xxxxxxxxxxxxxxxx

Registrar

Royal College of Physicians

11 St. Andrews Place

Regent’s Park

London NW1 4LE

Sent by e-mail only: xxxxxxxxxxxxxxxx

26 September 2022

Dear xxxxxxxxxxxxx

**Re: Final Appraisal Document — Tafasitamab with Lenalidomide for treating relapsed or refractory diffuse large B-cell lymphoma [ID3795]**

Thank you for your letter of 20 September 2022, lodging an appeal against the above Final Appraisal Document (FAD).

Introduction

The Institute's appeal procedures provide for an initial scrutiny of points that an appellant wishes to raise, to provide an initial view on whether they are within the permitted grounds of appeal ("valid") and are at least arguable. The permitted grounds of appeal are:

* 1(a) NICE has failed to act fairly, or
* 1(b) NICE has exceeded powers;
* (2) the recommendation is unreasonable in the light of the evidence submitted to NICE.

This letter sets out my initial view of the point of appeal you have raised: principally whether it falls within any of the grounds of appeal, or whether further clarification is required of any point. Only if I am satisfied that your point contains the necessary information, is arguable, and falls within any one of the grounds will your appeal be referred to the Appeal Panel.

You have the opportunity to comment on this letter in order to elaborate on or clarify any of the points raised before I will make my final decision as to whether your appeal point should be referred on to the Appeal Panel.

Initial View

***Ground 2:******the recommendation is unreasonable in the light of the evidence submitted to NICE***

**Appeal point 2.1: The recommendation is unreasonable because “it is unreasonable to conclude that the short life expectancy criterion of the end-of-life policy is not met”**

I agree that this is a valid appeal point.

Conclusion

The above sets out above my initial view on your appeal point.

An oral appeal will be held in respect of your valid appeal point which is likely to be held remotely.

Once I have made my final decision, and where there is more than one appellant, each appellant will receive the valid appeal points of the other appellants and their redacted appeal letter. This is to enable appellants to avoid duplication at the hearing where there are overlapping appeal points. If the appeal letter and/or responses to scrutiny contain confidential information please ensure you have provided a version with this information redacted by **17 October 2022.**

Ordinarily appeals are conducted on the basis of the appellants’ written appeal letters, and the material generated during the appraisal process. Use of additional written material is discouraged, and the panel cannot receive any new evidence. If, exceptionally, you feel there is written material that will not be before the panel that you would wish to rely on you must let the NICE Appeal team know by return of letter, indicating what the material is, why it is desirable to submit it, and when it will be available, by no later than **11 October 2022**. Please note that the appeal panel cannot accept papers that are tabled late or ad hoc, as this affects the preparation of the panel and other parties for the appeal.

Yours sincerely

Dr Mark Chakravarty

Lead Non-Executive Director for Appeals & Vice Chairman

National Institute for Health and Care Excellence