

IBCA Board - Minutes and Actions

23 April 2025, 13:00 - 16:00

Room BP7118, Benton Park View

Board Members:

1. Sir Robert Francis (SRF) - Interim Chair
2. David Foley (DF) - Interim CEO
3. Russell Frith - Chair of Audit & Risk Committee - Non-Executive Director
4. Deborah Harris-Ugbomah - Non-Executive Director
5. Paula Sussex - Non-Executive Director
6. Gillian Fairfield - Non-Executive Director
7. Helen Parker - Non-Executive Director
8. Sir Rob Behrens - Non-Executive Director
9. Celine McLoughlin - Interim Director of Digital
10. Sindy Skeldon - Interim Director of Operations

Attendees:

1. Catherine Webster - IBCA Chief of Staff
2. **GRO-D** - Board Secretariat
3. Rachel Forster - Interim Director of Communications
4. Shainila Pradhan - Interim Programme Director
5. **GRO-D** - Business Case Manager
6. John Kelly - Director of Data
7. James Quinault - Cabinet Office Senior Sponsor

Apologies: Rich Hornby

1. Welcome

- 1.1. The Chair welcomed everyone to the Board meeting.
- 1.2. No interests were declared.

2. Minutes and Matters Arising

- 2.1. The Board minutes of 18 March were agreed, subject to a couple of minor amendments.
- 2.2. The minutes of the 7 April meeting were agreed, subject to one minor amendment.
- 2.3. The Board noted Gillian Fairfield was present at both Board meetings, and she should be added to the attendance list.

ACTION: Secretariat to amend 18 March & 7 April minutes to reflect Gillian Fairfield's attendance.

2.4. **Actions**

2.5. There were 5 actions on the Board Action Log to discuss

2.6. **Action 69: Progress matrix against the original Inquiry recommendations to be shared with the Board.** It was clarified that IBCA did not have this in place, and the Cabinet Office would be commissioned to provide the information.

ACTION: Cabinet Office to develop a matrix and show progress against the original recommendations made by Sir Brian Langstaff - Sponsor Team

2.7. **Action 70: Share available information on recruitment journey time with Board members** - The Director of Operations gave an update on recruitment journey times and numbers of planned recruitment over the next few months, with 50 new claims managers recruited in April, 70 recruited in May and 80 recruited in each of the following months.

2.8. **Action 71: Take forward the recruitment to the Clinical Experts Panel** - The Chair updated the Board following his meeting with the Director of Corporate Services to take this item forward. Terms of reference and role descriptions were being drafted, and potential panel members were being identified. The Board agreed that advice on specialisms should be sought by approaching the Royal Colleges of Physicians and the Royal College of Anaesthetists as well as the Royal College of Pathologists for advice.

2.9. **Action 72: Community Panel Proposals** - will come to the next Board meeting in May.

2.10. **Action 73: Getting an independent perspective on IBCA's approach to accelerators** - The CEO updated the Board on assurance and informed them that Max Hacon from HMRC had been approached to work with IBCA and lead a critical friend / peer review. It was a good point to carry out this assurance work given MCO's request to go faster and the potential rapid pivot terms of delivery that this request could impact.

2.11. A request was made to discuss and clarify the position on EDI data collection with the key officers.

ACTION: Set up a meeting to discuss data and EDI requirements with Deborah Harris, Celine McLoughlin & John Kelly

3. **Report from RemCo**

3.1. The Chair of RemCo gave an update to the Board at the first meeting of the Remuneration Committee on 7 April.

- 3.2. RemCo discussed the approach to senior pay and the timetable, as well as key issues and implications arising from IBCA's capacity to carry out the administrative functions needed to be an independent employer.
- 3.3. RemCo also discussed the terms of reference and made some clarifications around the committee's advisory versus decision-making powers and inserted a paragraph to make clear the position between initial appointments under Cabinet Office (CO) terms and future appointments once IBCA had secured independent employer status.
- 3.4. The Board was asked to agree to the changes to the RemCo Terms of Reference.

DECISION: The Board agreed to the changes to the RemCo Terms of Reference.

4. CEO Update

- 4.1. The CEO provided the Board with the latest update on key delivery figures:
 - **275** (255) invitations sent to claimants to date
 - **244** (214) people had accepted their invitation to start their claim
 - **127** (39) offers of compensation have been made, totalling **£121.0M** (£73.0M)
 - **69** (40) people had accepted their offers with **£71.9M** (£44.8M) paid in compensation;
 - the largest lump sum payment made was **£2.56M** (£2.5M)
- 4.2. The Board noted that IBCA expected to issue a further 200 invitations to claimants tomorrow with an expected total of 475 invitations sent out by the end of the week.
- 4.3. The Board were informed that letters had been sent out to everyone who was infected and registered on an infected blood scheme to come forward and tell us if they are nearing the end of their life, so that their claim could be prioritised. 1700 emails and 1400 letters were sent out. To date the response was 10 respondents met the EOL criteria, 21 don't have the evidence required and are being assisted, 50 respondents were not EOL.
- 4.4. The Board noted that EOL cases would be prioritised for each cohort as and when they are opened for applications.
- 4.5. The Board recognised that the implications for the affected cohort were a consequence of the regulations.
- 4.6. Board members asked whether there had been any feedback on the MCO submission. The preliminary response was that MCO had requested a meeting to discuss further and this was scheduled for 30 April.
- 4.7. The Board were updated on preparations for the CEO and Chair's attendance at the 8 May Inquiry hearings. On 16 April, the Infected Blood Inquiry published a Note from Counsel to the Inquiry outlining the issues likely to be explored at the hearings in May. In particular, it notes that the "Inquiry's primary focus will be to consider whether there are actions which could now be taken. It was expected that the Inquiry would look at:
 - Speed of payments

- What was driving pace
- Why IBCA was not using more lawyers for legal support provision
- errors/overpayments
- Transparency of process
- Regulations
- Parameters of awards

4.8. The Board noted that the visit from CDL had been a positive one and that he had been supportive of the work being delivered.

ACTION: Share the 10th April MCO submission with Board members - Hannah Probert

5. Speak Up Champion

- 5.1. Sir Rob Behrens gave an update on his recent meeting with staff
- 5.2. In total, 70 staff had attended the meeting, and the atmosphere was friendly and relaxed, with staff happy to engage.
- 5.3. Feedback from staff:

Positive

- Working for IBCA was an excellent experience
- Morale was generally good
- Staff felt an ethical commitment to the work
- Staff appreciated the training they were given

Negative

- Staff were concerned about the attacks on IBCA from Social media platforms
 - Levels of challenge from solicitors involved in the process
 - Wellness and support for staff could be better
 - No consultation on whistleblowing as yet
 - Concerns about the location of IBCA once the BPV agreement ends
- 5.4. Staff also indicated that they would like to meet other Non-Executive Board members at future meetings.
- 5.5. Board members asked whether there were policies in place around social media for staff.
- 5.6. Although policies were in place, to date, social media was being used for customer service. It was recognised that in the future, IBCA could become more involved in conversation threads to correct the narrative but this was not happening at present.

6. Programme Update

- 6.1. The Programme Director updated the Board on delivery progress. The overall RAG rating is Amber/Red.

- 6.2. **Compensation Services:** Release 2.0 is now expected to be completed in late June, which allows the commencement of removing reliance on AO Docs and removing a limiting factor on scaling.
- 6.3. **Support services:** The Board noted that expanding the service remained at risk due to the ongoing risk of exhausting the availability of legal support under existing contracts. Support services remained red. MCO has now approved spend for legal support solutions; however, IBCA is awaiting CST approval, and there are still challenges around the complex procurement requirement.
- 6.4. **IBSS transfer:** A decision paper on the transfer approach (TUPE or Staff Transfer) was due to go to ExCo on 17 May, which would inform the timeline and sequencing of activities for the IBSS transfer.
- 6.5. **Scheme Update:** 73 offers have been made and a total of £75m paid to date.
- 6.6. **Data:** The focus has been on managing the increasing demand of SARs and FOIs.
- 6.7. **Digital:** The public-facing calculator for infected and estates was launched to the public on 17 March. Plans are now operational to prioritise EOL cases with letters to all Registered Infected regarding End of Life issued on 14 April.
- 6.8. **Operations:** 40 new Claims Managers joined IBCA on 31 March as planned, and training is expected to last for three weeks.
- 6.9. **Support Services:** IBCA is now working to extend the existing contracts, as well as preparing to run a longer term procurement for legal support. Tender for Financial Services is currently being evaluated.
- 6.10. **IBCA established as an employer:** Shared services expected to be stood up by October with the first payroll transfer expected to be November. Pension Scheme admission is well underway.
- 6.11. **Business Case:** Is now expected to be submitted in June/July.
- 6.12. The Board noted issues with recruitment and the implications for scaling up the workforce at pace. IBCA were experiencing challenges in securing new desk space in Glasgow and were being impacted by limited capacity of Cabinet Office IT to build enough laptops for new joiners.
- 6.13. Discussion also focused on the modelling work being done to support the scale-up of delivery operations, including the forecast rate of Claims Managers needed to deliver and challenges around the procurement of support services for claimants.
- 6.14. The Board noted that the decision on the procurement of legal services provision for the scaling up of the current cohort was currently with the Treasury and legal support provision for other cohorts had not yet been scoped or defined. This could not move forward until CST had signed off on the procurement.

- 6.15. The Board also noted the need for more Financial support for claimants, as the amount of compensation payments may cause issues for recipients. IBCA needed to ensure that safeguarding aspects of cases were being addressed, and this included financial vulnerability.
- 6.16. The Board was updated on Risk Management and how this was being managed across IBCA. Strategic risks were owned by directors and workshops had been held to explore the trajectory to maturity. A priority dashboard had been developed to support recruitment.

7. Finance Update

- 7.1. The Board were asked to note the P12 finance report and a potential underspend for 24/25 (excluding compensation) but were informed that the figures were still liable to change due to year end adjustments.
- 7.2. A provisional budget pressure had been highlighted for 25/26. The Minister's request to go faster would require any additional budget to be underwritten by him.
- 7.3. The Board asked for a further breakdown of financial information to be shown by directorates in future and noted that having a KPI for finance was helpful.

ACTION: Finance to include a directorate breakdown of spend in their monthly reporting - Rich Hornby

8. Business Case - Update

- 8.1. The Board were informed that due to the recent Ministerial requests to move faster on delivery, the original plans to submit the Business Case in May were unlikely to be met.
- 8.2. Due to the pace of development, the current Business Case was unusual in that it was documenting decisions and approvals as they were made rather than submitting proposals in advance for approval.
- 8.3. The Business Case was being used as a way of keeping the Treasury informed of progress and to keep information on the development of IBCA in one place. The Board noted that having a business case was one of the Treasury's conditions of funding.
- 8.4. The Board asked for clarification as to whether a Business Case would be required for approvals or consultation with Treasury in the future.

ACTION: Get clarification on the future purpose of the Business Case - Richard Brenchley

- 8.5. It was agreed that clarification should be sought to understand where the Business Case and its assurance sits in the governance of IBCA.

ACTION: ARAC members to discuss to where the Business Case and its assurance sits in the governance of IBCA - ARAC NEDs

9. Data Strategy

- 9.1. The Director for Data introduced the draft Data Strategy and the Board was asked whether they were happy to approve the data strategy and to commit to publishing the strategy.
- 9.2. Board feedback was that the strategy should include more about data risks and security, the strategy should include governance risks as well as proposed use of AI. Key messages could be clearer and the strategy was too technical and too detailed.
- 9.3. The Board suggested that rather than publish the full strategy, a summary should be produced, which could then be published.

ACTION: Paula Sussex and Helen Parker to write a note with comments on the Data Strategy to John Kelly

ACTION: Data Strategy summary to be added to the May Board agenda.

10. Creative Strategy

- 10.1. An update to the Creative Strategy was provided, setting out the ongoing creative development, insights from co-creation sessions with community members and planned next steps.
- 10.2. The Board was assured that the new creative approach would only be used on IBCA-owned channels (no paid activity yet), to increase recognition ahead of a paid-for campaign in future years.
- 10.3. Board members asked what the community feedback had been on the strap line “for each and everyone.” They heard that it had been tested with the community, including the affected community, and was received positively. It had not been tested with those who were at the end of their life.
- 10.4. Board members asked about compliance with industry standards and received assurance that Saatchi had tested against industry standards. It was confirmed that Saatchi had just tested the strap line and design, and more testing would be needed later.
- 10.5. Board members asked whether there had been any negative feedback from the community testing. They heard that there had been no negative feedback to date.
- 10.6. Board members raised the issue of upskilling healthcare professionals to talk to members of the community about their eligibility to make a claim.
- 10.7. Board members discussed social media and how this was being used. They further asked about how IBCA were supporting staff and dealing with inappropriate comments. It was acknowledged that more could be done across social media and

inappropriate comments were reported, and supporting and protecting staff was a key priority

DECISION: The Board gave cautious approval on using the creative approach on IBCA channels and asked the Communications team to come back to Board both to report on progress and before launching any paid for public campaigns.

11. Commercial Update

- 11.1. The CEO provided the Board with an overview of the paper setting out the current state of play and invited comments from Board members.
- 11.2. The Board discussed the Quantexa contract information and it was clarified that this contract award would provide Information Management, Records management and would automate fraud and error identification. The costs covered the licence fees and implementation.
- 11.3. Board members asked when IBCA would have its own Investment Committee and what the current delegation limits were.
- 11.4. The Board noted that discussions had taken place with the Cabinet Office on setting up an Investment Committee. This had been agreed with and was currently being developed.

12. Feedback on Sequencing Discussion

- 12.1. The Board was given an update on the feedback received from the community on the discussions around sequencing. There had been significant feedback received from the unregistered living infected cohort, who were a large and complex group, in individual sessions as well as at a recent webinar, and follow up calls with community members mono-infected with Hepatitis B and those impacted by cut off dates were being organised.
- 12.2. The community felt ignored and unrecognised, and wanted to air their concerns about the ordering of the cohort sequencing decisions made by IBCA. The Hep B group and those impacted by the cut-off dates have never been eligible for support payments from IBSS.
- 12.3. The Board acknowledged the strength of community feeling around the impacts of prioritisation and discussed whether IBCA should look at all of the living infected cohort and the implications for the claims process.
- 12.4. One of the key impacts of reprioritising to include all living infected would be ensuring we have an online claims process as a front end to starting a claim. A solution would need to be found for online identity verification of claimants under this scenario. The development of this could also be of benefit for generating efficiencies with existing groups. The rest of the process currently exists, but IBCA would need to be clear about any additional complexity handling Hepatitis B claims, which are more complex

to assess - current thinking is that we are dealing with much of this complexity now with co-infection claims.

- 12.5. The provisional view from IBCA was that this approach was practicable and would support the Minister's desire to "go faster." The Board acknowledged that it would be really helpful to get the User Consultants' input into this approach and to look at the lines of communication for each group.
- 12.6. The Board were keen to explore the practicalities and suggested that an equality impact assessment be carried out to support the approach.

13. AOB

- 13.1. The next Board meeting will be held in London on 20 May.