

Authority Paper



Committee:	Authority
Meeting Date:	9 January 2008
Agenda Item:	2
Paper Number:	HFEA (28/11/07) 414
Paper Title:	Minutes of the Authority meeting held on 28 November 2007
Author:	Committee Secretary
For Information or Decision?	Decision
Resource Implications:	None
Recommendation to the Committee:	The Authority is asked to confirm the minutes as a true and accurate record of the meeting

HUMAN FERTILISATION & EMBRYOLOGY AUTHORITY MINUTES OF THE NON-CONFIDENTIAL AUTHORITY MEETING (NON-CONFIDENTIAL - PART 2)

The meeting was quorate with 8 lay members and 7 professional members attending.

PRESENT

Walter Merricks
(interim Chair)
Sam Abdalla
David Archard
Chris Barratt
Clare Brown
Anna Carragher
Sally Cheshire
Ruth Fasht
Neva Haites
Lord Harries

Jennie Hunt
Emily Jackson
Maybeth Jamieson
Bill Ledger
Roger Neuberg

APOLOGIES

Sharmila Nebhrajani - on
leave of absence until Jan 08
Sue Price
Rebekah Dundas

IN ATTENDANCE

Alan Doran
Tim Whitaker
Sally Townsend
David Gomez
Richard Cullen

Trish Davies
Sarah Marsh
John-Paul Maytum
Charles Lister
Paula Robinson

Jessica Watkin

OBSERVERS

Ted Webb - Department of Health
Gareth Jones - Department of Health

Ros Gardner - HGC

- Item 1. Apologies, Welcome & Conflicts of Interest** **Action**
- 1.0 Apologies were received from:**
- 1.1** Rebekah Dundas
Sue Price
- 1.2** Emily Jackson left the meeting at 2pm and returned at 3.30pm
- 1.3** The interim Chair explained that there were many weighty issues on a busy agenda. for this reason the items would be taken in a different order to those listed. The Chair requested that, where possible, members kept comments brief. The interim Chair explained that the agenda had no confidential section although agenda items 5 & 10 would be covered in a separate priveleged section.
- 1.4** Interests were declared by Sam Abdalla for the following items:
- 1.5** - Multiple Births discussion
- 'Find a Clinic' data
- Item 2. Legal Update**
- 2.0** The Authority received legal advice on current issues.
- Item 3. Multiple Births and single embryo transfer review: evidence base and policy analysis HFEA (28/11/07) 408**
- 3.0** David Archard provided members with a short presentation summarising the multiple birth papers and highlighting the key issues.
- 3.1** The following questions were put to the Authority:
- 3.2**
 - Does the Authority agree that a strategy is needed that will shift the rate of IVF multiple births down from 24%?
- 3.3**
 - If so, what should be the pace of change? How low should our target percentage be and how quickly should we aim to reduce the rate?
- 3.4**
 - Should we have a phased plan: e.g., setting 10% as our target after 3 years, but aiming to secure 20% after one year and 15% after two years?

3.5 • Should change be imposed uniformly across the sector (i.e. should each and every clinic be expected to/ required to conform to the stipulated figure)?

3.6 • Should the policy aim be more flexible? E.g. should we aim to work with individual centres to reduce their rates? Should we allow clinics to develop their own criteria for meeting the targets?

3.7 The Authority then had a long and detailed discussion regarding the issues and questions raised in David's presentation. The main points discussed by Authority members were as follows:

3.8 Members noted that funding was the most significant issue for patients but were asked to base their decision on the assumption that NHS funding for IVF will not change in the very near future.

3.9 This was confirmed by the Gareth Jones, Department of Health representative, who explained that decision making and priority setting is made at local level (e.g. in England by Primary Care Trusts - PCTs) and this is not set to change. However, Ministers urged PCTs to follow the NICE guidelines. Mr Jones also mentioned that an expert group on NHS IVF funding was currently being established and a public announcement is expected to be made in the next couple of weeks.

3.10 Members explored the possibility of a "targets" policy approach and there was some agreement that this would have the benefit of clarity and consistency. However, some members expressed concern that this would create 'target mentality' and could disadvantage certain patients in particular situations.

3.11 The details of the pace of change and intermediate aims would need to be worked out following discussions with the sector. Some members urged a slower pace (possibly 5 years) although this will need to be balanced against maintaining the momentum for change. A reasonable starting point will be to outline a 3 year strategy.

3.12 The Authority noted that the strategic direction towards a multiple birth rate of 10% will need to be complemented by some evidence-based guidance on patient selection criteria which would be developed in collaboration with other professional bodies (BFS/ RCOG/ ACE).

3.13 The HFEA recognised that it must remove obstacles to change such as the way the 'Find a Clinic' success rate data is presented. One suggestion was that singleton live births be the only data used to indicate clinic performance.

3.14 The Authority agreed that implementation details, including start date, should be discussed at a future Authority meeting. The timing will need to be worked out following discussions with the sector but a full implementation date of January 2009 was mooted as most feasible.

Decision

3.15 Following the discussion, the Chair summarised the main points and took the Authority through the proposed decisions:

3.16 The Authority all agreed on the need for action and approved and endorsed a partnership approach (i.e. some form of national strategy with key stakeholders). The HFEA will take the lead role in bringing down the number of premature and low birth-weight babies as a result of IVF.

3.17 The scope of the strategy will be defined at a future meeting and before which the interim Chair will write a letter to the Minister, outlining our approach and seeking her support for an approach going beyond wider than IVF and the HFEA's own remit.

3.18 The Authority will work with clinics so that each can commit to a policy on reducing multiple pregnancy within clear guidelines.

3.19 The Authority endorsed option 1, which would complement any other option chosen and the programme of work to be carried out with professional bodies.

3.20 The interim Chair outlined a phased approach e.g. a phased 3 year approach where Clinics would be required to have a 'Multiple Birth minimisation protocol' that will include setting their own IVF Multiple Birth targets. The HFEA would also set a maximum target which clinics cannot exceed. The maximum rate would be lowered year on year.

3.21 The HFEA would monitor clinics' progress in meeting their targets as part of 'risk based regulation' and further discussion will be given as to whether targets would be aspirational or if missing them could amount to a breach and could ultimately involve regulatory sanctions. It was suggested that the latter was not feasible, particularly given the (current) limited range of sanctions available to the HFEA. However, failure to meet their target, by a wide margin, would result in License Committee 'attention'.

3.22 The Authority agreed this position and the interim Chair would announce it at the BFS conference on Tuesday 4th December.

Item 4. Minutes & Matters Arising of the October 2007 meeting

HFEA (17/10/07) 406 & HFEA (17/10/07) C139

HFEA (17/10/07) 407 & HFEA (17/10/07) C140

4.0 The Interim Chair requested that members communicate any suggested amendments to the minutes before Christmas; and he would then sign them.

Item 5. Regulation, Finance and HR report

HFEA (28/11/07) 410

5.0 The Authority noted the report.

5.1 The Director of Resources highlighted that the communications strategy for the multiple births project had been identified as an area that required funding and needed to be addressed.

Item 6. Gamete Intra Fallopian Transfer (GIFT): review of evidence base and policy analysis'

HFEA (28/11/07) 409

6.0 The paper was not discussed at this meeting, this subject is clearly linked to the multiple births discussion and it was agreed to defer this discussion to January pending further work on multiple births policy.

6.1 The Authority was content to defer the GIFT paper until the January 2008 meeting.

Item 8. 'Find a Clinic' Directory Presentation

8.0 Anna Carragher, Chair of the Information and Communications Committee, introduced this item recommending that the 2005 figures be published. The following points were highlighted to members:

8.1 - the wording on the website regarding closed/merged clinics had been agreed

- 8.2 - the HFEA is now in a position to gather early pregnancy data and is in the transition period of being able to provide rolling reporting of early pregnancy data
Richard Cullen, Director of Information Management, provided the Authority with a short presentation on the 'Find a Clinic' data that would appear on the website.

Decision

- 8.3 The Authority was content with the recommendation to publish the confirmed 2005 data and to defer a decision on publication of the 2007 data until the next meeting because most clinics had not yet been able to submit and confirm that data.
- 8.4 The Authority requested that the Executive consider changing the way the HFEA reports success rates to be consistent with the new multiple birth strategy discussed earlier in the meeting.

**Item 9. Draft Business Plan 2008/09
HFEA (28/11/07) 412**

- 9.0 The Interim Chair asked members to e-mail any comments about the Business Plan to the Director of Resources or the Chair of the Resources Committee.
- 9.1 The Business Plan would continue to be developed by the Resources Committee on behalf of the Authority and a paper would be brought to the January Authority meeting.

Item 10. Verbal Report & Minutes from Committee Chairs

10.0 Audit Committee

- 10.1 The Chair of the Audit Committee gave a short oral report on the recent work of the Committee highlighting the following points:
- 10.2 - a new Treasury Audit Handbook has been published and distributed to all members of the Committee. Having reviewed the Handbook, the Committee was content that the correct Audit procedure is being followed
- 10.3 - highlighted to members the importance of the risk register and informed them that a training session on risk would be arranged for the Committee next year
- 10.4 - Audit training by the NAO had been arranged for Audit Committee members in February 2008

10.5 The Authority noted the minutes of the:

- Audit Committee 29 May 2007
- Regulation Committee Minutes 3 October 2007

**Item 11. New Legislation - Strategic Issues
HFEA (28/11/07) 411**

11.0 Charles Lister, the Head of Policy provided the Authority with two papers (one tabled) on the key strategic issues that would affect the HFEA.

11.1 Gareth Jones, Department of Health, thanked Charles Lister for all the hard work he had fed into this project. It was pointed out that sanctions are not included in the Human Fertilisation & Embryology Bill because sanctions are covered in a separate Bill, the Regulatory Enforcement and Sanctions Bill.

11.2 The interim Chief Executive commented that the introduction of the Bill would present resource implications for the HFEA and this was noted and agreed by the members.

11.3 Discussion was limited due to time constraints and the Authority requested that the subject is revisited at a future meeting, possibly the Away Day.

Item 12 Away Day Planning

12.0 Phil Hadridge from idenk was introduced to the Authority. He would be facilitating the Authority Away Day on 24 January and would be contacting members to discuss their individual needs.

Item 12 Any Other Business

12.0 There was no other business to discuss.

Date of Next Meeting

The next Authority meeting will be held on 9 January 2008 at 21 Bloomsbury Street, London, WC1B 3HF

I confirm this to be a true and accurate record of the meeting

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Chair

Date