



Department
of Health &
Social Care



Human
Fertilisation &
Embryology
Authority

Member of the Human Fertilisation and Embryology Authority

Information pack for applicants

Closing date: Midday on 14th November 2018

Reference no: E18-42



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Dear applicant,

The HFEA has been the UK's regulator of fertility treatment and embryo research for more than 25 years, created to make policy and regulate standards as the fertility sector developed following the birth of the world's first IVF baby, Louise Brown, in 1978. It is a huge privilege to be a Board member of this internationally renowned and respected organisation and to be able to contribute to policy and licensing decisions in such an innovative and ethically contested area of medicine. We are a small body with less than 70 staff but we monitor global scientific developments which could reach patient treatment in the years to come, make policy and advise Ministers, Parliament and Government alongside our core functions of setting standards, licensing research projects and treatment clinics and maintaining a register of all UK fertility treatments, the largest database of its kind in the world.

Your role as a Board member would be to join us on the Authority and in committee work as we support pioneering science and fertility medicine but, above all, do our utmost to improve standards in fertility care and treatment so that as many people as possible can achieve their much longed-for family. This role really is at the heart of creating life, and I am constantly reminded what a privileged role our Board members have and how interesting and rewarding our work is. Our lay and professional Members bring a huge variety of experience and expertise to their role from genetics, fertility medicine, counselling, science and research, communications and the media, faith, ethics and the law. If you are successful in your application, you would benefit greatly from joining this team and you would have the chance to contribute your personal expertise to improving the lives of all those who are affected by assisted reproduction.

As we celebrate 40 years of IVF, I have been proud to chair the HFEA since 2014 and to see our reputation grow as a body that allows innovation to flourish within a robust ethical framework. Quality of care is at the heart of everything we do and my tenure as Chair has been characterised by an absolute focus on patients, including those undergoing fertility treatment, donors and donor-conceived people and those seeking to eradicate serious genetic disease from their families. In all my years as a health leader I have never had such a rewarding role and I hope you will consider applying to join our Board.

Sally Cheshire

Chair
Human Fertilisation and Embryology Authority

SECTION 1 – The Role

1.1 Role and Responsibilities of a Member of the Human Fertilisation and Embryology Authority

Introduction

The Ministers are seeking to make one appointment to the board of the Human Fertilisation and Embryology Authority.

Role and Responsibilities of a Member

To build and retain public and professional confidence in the regulation of fertility treatment and embryo research and to play a key part in the effective and successful governance of the HFEA.

Specifically to:

- support the Chair and the Executive in setting the strategic direction of the HFEA, and review this on a regular basis in light of development in the external and internal environments
- support the Chair and the Executive in developing the HFEA in-line with the organisation's strategic aims while maintaining a positive, constructive and appropriate relationship with its stakeholders in both the public and private sector.
- provide an independent view, a substantive contribution, and constructive challenge at Authority meetings and sub committees
- monitor the performance of the HFEA's Executive, holding it to account for the delivery of the HFEA's business plan, HM Treasury and Department of Health requirements.

Qualities required for the role of a HFEA Member

We are seeking to appoint a new lay member, with a faith background.

A person who would be recognised as professional cannot apply for a lay post. To re-iterate the definition of a professional member is one of the following categories:

- is/has been a registered medical practitioner

- is/has been concerned with the keeping or using of sperm, eggs or embryos outside the body
- is/has been directly concerned with commissioning or funding research involving the keeping or use of sperm, eggs or embryos or who has actively participated in any decision to do so

To be considered, you must be able to demonstrate that you have the qualities, skills and experience to meet all the essential criteria for appointment.

Essential Criteria

- ability to provide effective scrutiny and challenge to the Executive and to hold them to account for the delivery of performance and the delivery of its strategy;
- ability to think strategically and to exercise sound judgement on complex and sensitive issues;
- have the highest standards of personal propriety in relation to governance, accountability, risk and financial management;
- to have experience of working in or with a faith community, with an ability to operate independently of any particular faith institution or body and that a suitably qualified minister of religion may apply.

Remuneration

- £7,883 per annum
- Remuneration is taxable, and subject to National Insurance contributions, both of which will be deducted at source under PAYE before you are paid. Remuneration is not pensionable
- You may claim travel and subsistence expenses, which are properly and necessarily incurred in carrying out your role and responsibilities as a Member of the HFEA, in line with travel and subsistence policy and rates for the HFEA. A copy of the policy and rates can be obtained from HFEA

Time commitment

3 days per month

Location

London

Tenure of office

Ministers determine the length of the appointment, will be up to 3 years.

Accountability

Members are appointed by the Secretary of State and are accountable to the Secretary of State via the Chair for carrying out their duties and for their performance.

For further information regarding the role of the HFEA and the role of a **Member** please contact:

Kim Hayes

Tel: 020 7210 6339

Email: kim.hayes@dh.gsi.gov.uk

1.2 HFEA role and responsibilities

The Human Fertilisation and Embryology Authority (HFEA) was established by the Human Fertilisation and Embryology Act 1990 (1990 Act) and came into operation on 1 August 1991. Its regulatory remit extends to the whole of the United Kingdom.

Licensing and regulation

The 1990 Act empowers the HFEA to grant licences to Health and Social Care establishments to carry out fertility treatments and related services involving:

- creation of a human embryo outside the body, e.g. in vitro fertilisation (IVF)
- non-medical fertility services¹
- donation, procurement, testing, processing, storage and distribution human gametes or embryos
- using human embryos for training others in embryological techniques

As part of its licensing function, the HFEA also assesses applications from establishments to use novel or adjusted treatment techniques.

The HFEA also licenses research centres to conduct research projects involving the use of human embryos, provided their use is necessary or desirable for one or more of the following purposes:

- increasing knowledge about serious disease or other serious medical conditions
- developing treatments for serious disease or other serious medical conditions
- increasing knowledge about the causes of congenital disease or congenital medical conditions
- promoting advances in the treatment of infertility
- increasing knowledge about the causes of miscarriage

¹ Non-medical fertility services are those where donated sperm is provided for home insemination, usually via the internet, but no other treatment related service is provided.

- developing more effective techniques of contraception
- developing methods for detecting the presence of gene, chromosome or mitochondrion abnormalities in embryos before implantation
- increasing knowledge about the development of embryos so long as the use of an embryo is necessary

It is an offence under the 1990 Act to carry out these activities without a licence from the HFEA.

Linked to its regulatory functions, the 1990 Act enables the HFEA to issue directions and requires it to maintain a code of practice setting out appropriate standards of practice for the delivery of fertility treatments, related services and embryo research that all clinics and research centres are required to observe.

Currently, there are approximately 125 HFEA licensed establishments providing treatments and/or related services or carrying out embryo research². Every licence designates an individual who has the responsibility, under the 1990 Act, for the proper operation of the establishment and its compliance with the 1990 Act, all licence conditions and the HFEA's code of practice. This individual is described as the Person Responsible.

Inspection

The 1990 Act requires the HFEA to carry out an on-site inspection of all licensed establishments a minimum of once every two years. The HFEA inspection teams evaluate and monitor:

- premises, equipment and facilities
- clinical and laboratory processes
- documentation, including standard patient information
- the ability of the establishment to provide the services it offers
- the suitability of the Person Responsible and staff providing the services

The 1990 Act also contains a number of ethical safeguards. Key among these is the principle of informed consent, in that gametes and embryos can only be used for treatment or research purposes with the informed, written consent of the person(s) who provided them. Where such consent cannot be given, in a very limited number of circumstances, use of the tissue can take place if strict

² In the case of treatment and other fertility related services the licence authorises the establishment to carry out that treatment or service. In the case of research licences, the licence relates to a specific project, so a research centre conducting a number of projects involving the use of embryos will have two or more licences.

conditions can be met. Another key principle of the Act is that clinics are required to make a mandatory assessment of the welfare of any child that might be born as a result of treatment, or any existing child that may be affected, as part of the process of determining a patient's suitability for treatment. HFEA inspection teams will assess an establishment's compliance with such requirements.

Key non-licensing functions

There are a number of functions carried out by the HFEA that are not part of the licensing process but are integral to fulfilling its statutory duties as set out in the 1990 Act:

Maintaining Registers: The 1990 Act requires the HFEA to keep registers, notably one that records every treatment cycle, patient, gamete/embryo donor and all resulting offspring. The Act also sets out the circumstances in which identifying information held on this register may be disclosed to third parties.

Sharing research information: The administration of a scheme for researchers to apply to receive access to identifying information held on the treatment register where it is not practicable to obtain consent to the disclosure from the persons to whom the information relates³.

Providing information: The HFEA also has a statutory duty to provide a range of information to stakeholders, including patients and licensed establishments. Currently, the HFEA does this by:

- publishing advice and information for patients and the public about fertility treatments and services, including the online Choose a Fertility Clinic guide
- providing information and guidance for licensed establishments and Health and Social Care care professionals on topical issues via bulletins and also Chair's letters
- responding to individual queries, verbally and in writing, from the fertility and wider Health and Social Care care sectors and the public

Further information on the HFEA and what it does can be found at:

<https://www.hfea.gov.uk/about-us/>

³ A scheme established by section 33D of the Human Fertilisation and Embryology Act 1990 and The Human Fertilisation and Embryology (Disclosure of Information for Research Purposes) Regulations 2010.

Section 2: How to Apply

2.1 Making an application

Thank you for your interest in the appointment of a Member to the HFEA.

To make an application please email your CV, a supporting letter and completed monitoring forms to:

appointments.team@dh.gsi.gov.uk – please quote ref: **E18-42** in the subject field.

If you are unable to apply by email you may send your application by post to:

Julia Peters Department of Health and Social Care, Room 1N09, Quarry House, Quarry Hill, Leeds, LS2 7UE

Applications must be received by **midday on 14th November 2018**.

In making an application please note the following:

Supporting letter

The supporting letter is your opportunity to demonstrate how you meet each of the criteria set out in the person specification. It will benefit the Advisory Assessment Panel if you can be clear which particular evidence you provide relates to which criteria. Providing separate paragraphs in relation to each criterion is common practice. Please write all acronyms in full first.

Please ensure your full name, the role to which you are applying and the corresponding reference number for the post are clearly noted at the top of your letter.

Please limit your letter to two pages, and type or write clearly in black ink.

Conflicts of interest

If you have any business or personal interests that might be relevant to the work of HFEA, and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your Supporting letter.

If appointed, you will also be required to declare these interests on appointment and they will be entered into a register which is available to the public.

Standards in public life and ensuring public confidence

Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of the public and

Government. If there are any issues in your personal or professional history that could, if you were appointed, be misconstrued, cause embarrassment to Ministers or HFEA or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the Assessment Panel and provide details of the issue/s in your Supporting letter. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media.

The panel may explore any issues you declare with you before they make a recommendation on the appointment.

Failure to disclose such information could result in an appointment being terminated, as those who hold public appointments are expected to demonstrate the highest standards of corporate and personal conduct, and are required to subscribe to the *Code of Conduct for Board Members of Public Bodies*, as part of agreeing to the terms and conditions of appointment. You can access this document at:

<https://www.gov.uk/government/publications/board-members-of-public-bodies-code-of-conduct>

There are also circumstances in which individuals may not be considered for appointment, due to them not meeting certain eligibility criteria for appointment. For further information, please refer to Section 2.3: Eligibility Criteria.

CV

Please ensure your CV includes:

- Your full name, title, home address, personal contact telephone numbers (land line and mobile) and personal email address
- Similar contact details for two referees who will support your application. One referee should be the person to whom you are/were accountable in your current/most recent appointment or position of employment. Please indicate the relationship of each referee to you. References will be requested for short-listed candidates prior to interview
- Brief details of your current or most recent post and the dates you occupied this role. Please identify any past or present Ministerial appointments.

Monitoring form

Please complete the monitoring form. Diversity monitoring information will not be seen by the Advisory Assessment Panel assessing your application.

If you are appointed to this role, please note that any political activity you declare will be published in accordance with the Governance Code on Public Appointments.

Guaranteed Interview Scheme

The Department of Health and Social Care operates a Guaranteed Interview Scheme (GIS) for disabled people. The Equality Act 2010 defines a person as disabled if they have a physical or mental impairment and the impairment has a substantial and long term adverse effect on their ability to carry out normal day to day activities. Under the GIS a disabled candidate will be selected for interview if they meet the **essential criteria** for the post.

If you wish to apply under the GIS please complete the GIS form and return it with your application.

All applications will be acknowledged by email after the closing date.

Contacts:

For further information regarding the selection process, please contact:

Julia Peters
Appointments Team
Tel: 0113 2545350 or 0113 254 5118
Email: appointments.team@dh.gsi.gov.uk

For further information regarding the role of the HFEA and the role of a **Member** please contact:

Kim Hayes
Tel: 020 7210 6339
Email: kim.hayes@dh.gsi.gov.uk

Please quote reference **E18-42** on all correspondence.

If you choose to apply, we would like to thank you in advance for your time and effort in making an application.

2.2 The Selection Process

The Appointments Team will deal with your application as quickly as possible and will advise you of the likely timetable at each stage.

Timetable:

- Closing date: Midday on 14th November 2018
- Shortlisting complete: 30th November 2018
- Interviews held: 14th December 2018

The selection panel will be:

- Jeremy Mean - Director – Population Health and Social Care, panel chair
- Margaret Gilmore – Deputy Chair of the HFEA, panel member
- Sir William Fittall - Former Secretary General, General Synod of Church of England, Independent Panel member

The Independent Panel member is independent of both the Department of Health and Social Care and HFEA.

The Governance Code on Public Appointments requires all Advisory Assessment Panel members to declare any political activity within the last five years. All panel members have declared that they have not taken part in any political activity within the last five years.

After the closing date for applications:

- The Department of Health and Social Care may commission a pre-assessment of candidate applications which would then be provided to the Panel for consideration and to inform the shortlisting process. By submitting an application you are agreeing to your application being shared with another party for the purpose of pre-assessment. The pre-assessor and the panel are reliant on the information you provide in your CV and supporting letter to assess whether you have the skills and experience required. Please ensure that you provide evidence to support how you meet all of the essential criteria. It is the responsibility of the panel to determine who it believes best meet the criteria for the role, and who will be invited to interview.
- Interviews will be held on 14/12/2018
- The Advisory Assessment Panel will select for interview only the strongest applicants who it feels have demonstrated that they best meet the criteria set out in the person specification. However, if you have

applied under the GIS and you meet all of the essential criteria, then you will also be invited for interview

- If you are invited to interview and if you are unable to attend on the set date then an alternative date can only be offered at the discretion of the Advisory Assessment Panel
- The Appointments Team will email to let you know whether or not you have been invited to be interviewed. It is our intention that interviews will take place in a central London location
- If invited to interview, the Advisory Assessment Panel may invite you to make a brief presentation at the start of the interview and will go on to question you about your skills and experience, including asking specific questions to assess whether you meet the criteria set out for the post
- The Advisory Assessment Panel will also explore with candidates any potential conflicts of interest or any other issues arising from candidate's personal and professional history which may impact on an appointment decision (see section 2.1 for further details).
- Candidates who the panel believe are 'appointable', will be recommended to Ministers who will make the final decision. Ministers may choose to meet with shortlisted candidates, before or after interview, before making a decision. Candidates should therefore be prepared for a short time gap between interview and a final appointment decision being made. Candidates who have been interviewed will be kept informed of progress.
- If you are successful, you will receive a letter from Ministers appointing you as a Member of the HFEA, which will confirm the terms on which the appointment is offered
- If you are unsuccessful at interview, you will be notified by the Appointments Team. We appreciate it takes a lot of time and effort to apply for roles and that feedback is a valuable part of the process. As a result, the letter will provide the details of who you may approach for feedback on your interview and application, if you so wish
- For further information on how we will manage the personal information that you have provided to us through your application, see **Section 2.4**

Queries

For queries about your application, please contact Julia Peters on 0113 2545350 or 0113 254 5118

Standards in public life

You will be expected to demonstrate high standards of corporate and personal conduct. All successful candidates will be asked to subscribe to the *Code of Conduct for Board Members of Public Bodies*, you can access this document at: <https://www.gov.uk/government/publications/board-members-of-public-bodies-code-of-conduct>

Diversity and equality of opportunity

The Department of Health and Social Care values and promotes diversity and encourage applications from all sections of the community.

Governance Code on Public Appointments

The Governance Code on Public Appointments, published by the Cabinet Office, sets out the principles that should underpin all public appointments. The Governance Code can be found at <https://www.gov.uk/government/publications/governance-code-for-public-appointments>.

The Commissioner for Public Appointments

The regulation of public appointments against the requirements of the Governance Code is carried out by the Commissioner for Public Appointments. The Commissioner provides independent assurance that public appointments are made in accordance with the principles set out in the Code. The Commissioner is appointed by the Queen and is independent of the Government and the Civil Service. Further about the role of the Commissioner is available from <http://publicappointmentscommissioner.independent.gov.uk>

If you are not completely satisfied

The Department of Health and Social Care will aim to process all applications as quickly as possible and to treat all applicants with courtesy. If you have any complaints about the way your application has been handled, please contact Lucy Wall in the Department of Health and Social Care by emailing Lucy.Wall@dh.gsi.gov.uk

If after receiving a comprehensive response from the Department you are still concerned, you can write to the Commissioner for Public Appointments. Please contact:

The Commissioner for Public Appointments
1 Horse Guards Road
London SW1A 2HQ

Tel: 0207 271 8938

Email: publicappointments@csc.gsi.gov.uk

2.3 Eligibility Criteria

Eligibility criteria

There are circumstances in which an individual may not be considered for appointment. They include:

- a) persons who have received a prison sentence or suspended sentence of 3 months or more in the last 5 years
- b) persons who are the subject of a bankruptcy restrictions order or interim order, or a debt relief order or interim debt relief order under Schedule 4ZB to the Insolvency Act 1986
- c) persons who have had an earlier term of appointment with a health service body terminated on the grounds
 - i. that it was not conducive to the interests or good management of the body that the person should continue to hold office
 - ii. that the person failed to attend a meeting of the body on three consecutive occasions
 - iii. that the person failed to declare a pecuniary interest or withdraw from consideration of a matter in respect of which the person had a pecuniary interest
 - iv. of misconduct or failure to carry out the person's duties
- d) anyone who is under a disqualification order under the Company Directors Disqualification Act 1986; or
- e) anyone who has been removed from trusteeship of a charity.

Further advice about the eligibility criteria can be provided by contacting Julia Peters on 0113 2545350 or 0113 254 5118.

2.4 How we will manage your personal information

Your personal information will be held in accordance with the Data Protection Act 1998. You will not receive unsolicited paper or electronic mail as a result of sending the Department of Health and Social Care any personal information. No personal information will be passed on to third parties for commercial purposes.

When we ask you for personal information, we promise we will:

- Only ask for what we need, and not collect too much or irrelevant information
- Ensure you know why we need it
- Protect it and insofar as is possible, make sure nobody has access to it who shouldn't
- Ensure you know what choice you have about giving us information
- Make sure we don't keep it longer than necessary
- Only use your information for the purposes you have authorised

We ask that you:

- Provide us with accurate information
- Inform us as soon as possible of any changes or if you notice mistakes in the information we hold about you

If you apply for a post, we will share some of the information you provide with the members of the selection panel for the post to which you are applying, so that your CV and supporting letter can be assessed.

The diversity monitoring information you provide will not be used in the selection process and will therefore not be shared with the Advisory Assessment Panel assessing your application at any stage. However, panels may review the political activity response at the interview stage. This in no way acts as a bar to appointment. Further information on this is provided in the attached Monitoring form.

The Commissioner for Public Appointments regulates and monitors appointments to public bodies to ensure procedures are fair. The Department of Health and Social Care is required by the Commissioner for Public Appointments to retain information about the people who apply for public appointments within his remit, and make this information available to him for audit purposes, if requested to do so. Information you provide in your application may therefore be made available to the Commissioner for Public Appointments and the Commissioner's auditors on a confidential basis in order

to help fulfil either the Commissioner's formal complaints investigation role or for audit purposes.