



Steering Board Meeting Note

Date: Thursday 14 September 2023

Time: 10:00-15:25

Location: B3 Concept House, Newport

Attendees:

Chair: Harry Rich

Steering Board Members: Andy Bartlett (Deputy CEO), Harriet Kelsall, Andrew Lawrence, Hilary Newiss, Kevin Orford, Lopa Patel, Adam Williams (CEO), Oliver St John (DSIT)

Executive Directors: Sian-Nia Davies, Pippa Hall, Ben Llewellyn-Jones, Penny Phillpotts

Non-members: CEO Office, Secretariat, Laura Fleck

Apologies: Laurie Benson, Chris Mills, Neil Hartley

Presenters: Mark Warren, Natasha Chick, Alexandra Jones

1.1 Chair's Introduction

The Chair welcomed everybody to the meeting, noting that:

- Alexandra Jones, the new Director General at the Department of Science, Innovation and Technology (DSIT) would be attending at item 4 to provide a short introduction. Oliver St John would be the DSIT representative attending Steering Board
- The Chair welcomed Ben Llewellyn-Jones as the new Director for Business and International Policy
- Work on the new Strategy was ongoing, with an update being provided at this meeting. However, it was likely that an additional virtual Steering Board meeting would need to be convened in October.

Action: Secretariat to convene an additional virtual Steering Board to consider the Strategy at the appropriate time.

1.2 Apologies

The Chair noted apologies from Laurie Benson, Neil Hartley and Chris Mills

1.3 Declaration of Interests

Hilary Newiss reminded the Board that her partner is the Co-Chair of the Creative Industries Federation.

1.4 Approval of Minutes

The Board considered the minutes of the Steering Board meeting held on 7 June 2023. The following minor amendments were provided:

2.5.1 ARC Update – should read ‘disclose’ not ‘expose’

2.5.2 should read ‘Board’ not ‘Committee’

The Board was advised that work was ongoing to facilitate the publication of Steering Board minutes on the external website. IPOB Governance minutes were now being published on the internal website.

AGREED: that the minutes of the Steering Board meeting held on 7 June 2023 be amended as above and approved as a correct record

Action: Secretariat to amend the minutes of the Steering Board meeting held on 7 June as above

1.5 Action log

The Board considered the action log. It was reported that in relation to the open action SB(23)15 IPO Risk Management, risks around morale had been incorporated into other risks and therefore this action could be closed.

Action: Secretariat to close the action relating to SB(23)15 IPO Risk Management

2. Performance and Delivery

2.1 CEO's Introduction

The CEO reported that activity had continued at pace across the IPO over the summer months. Board focus remained on the Transformation programme and ensuring that the effects of the adjusted timeframe were mitigated. Challenges remained in ‘Rights Granting’ with a continued increase in demand in this area. Recruitment was ongoing, particularly to Patent Examiners roles however training for these roles was lengthy.

Work to develop the new Strategy was continuing with a specific update being covered later in the meeting.

Positive engagement with the Minister had continued, with meetings taking place fortnightly. The Minister had particular interests in AI/Copyright and Retained EU Law.

The Board discussed the need to understand the impact of AI on IP and the IPO. It was reported that a cross cutting policy team had been established to consider what AI means for IP policy and it was suggested that it would be useful for the Steering Board to consider AI substantively at a future meeting. Consideration could also be given to hosting a conference on AI and IP, noting the upcoming AI Safety Summit hosted by DSIT.

Action: Item on AI to be brought to a future Steering Board – Adam Williams and Secretariat to plan

2.2 SB(23)25 Executive Board Report

The Board received the Executive Board Report which covered the period for June and July 2023 and provided the Steering Board with an overview of the performance of the IPO. It also included information on the month 4 performance against the IPO Corporate Priorities.

The Board was pleased to note the performance highlights, particularly the reduction in customer complaints by around a third.

The Board queried the significance of the closure of Companies House and were advised that the IPO's Disaster recovery systems were held at Companies House; whilst significant work was required to resolve this, the impact was not immediate.

The Board was informed that the ONS building was also a GPA-owned building and IPOB were alert to any impact that change of occupation may have on Concept House.

It was noted that CITMA have now submitted a Strategic Case Document to support their argument for changes to the rights of representation arrangements. Work was ongoing to assess the evidence provided.

The Board welcomed the IPO obtaining Investors in People Gold Status as well as the fall in sickness absence rates. It was reported that the 'as is' phase of the culture work had been completed and work was continuing on the 'to be'. The need to link the culture and strategy work was emphasised, together with the need to create a framework in which people were empowered to make decisions.

Overall the Board considered that the EBR and accompanying documents provided a useful update and it was suggested that more focus be given to the corporate priority delivery section at the next meeting.

ACTION: EBR section to be retitled EBR and Corporate Priority Delivery Report on future agendas

2.3 SB(23)26 Q1 Reforecasting Update

The Board received an update on the finance position at the end of Q1. It was reported that the Operating budget position was balanced, with £9m of new pressures offset by savings and income reforecasts. The pressures included the additional cost of living payment and the extra pay award business case. Offsets included reprofiled recruitment and increased bank interest from higher rates. Directorates were mostly managing within agreed non-pay budgets and further improvements were likely.

The Board also received an update on the additional pay award case, noting that the IPO had submitted this following extensive consultation with HMT.

In relation to the backlogs within Patents and Trademarks, the Board were advised that some work streams were being prioritised to try and reduce this (for example searches over patent). Recruitment to Patent Examiner posts was ongoing but the training for these roles was lengthy. Recruitment challenges were easing slightly but it was acknowledged this was an area of forecasting that needed to be improved. However, it was noted that the IPO had grown rapidly in size over recent years and this impacted forecasting.

It was suggested that the Board would benefit from an overview of the forecasting methodology. The five year forecast would also need to be considered by Steering Board.

ACTION: Overview of forecasting and 5 year forecast to be brought to a future Steering Board meeting – Pippa Hall, Neil Hartley & Secretariat to plan

2.4 SB(23)27 IPO Risk Management

The Steering Board received the current position in relation to risk management across the IPO, with discussion focussing on the risk exposure maps which showed risks being managed at IPO Board, the Committees and the Transformation Programme Board. The Board were advised that risk S94 was being reviewed and would likely move back to amber, particularly as work continued to refine the CPMO processes.

S96 had been reworded to better reflect the impact of change upon staff. It was reported that significant work was ongoing to use different ways of communicating with staff.

S95 was also being reviewed, although it was noted that as the delivery phase was reached, confidence would increase.

The Board noted that the papers provided a thorough update on the risk position and assurance about risk management process.

2.5 SB(23)28 ARC Update

The Board received an update on the work of the Audit & Risk Committee. The ARC met on 5 July 2023 and reviewed the Annual Accounts and the Audit Completion letter. The Committee recommended that the CEO and Comptroller General sign off the Annual Accounts.

The Chair of ARC reported that the Committee had received a report of the conclusions of an independent review into anonymous concerns raised in relation to the governance and value for money of the Transformation Programme. The concerns were dealt with under the 'Policy for Raising Concerns (including whistleblowing)'. The Independent review concluded that based on the documentation reviewed it was evident that the Transformation Programme had extensive governance in place, particularly in relation to the financial elements of the programme and that value for money was being achieved. The Independent review and its conclusion had been referenced within the Governance Statement section of the Annual Report.

The Steering Board noted that the 'Policy for Raising Concerns' had worked well and thanked the Independent Reviewer, Chris Pleass for his work. The Board were advised that the outcome of the review had been fed back to the independent portal so that those who had raised the anonymous concerns could review. It was suggested that it would be beneficial to share the process with staff.

ACTION: Penny Phillpotts to consider the best way to communicate 'Policy for Raising Concerns'

2.6 SB(23)29 Transformation Update

An update on the Transformation Programme was received.

The suppliers for Phase Two had also been appointed and would be announced at the appropriate time. Phase Two was intended to commence in January.

It was reported that the public launch was dependent upon receiving permission from the Central Digital and Data Office (CDDO) and they were receiving regular progress updates. There was a focus on ensuring that the public launch schedule was met.

It was confirmed that the Minister had been briefed on the latest position.

The Steering Board noted the significant work the Transformation team had undertaken and expressed their thanks.

2.7 Transformation Model Office Demonstration

Steering Board Members received an interactive demonstration of the Transformation Model Office.

The Board commented that the demonstration was very useful and impressive. The Board was impressed by the knowledge and commitment of the Transformation team.

The Board welcomed the consistency with the .gov identity, noting that the user interface was intuitive. It was confirmed that penetration testing was being undertaken at every stage.

3.0 Strategy

The Steering Board received a progress update on work to develop the new Strategy for the IPO. Significant work had been undertaken to develop a draft but further clarity was needed to enable delivery plans to have context and direction and to ensure that new initiatives and goals could be tested against the right set of lenses. The Board suggested that consideration be given to how the marketplace and significant changes to the market would fit into the goals and lenses. The strategy would also need to be specific enough to be meaningful, but not so detailed as to be operational. It was noted that given the DSIT priority for an innovative public sector it would be important for innovation to be a key thread running through the strategy.

The Board was advised that Directors would continue work on the strategy and a short Steering Board meeting may be convened during October to further discuss the Strategy.

4.0 DSIT Director General - Welcome and Priorities

The Department of Science, Innovation and Technology (DSIT) Director General - Science, Innovation and Growth, Alexandra Jones joined the Steering Board meeting for the first time. By way of background, she advised the Board that she had previously been Director for Science, Research and Innovation within the Department for Business, Energy and Industrial Strategy and prior to that had been Chief Executive at Centre for Cities.

The Director General noted that the recent creation of DSIT signified the importance of research and development, innovation and technology to the government and that the mission to drive innovation that would deliver improved public service, create new better-paid

jobs and grow the economy was part of an ambitious agenda set by the Secretary of State, Michelle Donelan. The DSIT focus over the coming months included the flagship summit on AI and the online safety bill. It would be key for DSIT and IPO to have an effective partnership and to integrate the work of the IPO into DSIT, with work ongoing to review the framework document.

The Chair of the Steering Board welcomed the Director General's comments and introduction and advised the Board that a roundtable would take place in October with the Director General, Chair of Steering Board and Chief Executive.

The need for DSIT to broker conversations across government, particularly to ensure that the creative industries sector whose interests lay across several departments, remained engaged in IP policy was acknowledged.

In relation to a query around the Advance Research and Invention Agency, the Director General noted that the relationship would need to develop with the IPO and that DSIT would help facilitate initial conversations.

The Board thanked the Director General for her attendance.

Date of next meeting: 9 November 2023