



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 21st July 2020
Reference no: VAC-1701



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Section 1 – The Role

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

Introduction

Ministers are seeking to make four appointments to the board of Human Fertilisation and Embryology Authority (HFEA). Two lay appointments and two professional appointments.

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 developments 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 and Social Care requirements

We have vacancies for four members of the HFEA. Two posts are for professional members and two are for lay members.

To be classified as professional a member you must fulfil 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.

A person who would be recognised as a professional cannot apply for a lay post.

Qualities required for the role of a Member

The Department of Health and Social Care values and promotes diversity and encourages applications from all sections of the community. The boards of public bodies should reflect the population they are there to serve. Boards also benefit from fresh perspectives, and we are always keen to encourage candidates with private sector experience to consider applying for our roles.

Essential Criteria

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.

For all 4 roles:

- 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

and have a background or expertise in one of the following areas:

For the 2 professional member roles:

- senior level experience in a fertility field, such as a HFEA Person Responsible, or in a field closely related to fertility, and a background in medicine, nursing or clinical reproductive science.

For the lay member roles:

- senior level experience (board level or equivalent) in finance or another area of corporate governance in the either the private or public sectors, with an ability to Chair the Audit and Governance Committee;
and/or
- a Patient perspective, able to draw on their knowledge or experience to inform Board discussions and Authority decisions.

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 the HFEA.

Time commitment

Three days per month

Location

London

Tenure of office

Ministers determine that 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:

Name: Steve Pugh

Tel: 0207 2104350

Email: steve.pugh@dhsc.gov.uk

1.2 Human Fertilisation and Embryology Authority role and responsibilities

Dear applicant,

The [HFEA](#) has been the UK's regulator of fertility treatment and embryo research for almost 30 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.

We expect to launch a new three-year strategy (our outgoing strategy can be viewed [here](#)) this autumn, following a period in which we have managed our sector and our staff through the extraordinary circumstances of the Covid-19 epidemic.

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 and uphold 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 towards our new vision of regulating for excellence, shaping the future of fertility care and treatment. We want to see everyone receive the best possible care and the right information at the right time. As science and society advance, the HFEA needs to shape and respond to future changes in the legislative landscape and the changing fields of modern family creation, genetics, and artificial intelligence.

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 and the care they receive, 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

The HFEA was established by the Human Fertilisation and Embryology Act 1990 and came into operation on 1 August 1991.

The Human Fertilisation and Embryology Act 1990 sets out prohibitions relating to the creation, use and storage of human embryos and human admixed embryos, and the use and storage of human gametes. Some of these prohibitions are absolute – for example, a human embryo can never be placed in an animal or vice versa. Other activities can be carried out provided that a licence has been granted by the HFEA. Licences can be granted to any person – including those working in the NHS and those working in independent establishments.

In 2007, as a result of the implementation of three EU Directives setting quality and safety standards for human tissue and cells intended for human application, the HFEA's remit was extended to cover the licensing and regulation of the donation, procurement, testing, processing, preservation and distribution of gametes and embryos. The HFEA also became one of two competent authorities for the Directives. The UK's Exit from the EU mean that this relationship will change going forward, although the UK's high standards will remain.

The HFEA has the power to license the following activities in the course of providing fertility treatment (for example, *in vitro* fertilisation (IVF)):

- bringing about the creation of a human embryo outside the body
- procuring, keeping, testing, processing or distributing human embryos
- procuring, keeping, testing, processing or distributing gametes
- using human embryos for training others in embryological techniques
- ensuring human embryos are in a suitable condition to be used in treatment
- placing human embryos in a woman
- carrying out testing of sperm
- other activities specified in regulations

In addition, the HFEA can license activities as part of a project of research involving human embryos (and human admixed embryos), provided they are necessary or desirable for:

- 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

- 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

The HFEA can also grant licences for the procurement and distribution of sperm in the course of providing non-medical fertility services¹ and for the storage of gametes, embryos and human admixed embryos.

Ethical Safeguards

The Human Fertilisation and Embryology Act 1990 contains a number of ethical safeguards, some examples of which are described below.

The principle of informed consent is key in that gametes, embryos and other human tissue, the use of which is governed by the Human Fertilisation and Embryology Act 1990, can only be used for treatment or research purposes with the informed and clearly expressed consent of the person(s) providing the tissue. Where such consent cannot be given, in a very limited number of circumstances, use of the tissue can only take place if strict conditions can be met.

The restrictions of the use of human embryos in treatment and research and of particular techniques in assisted reproduction underpin the licensing provisions set out in the Human Fertilisation and Embryology Act 1990.

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.

Licensing and Inspection

There are currently approximately 130 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 Human Fertilisation and Embryology Act 1990, for the proper operation of the establishment and its compliance with the Act, all licence conditions and the HFEA's code of practice. This individual is described as the *Person Responsible*.

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.

² In the case of treatment and other fertility related services the licence authorises an establishment to carry out a 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 could have two or more licences.

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

- premises, equipment and facilities
- 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

As part of its licensing function, the HFEA also assesses applications from establishments to use novel or adjusted treatment techniques and to test embryos for the presence of inheritable genetic conditions. Pre-implantation Genetic Diagnosis (PGD) is a technique used to screen embryos before implantation, as part of an IVF treatment cycle, to exclude those with a serious genetic condition. The procedure is intended to help couples at risk of passing on a serious inheritable genetic condition to their offspring. None of these activities can take place without the HFEA's prior approval.

Linked to its regulatory functions, the Human Fertilisation and Embryology Act 1990 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 treatments, fertility services and embryo research that all licensed clinics and research centres are required to observe.

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 the aims set out in legislation:

Maintaining Registers: The Human Fertilisation and Embryology Act 1990 requires the HFEA to keep registers, notably one that records every treatment cycle, patient, gamete/embryo donor and all resulting offspring. The Human Fertilisation and Embryology Act 1990 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.

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

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 healthcare professionals on topical issues via bulletins and also Chair's letters
- responding to individual queries, verbally and in writing, from the fertility and wider healthcare sectors and the public

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

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

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@dhsc.gov.uk – please quote **ref: number** VAC-1701 in the subject field.

Applications must be received by midday on 21st July 2020.

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 specific 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 on 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 (including any convictions or bankruptcy) 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 and blogs. Due Diligence may be carried out on any publicly available information and shared with the Advisory Assessment Panel.

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**

If you wish to discuss any queries on conflicts, please see the contacts section.

CV

Please ensure your CV includes:

- Your full name, title, home address, personal contact telephone numbers (land line and mobile), personal email address and details of any twitter accounts and LinkedIn accounts including your twitter handle/username
- 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.

Political activity information is primarily for monitoring purposes only, however if you are shortlisted for interview, this information will be shared with the selection panel. The reason for this is that it is appreciated that such activities may have given you relevant skills, including experience gained from committee work, collective decision-making, resolving conflict and public speaking. If you have had such experience and you consider it relevant to your application for this post, you should also take the opportunity to include it separately in your supporting statement. If possible, you should not, however, identify the relevant political party in your statement.

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

Kully Kanda

Appointments Team

Tel: 0113 2546769

Email: Kuldeep.Kanda@dhsc.gov.uk

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

Name: Steve Pugh

Tel: 0207 2104350

Email: steve.pugh@dhsc.gov.uk

Please quote reference VAC-1701 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 21st July 2020
- Shortlisting complete: 30h July 2020
- Interviews held: 21st & 23rd September 2020

The selection panel will be:

- Mark Davies, DHSC's senior sponsor for HFEA – panel chair
- Sally Cheshire, Chair of the HFEA – panel member
- Millie Banerjee, Chair of NHS Blood and Transplant – 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.

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 applying, you are agreeing to your application being shared with another party for 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 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 21st and 23rd September 2020
- 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 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 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 HFEA, which will confirm the terms on which the appointment is offered
- **please note that due to the volume of applications that are received it is not possible to routinely provide feedback to those not shortlisted for interview**
- if you apply under the GIS scheme and you are not shortlisted for interview, we can provide a summary of the assessment of your written application, if you choose to request feedback
- 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 prepare for and attend an interview, and that feedback is a valuable part of the process. Following interviews, the letter which confirms the outcome of the appointment process 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 Kully Kanda:

Kuldeep.Kanda@dhsc.gov.uk

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 Steve Howell in the Department of Health and Social Care by emailing steve.howell@dhsc.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.gov.uk

2.3 Eligibility Criteria

Eligibility criteria

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

1. persons who have received a prison sentence or suspended sentence of 3 months or more in the last 5 years
2. 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
3. persons who have had an earlier term of appointment with a health service body terminated on the grounds:
 - that it was not conducive to the interests or good management of the body that the person should continue to hold office
 - that the person failed to attend a meeting of the body on three consecutive occasions
 - 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
 - of misconduct or failure to carry out the person's duties
4. anyone who is under a disqualification order under the Company Directors Disqualification Act 1986; or
5. anyone who has been removed from trusteeship of a charity.

Please also note that you are disqualified from appointment to the role of Non-Executive Director at the Human Fertilisation and Embryology Authority, unless you are willing to stand down from your current role if you are Chair, or a non-officer member, at the NHS Counter Fraud Authority.

Further advice about the Eligibility Criteria can be provided by contacting Kully Kanda on 0113 254 6769.

2.4 How we will manage your personal information

Your personal information will be held in accordance with the General Data Protection Regulation. You will not receive unsolicited paper or electronic mail because 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 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 to help fulfil either the Commissioner's formal complaints investigation role or for audit purposes.

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