Minutes of the sixty-fifth meeting of the Human Tissue Authority

Date 28 January 2014
Venue Mary Sumner House
24 Tufton Street
London
SW1P 3RB

Present

Members
Diana Warwick (Chair)
Michael Banner
Brian Coulter
Susan Dilly
Rosie Glazebrook
Pamela Goldberg
Suzanne McCarthy
Gurch Randhawa
Keith Rigg
Catharine Seddon

Apologies
Jodi Berg

In attendance
Alan Clamp (Chief Executive)
Sarah Bedwell (Director of Regulation)
Sue Gallone (Director of Resources)
Shaun Griffin (Director of Communications and Public Affairs)
Allan Marriott-Smith (Director of Strategy and Quality)
Nicola Fookes (for Authority Secretary)

Observers
Jeff Porter (Department of Health)
Ted Webb (Department of Health)
Jenna Khalfan
## Item 1  Welcome and apologies

1. Diana Warwick welcomed Members and observers to the sixty-fifth meeting of the Human Tissue Authority.
2. Apologies were received from Jodi Berg.

## Item 2  Declarations of interest

3. Keith Rigg declared an interest in agenda item 10 (Conditional consent in deceased organ donation).

## Item 3  Minutes of 26 November 2013 [paper: HTA (01/14)]

4. The minutes of 26 November 2013 were adopted.

## Item 4  Matters arising

5. The March 2014 Authority meeting would include an update on work with American Association of Tissue Banks and the US Food and Drug Administration.
6. A paper on the regulation of bone marrow cases is scheduled for agenda item 11.
7. Notes were circulated to the Authority on 21 January 2014 concerning two HTA Reportable incidents (HTARIs) and the comparison between Serious Untoward Incident and HTARI categories.
8. An update would be provided at a future meeting on how feedback from families after HTARI incidents could be obtained and whether this should be included in our process.
9. An update would also be provided at a future meeting on the possible implications for the HTA of the High Court decision in Northern Ireland to allow a post-mortem on a stillborn fetus.
10. The membership of the Stakeholder and Fees Group had been circulated and terms of reference are included in agenda item 16.
11. Authority Members’ availability for the purposes of scheduling future meetings had been completed and proposed dates circulated.
12. A review of Strategic Aim Two had taken place and is included in agenda item 13.

## Item 5  Chair’s report
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<td>13.</td>
<td>An update was provided with regard to the advert for the Chair which went live on the public appointments website on Friday 10 January 2014 and in the Sunday Times on 12 January.</td>
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<td>14.</td>
<td>The closing date for applications was extended to 28 January and interviews are scheduled for 10 and 12 February.</td>
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<td>15.</td>
<td>Adverts for Members have not yet been placed and the Welsh Government is yet to place an advert for the Member to be appointed by the Minister for Health and Social Services.</td>
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<td>16.</td>
<td>Both Pamela Goldberg and Jodi Berg have accepted an invitation from the Department of Health (DH) to extend their terms for up to six months or until new Members are appointed, whichever is the sooner.</td>
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<td>17.</td>
<td>Members congratulated Sue Gallone on her appointment as the shared Director of Finance and Resources for the HTA and the Human Fertilisation and Embryology Authority (HFEA). Work is underway to manage the transition.</td>
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<td>18.</td>
<td>The Authority was updated on the position at DH regarding departmental responsibility for the HTA. Mark Bale is now the Deputy Head of Division and Paul MacNaught will be the new Head of Division.</td>
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<td>19.</td>
<td>Alan Clamp updated Members on the good progress being made with regard to the McCracken recommendations. A paper detailing the progress made will be presented to the Authority at its March meeting.</td>
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<td>20.</td>
<td>HTA staff and Members attended a number of meetings with stakeholders including NHS Blood and Transplant, British Transplantation Society, Regenerative Medicine Expert Group, MHRA, NICE and Britain Against Cancer. <strong>Action:</strong> A paper to be brought to the March 2014 Authority meeting on progress made with regard to the McCracken recommendations.</td>
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### Item 6

**Strategic Performance Review December 2013 [paper: HTA (02/14)]**

21. Allan Marriott-Smith introduced the paper.

22. It was noted that all KPIs were reported as green with the exception of one relating to enquiries being answered within 10 working days. This was reported at 92% against a KPI target of 95%.

### Item 7

**Authority Scrutiny of Risk Register [paper: HTA (05/14)]**
23. Sue Gallone introduced the paper and risk register and updated Members on the changes in the level of risk.
24. Members recognised that the risk of high staff attrition rates could be difficult to mitigate in a small organisation, as development opportunities can be limited. Members commended the Executive for its commitment to regularly addressing this issue and seeking new ways to increase and maintain staff morale.
25. It was noted that the HTA had seen recent vacancies as an opportunity to restructure and this may provide development opportunities for existing staff.
26. Members noted the changes.

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<th>Item 8</th>
<th>Financial Report December 2013 [paper: HTA (04/14)]</th>
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<td>27.</td>
<td>Sue Gallone introduced the Finance Report providing an overview of the financial position as at 31 December 2013.</td>
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<td>28.</td>
<td>The forecast income was lower than budget due to the non-charging of licence fees to the ODT sector. This had been partially offset by an underspend in costs attributable to licensable activities.</td>
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<td>29.</td>
<td>All debtors previously pursued with legal action had made payment.</td>
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<td>30.</td>
<td>Members noted the content of this report.</td>
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<tr>
<th>Item 9</th>
<th>Welsh Code of Practice and Response document [paper: HTA (05/14)]</th>
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<td>32.</td>
<td>Amendments made as a result of the consultation response have significantly improved the Code. The most significant change was a division of the Code into two sections, the first being of interest to members of the public and professional stakeholders and the second including more detailed information for those professional stakeholders who would need to use the Code.</td>
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<td>33.</td>
<td>Members were assured that consultation responses had been appropriately reflected in the redrafting and final version of the Code.</td>
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<td>34.</td>
<td>The Authority congratulated Vicky Marshment, Jessica Porter and others involved in producing the Code of Practice, praising it as an excellent and coherent document.</td>
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35. The Authority was content for a final legal review to take place before the Code is laid before Parliament both in Westminster and in Wales.

36. Members approved the Code of Practice on the Human Transplantation (Wales) Act 2013 for Parliamentary scrutiny and approval.

Item 10  Conditional consent in deceased organ donation [paper: HTA 06/14]

37. Michael Banner joined the meeting at 11:40am.

38. Item 10 is confidential and will not appear in the published minutes.

Item 11  Stakeholder and Fees Group Terms of Reference [paper: HTA (12/14)]

39. Shaun Griffin introduced the paper and the revised terms of reference. This agenda item was brought forward in the agenda to accommodate Board members who had to leave the meeting early.

40. Members discussed the purpose of the Group and the emphasis on fees. It was agreed that the Group would be retitled the Stakeholder Group.

41. It was agreed that the McCracken recommendation that the ‘HTA should establish and operate a permanent fees review group to improve accountability and facilitate dialogue with licence fee payers’ had been met, as the terms of reference state that licence fees will be an annual agenda item.

42. It was agreed that the membership of the group would remain the same. However Authority Members would be invited to observe meetings.

43. It was clarified that the Stakeholder Group is an advisory group. Any views expressed by the Group may inform decision making but the Group will not have the power to make decisions.

44. It was agreed that meeting agendas and minutes of the Group would be published on the HTA website.

45. Members recommended that terms of reference be redrafted to include an annual review of the terms of reference.

Action: The Executive to clarify which agendas and minutes for other HTA meetings are published.

Action: Terms of reference to be redrafted to include reference to their annual review.

AMS

SGr
Suzanne McCarthy left the meeting at 12:05pm

**Item 12** Policy issues in living donation [paper: HTA (07/14)]

46. Allan Marriott-Smith introduced the paper that had been requested at the November meeting.
47. Members welcomed a review of the HTA’s regulations and codes, including the Authority’s ability to delegate decision making for living donation cases. Members were in favour of a light touch approach to the regulation of bone marrow and peripheral blood stem cell donations.
48. Members noted the content of the paper and its proposals.

**Item 13** Learning and development report [paper: HTA (08/14)]

49. Alan Clamp introduced the paper and Members noted the improvement recorded in the level of staff satisfaction with learning and development in the 2013 staff survey.
50. Members noted measures taken to improve the quality of development courses offered to staff and requested an annual update to the Authority on progress in this area.
51. It was suggested that the HTA could be more pro-active in seeking opportunities for staff to undertake secondments, both internally and externally, as a means of providing development opportunities and to mitigate attrition rates.

**Action:** Learning and development report to be presented to the Authority annually.

Rosie Glazebrook left the meeting at 12:20pm

**Item 14** Strategic Plan 2014-17 and key performance indicators 2014/15 [paper: HTA (09/14)]

52. Allan Marriott-Smith introduced the draft strategic plan for 2014-17.
53. Subject to two minor wording changes, Members approved the three year strategic plan.

**Action:** Wording change in para.2 of the introduction to read ‘…review of the way we conduct our functions…’

**Action:** Wording change in para.8 of the introduction to remove ‘robust’ regulation and replace with ‘effective’.

**Item 15** Strategic plan on the regulation of living organ donations 2014-17 [paper: HTA (10/14)]

54. Allan Marriott-Smith introduced the draft strategic plan for the regulation of living donation 2014-17.
55. The plan had been informed by surveys conducted of both Independent Assessors (IAs) and Accredited Assessors (AA’s) and was due to be adopted and launched at the IA
The meeting closed at 12:40pm.

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<th>Item 16</th>
<th>Communications Strategy [paper: HTA (11/14)]</th>
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<td>56. Members noted the content of the plan and were reassured that the HTA is planning to explore new ways to expand the recruitment pool for potential IAs.</td>
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<td>57. The plan will be reviewed following its launch at the IA conference and a report made to the Authority. <strong>Action:</strong> A report to be made to the Authority following the launch of the strategic plan at the IA conference.</td>
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<tr>
<th>Item 17</th>
<th>Any Other Business</th>
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<td>61. No other business was raised.</td>
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58. Shaun Griffin introduced the Communications Strategy for 2014–17. The Authority was informed of the approach taken to draft the plan and the input received from stakeholders.

59. Members noted that the plan reflects a shift in focus as the HTA emerges from the Government’s review of arm’s length bodies.

60. Members praised the clear and constructive forward-looking plan.