

11/01/2023

NN-ICB/22/147

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 partially hold the information that you have requested. A response to each part of your request is below.

Please note that both NHS Nottingham and Nottinghamshire, and Bassetlaw Clinical Commissioning Groups ceased operation on 30 June 2022. They have been superseded by NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) which began operation on 1 July 2022.

In the request you asked:

Pursuant to the Freedom of Information Act 2000, we write requesting information on the status of funding offered for fertility treatment for transgender patients at your Clinical Commissioning Group (your group of local GPs who commission the best services for their patients and populations).

NHS Nottingham and Nottinghamshire ICB currently commissions cryopreservation of gametes for those patients registered with a GP within the boundaries of NHS Nottingham and Nottinghamshire who are undergoing NHS funded medical or surgical treatment with a risk of causing permanent infertility.

Condition which apply, but are not limited to:-

- malignancies or other autoimmune conditions requiring chemotherapy
- malignancies requiring total body irradiation or radiotherapy that may affect an individual's reproductive organs
- conditions requiring male urological or female gynaecological surgery (e.g. women with a BRCA 1 gene mutation not in a position to start a family and being prepared for bilateral salpingo-oophrectomy);
- conditions requiring specialist endocrinology services;
- rare mitochondrial disorders
- Transgender patients who are receiving treatment for gender dysphoria which may cause permanent infertility (hormone therapy, reconstructive surgery etc.) and who are on a transgender pathway.

All patients should be made aware that provision of gamete preservation is made without prejudice to the future determination of any subsequent fertility treatment. Approval of preservation doesn't guarantee NHS funding for future fertility treatment, which will be determined by the relevant ICB policy at that time.

1.Which of these fertility treatments do you provide for your transgender patients?

a. Egg harvesting - Yes

b. Cryopreservation of eggs - Yes

How long do you offer cryopreservation of eggs for?

Eggs and embryos will normally be stored for a maximum period of 10 years, or until a woman reached the age of 43 years old , whichever is sooner

c. Extraction of sperm, both surgical and self-ejaculatory –

Surgical sperm retrieval (if required) is not commissioned by the ICB. NHS England hold the commissioning responsibility for this.

d. Cryopreservation of sperm - Yes

a) How long do you offer cryopreservation of sperm for?

Sperm will normally be stored for a maximum period of 10 years, or until a man reaches the age of 56 years old, whichever is sooner.

e. IVF Embryo Treatment - Yes

f. Embryo cryopreservation Yes

a) How long do you offer embryo cryopreservation for?

Eggs and embryos will normally be stored for a maximum period of 10 years, or until a woman reached the age of 43 years old , whichever is sooner

g. Ovarian Tissue Extraction and Cryopreservation –

Cryopreservation of ovarian or testicular tissue is still considered to be an experimental procedure and therefore not funded by the ICB.

a) How long do you offer cryopreservation of ovarian tissue for?

Not Applicable, the ICB do not commission Ovarian tissue extraction and cryopreservation for the reasons stated above.

2. What, if any, are the youngest ages of patients that are entitled to receive these treatments?

h. Egg harvesting

i. Egg cryopreservation

j. Sperm harvesting

k. Sperm cryopreservation

I. IVF Embryo Treatment

m. Embryo cryopreservation

n. Ovarian Tissue Extraction and Cryopreservation – Not applicable as we do not commission this procedure

Response: NHS Nottingham and Nottinghamshire have no lower age limit as this is clinically determined on an individual basis.

3. If you have answered no to any of the above questions, what is the “strong justification” that your CCG has for not funding this fertility treatment?

Not applicable.

Please note, that the information you have requested is publicly available in the commissioning policies which are available on our website <https://notts.icb.nhs.uk/about-us/our-policies-and-procedures/>. And the Prior Approval Form – Gamete Storage which is attached, see document NN-ICB 22 147b.

Policies that may be of particular interest are:

- [Assisted Conception Prior to IVF Policy](#)
- [IVF-ICSI Policy](#)
- [Service Restriction Policy](#)
- [Service Restriction Policy – Additional Information](#)
- [Access to Infertility Treatment Policy](#)
- [Cryopreservation Commissioning Policy](#)

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) 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 or by writing to FOI Team at NHS Nottingham and Nottinghamshire ICB, Sir John Robinson House, Sir John Robinson Way, Arnold, Daybrook, Nottingham, NG5 6DA.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner’s Office (ICO), 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 ICB. 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 via <https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information (FOI) Officer on behalf of *NHS Nottingham and Nottinghamshire Integrated Care Board*

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 NHS Nottingham and Nottinghamshire Integrated Care Board. 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. All requests for re-use will be responded to within 20 working days of receipt.