Board meeting

16 December 2022

Revisions to Standing Orders and Standing Financial Instructions

Purpose of paper

For approval

Board action required

The Board is asked to approve the changes to the standing orders and standing financial instructions following the annual review.

Brief summary

The standing orders (SOs) and the standing financial instructions (SFIs) are reviewed annually. This paper presents the latest updates for the Board’s approval.

Board sponsor

Boryana Stambolova, Interim Director of Finance

Introduction

1. The standing orders and standing financial instructions are updated annually. The focus of the review has been on strengthening financial controls while also empowering the operational management committee (OMC) to make operational decisions on behalf of the executive team.

Background

The suggested updates have been reviewed by the OMC and were supported by the audit and risk committee at its meeting on 30 November.

Finance / HR / legal implications

None

Cross organisational impact

When approved, there will be a communication to all staff to confirm the documents have been revised and to request that all staff, in particular managers, budget holders and contract managers, have responsibility to familiarise themselves with the requirements of the SOs and SFIs.

Standing orders

The amendments to the standing orders are very minor and reflect changes in terminology. They are not therefore provided in the pack, but are available on request.

One material amendment is proposed, which is to delete SO 144 which states: "The canvassing of NICE board members, or any committee of the board, directly or indirectly, for any appointment within NICE, shall disqualify the candidate for such appointment.”

"Members of the board should not solicit for any person any appointment under NICE or recommend any person for such appointment. This paragraph of this Standing Order does not preclude a board member from giving written testimonial of a candidate’s ability, experience or character for submission to NICE."

The rationale for removing this is that the statement is not included in NICE's recruitment material, and with the exception of a small number of very senior roles, board members are not involved in recruitment. Furthermore, the recruitment process now requires that completed candidate interview forms are sent to the HR recruitment team for checking and quality assuring, before offers of employment are made, which provides assurance that the appointments are based on merit.

This change has been confirmed with the HR team.

Standing financial instructions

The standing financial instructions have undergone a comprehensive review. Key changes include referencing the operational management committee; expanding and updating the references to the DSHC and the Cabinet Office spend controls for the use of consultancy, professional services and contingent labour; and strengthening financial controls including to clarify contract managers' responsibilities. Provisions around procurement have also been updated to reflect best practice, including greater flexibility over the weighting given to cost in procurement, and the extent that tender waivers may be used on the basis of continuity from a previous project.

Due to the extent of the updates, a table of the key changes is attached at appendix 1 and a tracked version of the document is attached at appendix 2.

Board action required

The Board is asked to approve the revisions to the Standing Orders and Standing Financial Instructions.

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December 2022