



Steering Board Meeting Note

Date: Thursday 10 June 2021

Time: 10:00am

Location: Remote meeting held via Microsoft Teams

Attendees: Kevin Orford (Chair), Tim Moss, Harriet Wallace (BEIS), Lopa Patel, Andrew Lawrence, Laurie Benson, Ada Jabaru, David Rawlins (BEIS Sponsor), David Holdsworth, Chris Mills, Mike Fishwick, Dominic Houlihan, Maria Ciavatta, Secretariat

Apologies: Karen Powell

Presenters: Sarah Whitehead, Kathryn Cearn

Shadows/Observers: Kris Holland

Chair's Introduction

1. Kevin Orford welcomed everyone to the meeting.

Apologies

2. Apologies were received from Karen Powell.

Approval of the minutes from the previous meeting

3. Minutes from the previous meeting were agreed.

Actions

4. There were no actions to note.

Declarations of interest

5. Lopa Patel noted a standing declaration as she has meetings with partners of some accounting firms which may be involved in discussions regarding IPO procurement.

6. Governance and Performance

6.1. Executive Board Report

- 6.1.1. Tim Moss presented this item and talked the Steering Board members through the highlights of the Executive Board Report (EBR). These were notably:

- Successful year end reviews with each of the directorate leadership teams which highlighted their key achievements

- Dealing with the unprecedented higher workload
- Dialogue around the TRIPS waiver
- EEA Agreement
- Exhaustion of Rights launch
- Gold Mind Award
- Launch of IP Training for Government
- The finalisation of the Pay settlement and Corporate Performance award
- Successful recruitment within Business Operations Division
- Completion of STEM returners scheme

6.1.2. Tim then went on to note the key 'hot topics' that were the focus of the business at present. Firstly, Tim noted that Organisation Design was at the forefront. Tim then mentioned 'Future Ways of Working' in which there were still ongoing discussions surrounding this and the right things to yet be put in place but it was clear that the IPO were not going to take a 'one size fits all' approach to where staff work. The future will be a hybrid setup with business needs at the forefront of this. As the business grows, there would not be the capacity to have everyone on site at one time therefore a lot of thought needs to go into how this will be set up and managed appropriately. Thirdly, Tim mentioned that teams were currently working with BEIS on an Innovation Strategy. Lastly, the area of Trade continues to be busy.

6.1.3. David Holdsworth explained further about work which was going on in his area of Operational Delivery. David explained firstly that Operations has seen an increase in volume in Patent search and exams, with Trademark applications at 121% which was up year on year but in line with the forecast. David said there was a plan by December to get back to the traditional 10 day turn around to exam. Designs has seen the largest increase in volume at 266% which was significant. David explained that there was a 'route to green' plan in place. In Patents, he added performance was on target and the backlog was reducing.

6.1.4. David also mentioned the TRIPS waiver – the proposal by the governments of India and South Africa to waive patents on COVID vaccines. David explained that this issue was very complex, and teams were currently working with Pharmaceutical companies to build a profile. He updated that a cross Whitehall group has also been set up as it was key to get the central government messaging agreed appropriately. Lopa Patel and Laurie Benson both questioned if public confidence was being lost and questioned how to get the public's trust. Lopa added she was worried that there would not be investments in life science companies if a waiver is going to come in and said this message must come out. David said we need to support companies and that the UK influence is getting there. Harriet Wallace stated that there's a good bit of evidence policy making being done and offered to support teams by putting them in touch with Patrick Vallance, the Government Chief Scientific Advisor. Laurie also added to this point stating that with communication around the vaccine, the biggest challenge was getting the message to the 'man on the street'. Tim added that in terms of communications around vaccine, it would be ideal to

advocate getting third parties involved such as scientists and influential voices in the field to join the debate.

- 6.1.5. Kevin Orford concluded this item by stating if there were any further issues or questions on the Executive Board Report for Steering Board members to contact Tim and David but noted there was plenty of good discussion on this item and it was clear that the executive team is demonstrating great leadership on some highly complex and emotive issues. David said he would like to note the hard work of Liam Hynes, Mike Prior and Eileen Tottle who have done great work on the IPO's role in the vaccine rollout.

Action: Steering Board members to email Tim Moss and/or David Holdsworth if there were any remaining questions on the Executive Board Report

Action: Harriet Wallace to put David Holdsworth in touch with Patrick Vallance

- 6.1.6. Lopa then turned discussion to the Transformation Update in the Executive Board Report as the table showed that the RAG status of 'One IPO manage IP' had gone from green to red due to the need to re-baseline the technical element to accommodate proposed changes to the Architecture and address areas of uncertainty around data tooling. David stated that there will be a Chief Data Officer (CDO) recruited and they have already started to put mitigations in place. Mike Fishwick added that they have managed to secure an interim CDO – Leanne Bailey – and in the meantime instead of using Civil Service recruitment, they are using a head-hunter to source a permanent CDO.
- 6.1.7. Mike also added they are looking at bringing in a delivery manager. Laurie asked if the organisation had considered future proofing and building a system that can accommodate surges in the future. Mike responded that the AI tool is integral to manage peaks and troughs. He said teams have an overall idea behind what we are building and need to be customer focused, adding availability profile and SLA needed to be stepped up. He noted that a Performance Management team was being set up, and a Performance Manager was currently being recruited, to see what availability there was across teams – every aspect needs to have high availability for this to work. Lopa questioned if teams should be allowing more latency for our services. Mike responded by saying with cloud computing, there should be zero latency in the system by moving to a dev ops team.

6.2. Update from Audit and Risk Committee, including Annual Report and Accounts progress

- 6.2.1. Andrew Lawrence presented this item and stated he was encouraged by the plans and preparations of the finalisation of the annual report and accounts. He said a discussion was planned in relation to the Transformation Programme and the role of the Audit and Risk Committee (ARC) and its assurance role. Andrew added that this discussion was taking place at the next meeting on 1st July meeting. Andrew asked for comments and questions from the Steering Board.

6.2.2. Laurie Benson praised the style of report and supported the idea that ARC played the role of assurance to the Transformation Programme and that this is best practice. Lopa Patel added that she had perceived a disconnect between IPO Transformation objectives and customer questions in Webinars and Q&As which suggested that some customers would want a European Patent Office (EPO) style model. David Holdsworth responded by stating this was something that had been investigated and the decision that this wasn't beneficial for customers, but would investigate bench marking with other offices and EPO. Tim Moss added that The EPO has a filing system which they were looking to change in the future.

6.2.3. The Chair summarised that the board would look forward to the meeting in July and the role ARC will play within the Transformation Programme in future.

6.3. BEIS Update

6.3.1. Harriet Wallace presented this update and explained that there were a new set of priorities for BEIS set out by the Secretary of State and these centre around driving Enterprise, Net Zero and unleashing Innovation. Harriet illustrated that these reflect the vision the Prime Minister and Secretary of State have for BEIS as well as the current challenges presented by the pandemic and the opportunities that result from the UK-EU Trade and Cooperation Agreement.

6.3.2. Harriet added that the IPO are getting constructively involved in the Innovation Strategy and this was very positive. Conversation then turned to knowledge assets and what the public sector can do to identify them and what to do with them. Harriet said there was a plan for a new grants and investment fund to further develop ideas. Harriet stated that it would be helpful to have IPO involvement. Laurie added that if we put value on IP it would help Government and put value on other companies which will be positive.

6.3.3. Lopa queried the priority to 'make the UK a science superpower'. She added that there has been recent debate around research led spin outs and if Universities were asking for too much too soon which posed wider questions on the tech transfer model. Lopa noted if the IPO has a role to play in setting the framework for spin outs, it must ensure it gets the best value out of the incentives. Tim Moss furthered this point by explaining that there were Lambert Tool Kits available but questioned how far we can go.

6.3.4. Kevin concluded this item by illustrating a role of the Steering Board to ensure we have alignment between BEIS priorities and the IPO policy landscape.

6.4. Review of the Customer Relationship Approach

6.4.1. Sarah Whitehead presented this item and expressed she was keen for the Steering Board's views and input of the approach taken to managing customer relationships. Sarah asked the Board to comment on areas to also improve and expand on. Sarah explained that the current focus was in relation to their larger and more frequent

customers and satisfaction surveys and how to engage and better understand the needs of the internal stakeholders. Ultimately, we can then join it all up and benchmark where we were with other Government departments.

- 6.4.2. Kevin applauded the 85% customer satisfaction score and noted it was a fantastic achievement, particularly in the very challenging circumstances we faced in 2020-21. Lopa added that it was her belief from a Steering Board perspective that we would benefit from baseline data. Lopa queried how many customers does the organisation have and their categories to get a sense of the volume of people and where they were based regionally. Lopa also asked if there was a communications plan for the Transformation Programme to be included. Sarah stated that the MIBI team are currently updating the customer segmentation as there was a big change in our customer base that we need to gain a better understanding of.
- 6.4.3. Kevin questioned whether we were drawing any learning from the 15% of customers surveyed who had less satisfaction, were there patterns of types of customer or types of interface with the IPO? Are there any themes in what the 15% are telling us? Kevin also asked how we might understand the requirements of harder to reach customer groups which also need to be considered and indeed people who could benefit from being our “customers” who are not yet customers.
- 6.4.4. The Board praised the good work that was being done but offered advice, such as it would be useful to characterise different types of customers and use influencers as an audience base. Sarah added the team were looking to communicate to customers about how their valued feedback has led to improvements in our services. Furthermore, they are trying to recruit further customers and influencers to make sure that there was a big as a pool of customers possible. Tim expressed that the level of detail from this survey was much improved and where possible we were tracking issues in line with the customer satisfaction and the fact we have new customer care managers in place was a huge step from where we were.
- 6.4.5. Kevin concluded by stating this was a great report which clearly demonstrates a clear view of where the Customer Relationship Approach was going.

6.5. Policy Landscape and Priorities

- 6.5.1. David Holdsworth and Chris Mills presented this item which was a plan on a page of priorities. Chris talked the Board through the main points of interest. He started with looking at the Exhaustion consultation and explained that we need to ensure that our response to this was correct as it could be risky. We need to ensure that we manage our response carefully for our stakeholders. He explained no other economy has considered a change like this and therefore it will be hard for us to compare.
- 6.5.2. Enforcement – Chris stated that we hope to have a revised strategy for enforcement in place by the Autumn. We need to ensure that we measure our impact, see what the threat was and integrate with other government departments and law enforcement.

- 6.5.3. Copyright – there was a lot of political interest around this currently in relation to musicians and streaming and increasing political pressure. Chris said there were changes in legislation and there needs to be a link with BEIS to have a joined up and coherent approach, noting the capacity for legal challenge. From a policy capacity it was likely there would be the need for more policy officials but recruitment was a challenge. The Board suggested expanding the pool of recruitment to get the right candidates.

6.6. Steering Board Effectiveness Review

- 6.6.1. Kathryn Cearns presented her report which summarises the outcome of the review into the effectiveness of the IPO Steering Board. Kathryn went through some of her main findings:
- 6.6.2. It was a positive finding that Non Executive members were highly engaged with the business of the IPO and that there was a substantial amount of good will, professionalism and cooperation in how the Steering Board operates. The interaction was at a good level and it was encouraging that members had a good understanding of the IPO. Kathryn also noted that there was a mutual respect between the Executive Directors and Non Executive members. Kathryn added we need to ensure that a succession plan was in place in time for any new Steering Board members.
- 6.6.3. Kevin Orford thanked Kathryn for the report and noted the finding that no-one interviewed had suggested that anything is fundamentally wrong or in urgent need of being addressed. Kevin opened to the Board for comments on the report.
- 6.6.4. Lopa asked Kathryn if she had seen this type of Board elsewhere and if there was a way that we could improve our performance as a Board. Kathryn stated the Board operates well and that where there have been major issues, individual Steering Board members have contributed well and she encouraged everyone to continue with this level of engagement.
- 6.6.5. The report set out 13 recommendations which the Steering Board supported in principle whilst noting that the recommendations would need to be taken forward by the new Chair and that in particular the Chief executive and the new Chair would need to discuss some of the recommendations with BEIS.
- 6.6.6. Lopa said that the IPO was growing in scale as well as growing in its remit. She questioned if it felt like it has reached a tipping point yet to change the style of Board. Tim responded by saying the Board would always be an advisory tool and needs to be equipped with the right skills, noting that it currently has a good range of now for the organisation as it develops.
- 6.6.7. The Steering Board discussed the comment in the report about exploring the move to a Unitary Board governance model. Tim added we must be mindful that changing the style of a Board can be a lengthy process and before we embark on changes, we should be

clear of the advantages and disadvantages. The other side of the coin was recognising that the current governance model is working effectively as stated in the report.

- 6.6.8. Kevin concluded that as we reset the Steering Board with new members, it would be good to get a collective view of this in the Autumn and discuss how we want the Board to operate. It would be good to lay out the pros and cons of what was right for the IPO.

6.7. Steering Board Away Day – Verbal Update

- 6.7.1. Tim Moss discussed the main points that will form the Steering Board away day in September. He said it will be focused on how we want the new Board to look like in the future, horizon scanning and policy.

- 6.7.2. Tim stated he hoped if restrictions are eased then the board will all be able to meet face to face at the Newport site.

6.8. Information Papers

- 6.8.1. Nothing to note.

6.9. AOB

- 6.9.1. The Chair welcomed Dominic Houlihan to the last part of the meeting and thanked him for his contributions to the board during his time at the IPO and wished him well for his future career in the House of Lords.

7. Reflections of the meeting and close

- 7.1. The Chair thanked everyone for their contributions and closed the meeting.

Date of Next Meeting: Wednesday 8th September 2021