

The Shrewsbury and Telford Hospital NHS Trust

Trust Board – 27 October 2011

Appointment of SATH Trust board as 'Nominal Licensee' for the Fertility Centre

Executive Lead	Dr Ashley Fraser- Medical Director
Author	Jason Kasraie – HFEA Person Responsible, Consultant Embryologist
Corporate Objective	C4. Deliver services that offer safe, evidence-based practice C5. Meet regulatory requirements and healthcare standards C6. Ensure our patients suffer no avoidable harm
Goal	CO1.6 Delivering agreed patient safety programmes. CO3.1 Implementing an integrated Leadership Strategy to drive improvements in quality, innovation and staff engagement. CO4.2 Ensuring the Trust is well prepared to respond effectively to major incidents
Executive Summary	<p>The Human Fertilisation & Embryology Authority (HFEA) require 2 statutory positions in order for an assisted conception centre to be granted a licence to perform treatments. These positions are referred to as the 'Person Responsible' and the 'Nominal Licensee'.</p> <p>The 'Person Responsible' supervises all activities authorised by the Centres treatment licence. They ensure the clinic complies with the requirements of the HFE Acts 1990 and 2008. They are responsible for both the quality of service provided and the resolution of ethical issues involved in providing that service.</p> <p>The 'Nominal Licensee' holds the centres treatment licence. The HFEA state that:-</p> <p><i>'Hospital management should be encouraged to have some degree of involvement in the governance of centres and should make sure that the Chief Executive or a designated senior manager is aware of any issues concerning centres. One way communications between centres and hospital management could be improved is through the position of Nominal Licensee.'</i></p> <p>In common with the 'Person Responsible', the 'Nominal Licensee' can apply for a variation or revocation of the Centres treatment licence and crucially, if an accident should befall the 'Person Responsible' they can apply for another individual to be considered by the HFEA for the position, thus avoiding the automatic revocation of the Centres treatment licence.</p> <p>The HFEA will allow the 'body corporate', in this case the Trust board, to be appointed as the 'Nominal Licensee', provided that a named individual is nominated as the link for both the HFEA and the 'Person Responsible'.</p> <p>In this case the Trust Board would become 'Nominal Licensee' and the Medical Director would become the nominated link.</p>
Recommendations	<p>The Trust Board is asked:</p> <ul style="list-style-type: none"> to APPROVE its own appointment as HFEA 'Nominal Licensee' for the Fertility Centre with the Medical Director as the nominated link.

Appointment of SATH Trust board as 'Nominal Licensee' for the Fertility Centre

Contribution to Inspection, Registration, Performance and Delivery

Risks and Assurance	May help to mitigate risk no 428 (Fertility accommodation) through greater awareness at Trust board level of regulatory and statutory obligations of the Trust with regard to delivery of Fertility services.
Contribution to Key Performance Indicators	Not applicable
Compliance with Clinical and other Governance Requirements	Supports compliance with HFEA 'code of practice' and the Human Fertilisation Acts of 1990 and 2008

Impact Assessment

Quality	Will ensure board level awareness of quality issues facing the Fertility Service
Financial	Not applicable
Workforce	Not applicable
Legislation and Policy	Brings the Trust into line with the recommendation of the HFEA's 'code of practice'
Equality and Diversity	Not applicable
Communication and Marketing	Decision will be communicated to Fertility staff by the 'Person Responsible'. A new treatment licence will be displayed in patient waiting room

Engagement and Decision-Making Process

Not applicable
