

Dear Requestor

RE: Freedom of Information Request

With reference to your request for information I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do not hold the information that you have requested.

Please note, as of 1st April 2020 the following Clinical Commissioning Groups (CCGs), NHS Mansfield & Ashfield CCG, NHS Newark & Sherwood CCG, NHS Nottingham City CCG, NHS Nottingham North & East CCG, NHS Nottingham West CCG and NHS Rushcliffe CCG, merged to become NHS Nottingham and Nottinghamshire CCG. More information around the new NHS Nottingham and Nottinghamshire CCG can be found on our website - <https://nottscg.nhs.uk/about-us/our-ccg/>

In the request you asked:

### **TREATMENT FOR FERTILITY PURPOSES NOT REGULATED BY THE HFE ACTS (COLUMN B)**

1. Whether your clinic or third-party provider has ever followed the guidance in Section 8 of the HFEA Code of Practice and conducted a welfare of the child assessment prior to providing treatment that is not regulated by the Human Fertilisation and Embryology Act 1990 but that falls within the definition of 'treatment services' for the purpose of the Act (i.e. treatments falling into in column B above)?
2. If your centre or third-party provider has conducted welfare assessments in such cases in the past five years, please can you confirm:
  - i) How many assessments were carried out?
  - ii) What treatment(s) the welfare assessment was conducted in respect of?
  - iii) How did the clinic or third-party provider determine what particular treatment(s) the welfare assessment should apply to?  
Please outline any guiding principles/protocols considered.
  - iv) Whether any, and if so, how many prospective patient(s) were refused treatment (of the kind in Column B) on welfare of the child grounds?
  - v) For what reason(s) (in general terms) were these individuals refused treatment on welfare of the child grounds?

### **II. FERTILITY TREATMENT REGULATED BY THE HFE ACTS (COLUMN A)**

3. In respect of treatment services regulated by the HFE Acts (i.e. treatments falling into column A including IVF/AI etc.), in the past five years, please can you confirm how many individuals/couples have been refused treatment on the basis of a welfare assessment?
4. For what reason(s) (in general terms) were these individuals/couples refused treatment on welfare of the child grounds?
5. In the event that a welfare of the child assessment raises concerns and it is not immediately clear that the patient(s) should be refused treatment, what procedure does your centre follow to discuss more difficult cases? For example, is the involvement of an ethics committee sought to assist with decision-making?
6. Please confirm whether your centre/third-party provider considers the following factors to be relevant to the welfare of the child assessment (as opposed to, or in addition to, being medically relevant), and if so, please briefly explain how the centre/third-party provider considers this to be relevant:
  - i) The stability or length of the relationship of the couple seeking treatment?
  - ii) The living arrangements of the prospective patient(s)?
  - iii) The financial interdependence of the couple seeking treatment?

- iv) The smoking status of the prospective patient(s)?
- v) The prospective patient(s) consumption of alcohol (that is not alcohol abuse)?
- vi) If funding is provided for single women, the single status of the woman seeking treatment?

7. If you do not hold details in respect of all questions above on behalf of your third-party provider, please can you provide the name and contact email of the third-party provider so that they may be contacted in the alternative?

Nottingham and Nottinghamshire CCG do not hold the information, please contact our provider organisations;

Nottingham University Hospitals: [foi@nuh.nhs.uk](mailto:foi@nuh.nhs.uk)

Care Fertility: <https://www.carefertility.com/contact-us/?id=info>

Nurture Fertility: <https://www.nurturefertility.co.uk/contact/>

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Clinical Commissioning Group have an internal review procedure through which you can raise any concerns you might have. Further details of this procedure can be obtained by contacting Lucy Branson, Associate Director of Governance via [lucy.branson@nhs.net](mailto:lucy.branson@nhs.net) or by writing to NHS Nottingham and Nottinghamshire CCG, 1 Standard Court, Park Row, Nottingham, NG1 6GN.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office, who will consider whether the organisation has complied with its obligations under the Act, and can require the organisation to remedy any problems. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Nottingham and Nottinghamshire Clinical Commissioning Group formerly known as NHS Mansfield and Ashfield Clinical Commissioning Group, NHS Newark and Sherwood Clinical Commissioning Group, NHS Rushcliffe Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group, NHS Nottingham City Clinical Commissioning Group and Nottingham North and East Clinical Commissioning Group. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/for-the-public/>

Complaints to the Information Commissioner's Office should be sent to: FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
Telephone 0303 123 1113 or report a concern: <https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information Officer on behalf of *NHS Nottingham and Nottinghamshire Clinical Commissioning Group formerly known as NHS Rushcliffe Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group, NHS Nottingham City Clinical Commissioning Group, NHS Nottingham North and East Clinical Commissioning Group, NHS Mansfield and Ashfield Clinical Commissioning Group and NHS Newark and Sherwood Clinical Commissioning Group.*

[notts.foi@nhs.net](mailto:notts.foi@nhs.net)

*All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of the Greater Nottingham Clinical Commissioning Partnership. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the FOI Lead via [notts.foi@nhs.net](mailto:notts.foi@nhs.net). All requests for re-use will be responded to within 20 working days of receipt.*

