

Our Ref: SY/AKB/FOI-05-392

1st June 2023

Stafford Education & Enterprise Park
Weston Road
Stafford
ST18 0BF

Telephone: 0300 123 1461

Sent by email

Dear

FOI-05-392

Your request for information under the Freedom of Information Act 2000

Thank you for your request for information received on the 30th May 2023. We can confirm that the Staffordshire and Stoke-on-Trent Integrated Care Board can provide the following information.

An anonymised copy of this response will be made publicly available on the ICB website.

Please see our responses in blue below:

I am emailing to request information under the Freedom of Information Act relating to policy on and provision of fertility preservation for transgender patients.

On background, in 2019 NHS England told clinical commissioning groups (CCGs) they must not discriminate against transgender people when providing fertility preservation (sperm or egg freezing).

However, NHS England also said that as long as CCGs complied with the law, they could form their own policies ‘taking into account local needs and relative priorities, evidence of clinical effectiveness of the intervention under consideration, and available resource’. The full quotation is available in the postscript.

CCGs have now been dissolved and replaced with ICBs.

Could you please confirm:

1. Does the ICB currently offer fertility preservation for transgender patients?

Yes, as outlined in the three CCG Policies (weblinks provided below).

North Staffordshire:

<https://staffsstoke.icb.nhs.uk/your-nhs-integrated-care-board/our-publications/governance-handbook/all-policies/commissioning/infertility-and-assisted-reproduction-commissioning-policy-north-staffordshire-v2/?layout=default>

Stoke-on-Trent:

<https://staffsstoke.icb.nhs.uk/your-nhs-integrated-care-board/our-publications/governance-handbook/all-policies/commissioning/commissioning-policy-for-assisted-conception-stoke-on-trent-v3/?layout=default>

South (Cannock, East Staffs, SE Staffs and Seisdon, Stafford and Surrounds):

<https://staffsstoke.icb.nhs.uk/your-nhs-integrated-care-board/our-publications/governance-handbook/all-policies/commissioning/south-ivf-2019-v2-4-south-master-26-june-2019/?layout=default>

All three Assisted Conception Policies have the following statement.

Fertility Preservation

Cryopreservation of gametes will be available to all patients undergoing medical treatment that may render them infertile. Any funding requests for cryopreservation will be subject to prior approval. There is no lower age for eligibility under these circumstances. The CCG will pay for storage for a maximum of five years. After this period, patients wishing to continue to store may self-fund in line with HEFA Guidance.

- 2. What is the ICB's current policy for providing fertility preservation?**
 - a. What is the ICB's current policy for providing fertility preservation for transgender patients?**

The ICB is working to three different CCG policies whilst work is ongoing to align into a single ICB policy.

- 3. Did any of the ICB's former CCG bodies offer fertility preservation for transgender patients?**

As above.

- a. If so, how many and which ones?**

As above.

- 4. Does the ICB intend to consult on or update its provision of fertility preservation for transgender patients?**

The three CCG policies are currently under review and patient / public involvement has been undertaken.

Right of Appeal

Should you require any further information or clarification regarding this response please do not hesitate to contact us. If you are dissatisfied with the response, you are

entitled to request an internal review which should be formally requested in writing and must be within two calendar months from the date this response was issued.

To request an internal review

You can request an internal review by contacting the Staffordshire and Stoke-on-Trent Integrated Care Board FOI team by emailing the team at StaffsStokeFOI@staffsstoke.icb.nhs.uk or by post to the address at the top of this letter.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the Staffordshire and Stoke-on-Trent Integrated Care Board's FOI complaints procedure.

The ICO can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.gov.uk

Yours sincerely

Sally Young
Director of Corporate Governance