



## Steering Board Meeting Note

**Date:** Tuesday 6 February 2024

**Time:** 10:00-15:25

**Location:** Virtual meeting

**Attendees:**

**Chair:** Harry Rich

**Steering Board Members:** Andy Bartlett (Deputy CEO), Laurie Benson, Harriet Kelsall, Andrew Lawrence, Hilary Newiss, Lopa Patel, Adam Williams (CEO), Lindsay Jamieson (DSIT)

**Executive Directors:** Sian-Nia Davies, Ben Llewellyn-Jones, Chris Mills, Penny Phillpotts, Steph Dales

**Non-members:** Laura Fleck, CEO Office, Secretariat

**Apologies:** Pippa Hall, Neil Hartley

**Presenters:** Julie Griffiths, Natasha Chick, Guy Robinson, Beth Kenure, Samantha Gowans, Ian Urquhart, Alex Jones (DSIT), Lorna Dukes

**Also:** Jan Gower for item 2.4

### **SB24/01 Chair's Introduction**

The Chair welcomed everybody to the meeting and gave a brief update on the recruitment process for two Non Executive Directors. The application process had now closed and interviews were being scheduled.

Steph Dales, Interim Director of Strategy was welcomed to the meeting.

### **SB24/02 Apologies**

The Chair noted apologies from Pippa Hall and Neil Hartley

### **SB24/03 Declaration of Interests**

There were no new declarations of interest.

### **SB24/04 Approval of Minutes – 9 November 2023**

**AGREED:** that the minutes of the Steering Board meeting held on 9 November be approved as a correct record

## **SB24/05 Action log**

The action log was noted.

## **SB24/05 Department of Science Innovation and Technology (DSIT) Verbal Update**

The Steering Board welcomed Alex Jones, Director General DSIT to the meeting. Alex noted that DSIT had been formed a year ago and much had been done within that short time including the development of 5 key technology strategies, the AI Summit and AI White paper. The Minister was interested and engaged with IP and supportive of the IPO work and it was important to utilise the expertise within the IPO across government.

The Steering Board was advised that Eleanor Taylor and Holly Yates had been appointed as Co-Director of Science and Research and Lindsay Jamieson continued to work closely with the IPO.

It was noted that an election was likely within the coming year but focused remained on delivery. A spending review was also due to take place by November 2024.

The Steering Board noted the update and the positive relationship between DSIT and the IPO.

## **Performance and Delivery**

### **SB24/06 CEO's Introduction and Executive Board Report and Corporate Priority Delivery Report (SB(24)01)**

The CEO reported that Steph Dales had been appointed as Interim Director of Strategy in Pippa Hall's absence.

Focus remained on the Transformation programme which was in a challenging period as expected, and it remained key to ensure that the right approach was delivered at the right time. Further updates were scheduled for later in the meeting.

Demand for services continued to be high, with work continuing to try and address the backlog.

Work continued on developing the refreshed Strategy and Corporate Plan.

The pay award had now been agreed by Treasury and implemented which had a positive impact on staff morale. However the people survey results were slightly disappointing. It was reported that the IPO position on office attendance had been positively received by staff and work was ongoing to embed the culture of 'Be where we need to be' across the office, recognising that this may mean different things for different teams and job roles.

It was reported that Customer Satisfaction remained high at 87% and the efficiency target had already been met.

The Steering Board welcomed the detail contained within the Executive Board and Corporate Priority Delivery report. The approach to dealing with the backlog was discussed, including the use of the EPO.

Members of the Steering Board requested further details of the research publication on impacts of social media influences on males' consumption of counterfeit goods. It was noted that similar studies had already take place for females.

The Steering Board recognised the real progress made with Transformation and passed on their thanks to the teams delivering it.

**ACTION: Information on the research publication on Social Media to be provided to Lopa Patel**

#### **SB24/07 IPO Risk Management (SB(24)02)**

The Steering Board received an update on the IPO's Risk Management. This included the risk exposure maps which showed risks being managed at IPO Board, the Committees and the Transformation Programme Board, together with a summary of changes to strategic risks in the last quarter. The Steering Board noted that 6 new risks had been added, with one risk closed. The Steering Board were advised that a blank page risk exercise would be conducted in the new financial year.

Members of the Steering Board queried the connectivity between risk S104 and S98. It was confirmed that a number of checks had been carried out in relation to disaster recovery and would continue prior to the release 2 going live. Penetration testing was also continuing on the staged releases of the transformation programme.

The Steering Board welcomed the clarity of the detail contained within the risk pack.

#### **SB24/08 Transformation Update (SB(24)03)**

The Steering Board welcomed Jan Gower, Independent Advisor to the Transformation Programme Board to the meeting.

The Board were advised that the One IPO Customer Account (Manage IP) and Research IP had been launched on 11 December. Data had also been moved from legacy systems onto the Master Data Store, which would allow for all information to be stored on one central database. Customer accounts pilot had also been launched with selected customers invited to use the accounts to use Research and Manage IP. The Pilot Support team had been established to support the new customers. Customer feedback had been very positive.

However it was reported that Release 2 was subject to a delay and was unlikely to go live until April, although there was likely to be a restricted release at the end of March. It was reported that this could impact on the end of March Ministerial target and a recovery programme was being developed.

Jan Gower advised the Steering Board that delays on projects of this size were common and that lessons learned were being progressed by the Transformation team and the Strategic Delivery Partner, including the need for plans to be robustly challenged.

The Steering Board noted significant work undertaken to achieve Release 1 and expressed their thanks to the teams. The reasons for the delay to Release 2 were

understood by the Steering Board and the Chair suggested that it would be beneficial for him to meet with the Strategic Delivery Partner.

**Action: Chair to meet with the Strategic Delivery Partner**

#### **SB24/09 Strategy Update (SB(24)04)**

The Steering Board received that latest draft of the Strategy, with it being noted that Steph Dales would be undertaking some redrafting around language. The Strategy set the tone for the Corporate plan and discussions on both documents would be undertaken with DSIT and the Minister.

Members of the Steering Board commented that whilst the direction of the Strategy could be seen, the language needed to be sharpened with consideration given to the range of external stakeholders.

**Action: IPOB Board to reflect Steering Board comments within the Strategy redraft.**

#### **SB24/10 Corporate Planning Update 24/25 (SB(24)05)**

An update on the Corporate Planning for 24/25 was received. This work was being undertaken in conjunction with the development of the Strategy and the structure replicated the Strategy pillars. It was reported that discussions with DSIT were ongoing in relation to Ministerial Targets.

The Steering Board noted and understood the direction of travel with the Corporate Plan.

#### **SB24/11 Corporate Priority 4 – Support to Innovative SMEs (SB(24)06)**

The Steering Board received a paper providing background and an update on work to deliver Corporate Priority 4 'evaluate our office-wide approach to supporting innovating SMEs in making the most of their IP assets'.

A cross-office working group had been established and subsequently a project board had been created, with Ben Llewellyn-Jones as SRO and lead Director. Work in the current year was focused on a discovery phase to map current activity and identify opportunities to better coordinate, measure outcome and impacts. It was reported that evaluation of activity was critical to ensure that the greatest value and impact can be achieved in supporting SMEs.

The next phase of work would include finalising the definition of 'innovating SME' to standardise understanding of the term and to develop an SME 'sub-strategy' to set out shared objectives for interventions.

Members of the Steering Board noted progress in the evaluation and clarity of activity and observed that the next phase of activity would be key and needed to be focused, with a clear aim. There was a need to ensure that a broad range of SMEs were targeted and it was recognised that the education tools provided for SMEs were provided in a number of ways and places. The Steering Board agreed that they would welcome sight of the sub-strategy once developed.

**Action: Sub-Strategy to be brought to Steering Board in the next financial year.**

**SB24/12 Results of the 2023 IPO People Survey and future action (SB(24)08)**

A paper outlining the results of the 2023 People Survey was received. It was reported that the overall engagement had dropped from 66% to 63%. It was confirmed that the questions for the survey were set centrally and not by the IPO, with the engagement score being linked to five questions only. It was noted that the survey took place prior to the pay award being agreed, and that organisational change was likely to be having an impact on the results. This was illustrated by the top theme in the free text comments being pay, reward and benefits.

This year a new approach was being taken to responding to the survey. Rather than a short term action plan being developed, a corporate level engagement strategy would be developed which would align with the new strategy and new future culture statement. The people survey would then be used as an annual measure of progress.

The Steering Board noted the new approach.

**SB24/13 Culture Work Update 2023/24 (SB(24)09)**

An update on the culture work was received. A culture audit had taken place during 2023 to define the 'as is' culture and key stakeholders had helped develop the 'to be' future culture. Work was now beginning to plan activity to bridge the gap between the two, with a culture change action plan agreed in November 2023. There were three elements to the target culture – adaptability, accountability and delivering the strategy together. Engagement and communication alongside strategy and leadership were key and organisational activity such as behavioural nudges would help to move towards the target culture. These included reviewing corporate governance and refocusing attention on setting goals and strengthening feedback.

Steering Board Members noted that it was positive that a 'to be' culture had been identified and that many organisations/departments were in similar positions. It was observed that the IPO had long serving members of staff and it was important to invest in people. Regular discussions were taking place at IPOB on culture and it was agreed that Steering Board would receive a further update later in the year.

**Action: Culture Update to be scheduled on November's Steering Board agenda**

**SB23/14 Implications of Court Judgements on AI-related Technologies (SB(24)09)**

Details of the potential policy and practice implications of recent court judgments on Artificial Intelligence (AI) were received.

It was reported that the DABUS ruling by the UK Supreme court clarified that UK patent protection for inventions is not available unless the inventor is human and no patents will be granted if AI's contribution to the invention means it qualifies as the sole or joint inventor alongside a human. It was noted however that the judgement did not clarify what the law should be, only what it currently means. The issue also had links to copyright protections of computer generated works. Further work was ongoing with WIPO to

develop a work programme to consider the technical and legal questions raised by AI Inventorship.

In relation to the UK Court judgement in the Emotional Perception case, the IPO was appealing the decision that the computer program did not apply to Artificial Neural Network (ANN). However until the appeal process has been completed, the full impact of the decision would not be clear and the IPO had changed its practice and was no longer objection to ANNS on the basis that they relate to a program for a computer. The decision meant that the UK was inconsistent with the EPO as a similar application had been objected to. It was noted that there was work was ongoing to review whether computer program law required amending.

#### **SB24/15 A.O.B**

The Chair advised the Steering Board that recruitment for two Non Executive Directors would commence in the coming months to replace Kevin Orford (term ending 30.11.2023) and Lopa Patel (term ending 31.07.2024). The recruitment was being conducted by DSIT, with involvement from the Chair.