert.
15/054 CONFLICTS OF INTEREST

1. No conflicts were declared.

15/055 MINUTES OF THE LAST MEETING

2. The minutes of the meeting held on 20 May 2015 were agreed as a correct record subject to the correction of the attendance record.

15/056 MATTERS ARISING

3. The Board reviewed the actions arising from the Board meeting in May and noted that the addendum to the digital strategy and the revised whistle-blowing policy are both scheduled to be brought to the September Board meeting.

4. Carole Longson stated that work is in progress to develop metrics on the performance of the Technology Appraisals appeals process and she would liaise with the Corporate Office on this matter.

ACTION: Carole Longson

5. The Board noted that all other actions had been closed or were covered through the agenda for this meeting.

15/057 CHIEF EXECUTIVE’S REPORT

6. Andrew Dillon presented his report, describing the main programme activities to the end of June 2015 together with a summary of NICE’s financial position for the first two months of the financial year. He highlighted the latest position in relation to the safe staffing programme, and also NICE’s active involvement in the delivery of the NHS Five Year Forward View.

7. Andrew Dillon drew the Board’s attention to appendix 1 of his report which outlined progress against the Department of Health’s organisational and policy priorities for NICE. He stated that these priorities are broadly in line with the business plan. He noted that other events, including the publication of the Triennial Review, the Accelerated Access Review and the arrangements for the future of the Cancer Drugs Fund, will add to the Institute’s agenda. He would therefore develop a consolidated priorities report to include in his report to the Board at future meetings.

ACTION: Andrew Dillon

8. Linda Seymour asked how the Institute’s support to the Five Year Forward View vanguard sites would be provided. Andrew Dillon advised that this would be through a combination of resources in Gill Leng’s directorate and from additional support that had been agreed by the Senior Management Team.
9. David Hunter referred to the Department of Health priorities and asked how NICE’s relationship with Public Health England is developing. Gillian Leng replied that regular meetings are held between the two organisations and public health colleagues at the Department of Health. She agreed to bring further information to the Board on this matter.

**ACTION:** Gillian Leng

10. In response to a question from Rona McCandlish, Gillian Leng confirmed that proposals relating to how NICE could support the health and care sector with decommissioning services will be discussed at the August Board Strategy meeting with a paper then brought to the Board meeting in September.

**ACTION:** Gillian Leng

11. Jonathan Tross asked that the Board note the successful completion of the procurement process for two external clinical guideline development centres.

12. The Board received the Chief Executive’s report.

13. A representative of the Royal College of Physicians asked about the latest position with the production of safe staffing guidance and whether NICE would be supporting NHS England with this work moving forward. Andrew Dillon stated that there is no further update to that in his report. Several discussions have been held with NHS England who are keen to utilise NICE’s knowledge and expertise in this area. He stated that whilst NICE will not now be responsible for producing this guidance, the Institute would be willing to consider what appropriate assistance could be provided to NHS England in this area.

**15/058 FINANCE REPORT**

14. Ben Bennett presented the report which outlined the financial position as at 31 May 2015. He stated that at the end of this period there was an underspend of £0.5m, and the forecast out-turn is a £1.6m underspend against the revenue resource limit, excluding NICE International and Scientific Advice. This position is felt to be appropriate given the need to maintain sufficient headroom.

15. Finbarr Martin asked whether there is flexibility to utilise part of this underspend to invest in additional capacity to undertake time-limited projects. Ben Bennett confirmed that the Senior Management Team are discussing several such projects, including the capacity to support the Greater Manchester devolution initiative. It will though be important to ensure that such investment is factored into the financial planning for 2016/17 if these activities continue beyond the current financial year.

16. The Board received the report.
15/059 ANNUAL REPORT AND ACCOUNTS 2014/15

17. Andrew Dillon presented the annual report and accounts for 2014/15, which had been approved by the Audit and Risk Committee on behalf of the Board and formally laid before Parliament.

18. Jonathan Tross, Chair of the Audit and Risk Committee assured the Board that the Committee had thoroughly reviewed the annual report and accounts prior to approval. He highlighted that a ‘clean’ opinion was again provided from the auditors, and congratulated the staff involved for this major piece of work that was completed under challenging timescales.

19. The Board received the annual report and accounts and placed on record its thanks to Ben Bennett and the finance team.

15/060 ANNUAL WORKFORCE REPORT 2014/15

20. Ben Bennett presented the annual workforce report for 2014/15 which provided a summary of the workforce profile at 31 March 2015 and particular workforce issues of note.

21. Tim Irish asked whether average pay by gender would be recorded. Ben Bennett stated that he did not believe there would be any concerns in this area given the nature of the pay structure at NICE. However, this information would be collected in line with requirements in this regard.

22. Bill Mumford highlighted a shift in the age profile of the workforce since 2011, with a reduction in the percentage of the workforce in the 26 - 30 years old bracket. He recommended vigilance on this issue. Larraine Howard-Jones replied that the shift in the age profile partly reflects the impact of staff retention. She highlighted that apprentices are increasingly employed in a range of roles across the Institute, primarily in administrative areas.

23. Finbarr Martin acknowledged the benefits of flexibility to both employee and employer from zero hours contracts, but asked whether there are general principles as to when such contracts will be used at NICE. Ben Bennett stated that such principles are not formally in place; however these contracts are not exclusive and therefore provide flexibility to the individuals concerned. David Haslam stated that he felt this position was therefore acceptable, but may need to be reconsidered should concerns arise on this issue.

24. In response to a question from Linda Seymour, Larraine Howard-Jones confirmed that mental health awareness training is available to managers but is not currently mandatory.

25. The Board approved the report.
15/061 WORKFORCE STRATEGY 2015-18

26. Ben Bennett presented the workforce strategy for 2015-18 for the Board’s approval. Larraine Howard-Jones highlighted that the strategy crystalises a number of activities that are already underway.

27. Finbarr Martin argued that greater analysis of the gap between the current position and that sought under the successful delivery of the strategy is required. Tim Irish encouraged the Senior Management Team to identify the required competencies for the workforce, which will help ensure the organisation is able to handle the likely uncertainty over coming years. Bill Mumford highlighted that in addition to identifying the technical competencies, it is important to consider the psychological competencies which will enable staff to respond to these uncertainties. He noted the importance of articulating the requirements for managers at NICE and recommended involving staff in this exercise. Larraine Howard-Jones responded to the comments and acknowledged that whilst there is an indication of the current position, a more robust gap analysis is required.

28. Bill Mumford asked whether consideration is being given to utilising a benchmarking framework such as Investors in People. Larraine Howard-Jones replied that she is attending an event in August to explore this further. David Haslam asked that the Board is kept updated on this.

   ACTION: Ben Bennett

29. David Hunter stated that further clarification is required on the timescales for implementing the strategy and how progress will be monitored. He also felt the strategy should more explicitly reference the wider strategic context in which the strategy will be implemented. Jonathan Tross agreed that the Board require greater visibility of the priority areas and how these are being taken forward. Ben Bennett confirmed that an operational workplan will be developed, with progress updates provided as part of his regular reporting to the Board.

   ACTION: Ben Bennett

30. The Board discussed the importance of workforce planning and noted that the newly established HR Business Partner jobs will have a significant role in supporting the business planning process.

31. The Board approved the workforce strategy.

15/062 REVALIDATION ANNUAL REPORT

32. Gillian Leng presented the revalidation annual report, which provided the Board with assurance that revalidation is being properly implemented in line with policy and relevant guidance. She highlighted that the Revalidation Committee is keeping abreast of the piloting of nursing and midwifery revalidation, which is
expected to be implemented in 2016.

33. The Board:
   a. Received the report and noted that it may be shared, along with the annual audit, with the higher level Responsible Officer.
   b. Approved the ‘statement of compliance’ to confirm that the organisation as the Designated Body is in compliance with the regulations.

34. In response to a question from a member of the public, Jeremy Shaw confirmed how many of the six registered medical practitioners with a prescribed connection with NICE had been subject to revalidation to date.

15/063 EVIDENCE SEARCH PROCESS AND METHODS MANUAL

35. Alexia Tonnel presented the proposed changes to the NICE Evidence Search Process and Methods Manual, which following approval by the Board will be subject to public consultation from 22 July to 14 October 2015.

36. Linda Seymour cited examples of jargon and acronyms in the report and highlighted the importance of using plain English.

37. The Board approved the proposed changes for public consultation.

15/064 NEW PROGRAMMES BUSINESS CASE TEMPLATE

38. Ben Bennett presented the proposed template for business cases for new programmes of activity, which had been produced in response to a recommendation from internal audit. He stated that the document seeks to ensure clarity over resource requirements when NICE is responding to a request for new activities from sponsors or commissioners.

39. Following comments raised by Board members, Ben Bennett confirmed that the document seeks to outline the issues that should be considered in producing a business case, and not every question had to be answered. He also confirmed that support from the Business Planning and Resources Directorate would be provided to teams when completing the template.

40. Tim Irish referred to the section on ‘measuring success’ and highlighted the benefit of reviewing business cases post completion in order to evaluate the realisation of the envisaged outcomes.

41. The Board approved the template.

15/065 POSITION STATEMENT REGARDING ENGAGEMENT WITH TOBACCO COMPANIES

42. Gillian Leng presented the position statement which had been produced following the Board’s agreement at its meeting in May that tobacco companies would be
referred to as ‘respondents’ rather than ‘stakeholders’.

43. Andrew Dillon emphasised that the position statement should be clear about the nature of the engagement envisaged for tobacco companies in NICE’s processes.

44. The Board approved the position statement subject to the amendment of the last sentence of the first bullet point to state ‘...and ensures there is no implication that tobacco companies are partners in the NICE development process.’

**ACTION: Gillian Leng**

45. The Board agreed that the position statement would be reviewed should evidence come to light to indicate that tobacco companies are seeking to utilise engagement with the NICE consultation process to promote their activities and reputation.

**15/066-70 DIRECTORS’ REPORTS FOR INFORMATION**

46. Bill Mumford referred to the report from the Health and Social Care Directorate and asked about the action being taken to improve performance against the metric on examples of local authorities using NICE outputs. Gillian Leng advised that this would be reviewed with the team to consider what remedial action is required and whether this was the right metric moving forward. She agreed to provide further information on this matter to the Board.

**ACTION: Gillian Leng**

47. The Board received the reports.

**15/071 COMMITTEE MINUTES**

48. The Board received the unconfirmed Audit and Risk Committee minutes of the meeting held on the 17 June 2015.

**15/072 ANY OTHER BUSINESS**

49. None.

**NEXT MEETING**

50. The next public meeting of the Board will be held at 1.45pm, 16 September at The Drill Hall, Freeschool Lane, Lincoln, LN2 1EY.

51. The Board then resolved that representatives of the press and other members of the public will be excluded from the remainder of this meeting having regard to the confidential nature of the business to be transacted, publicity on which would be prejudicial to the public interest. [Section 1(2) Public Bodies (Admission to Meetings) Act 1960].