

Access to Infertility Treatment Commissioning Policy Document Yorkshire and Humber January 2020 – April 2023

Document Title:	Access to Infertility Treatment –	
	Commissioning Policy Document Yorkshire	
	and Humber	
Version No:	V14	
Latest version issued:	1 February 2022	
Supersedes:	All previous access to infertility treatment	
•	policies	
ame of Author (s): Michelle Thompson		
Consultation:	Yorkshire and Humber Expert Fertility Panel	
	2 March 2017	
	31 January 2018	
	25 June 2018	
	25 January 2019	
	15 November 2019	
	11 January 2022 (some members)	
Approved by:	Yorkshire and Humber Expert Fertility Panel	
	NEL CCG Council of Members	
Approval date:	5 September 2019	
Review date:	30 September 2024	
Equality Impact Assessment Date:	January 2020	
Target Audience:	Public	
Dissemination:	CCG Global bulletin, CCG website and	
	intranet	

Version	Description of Amendments	Date
V14	Clarification to section 5.5 regarding abandoned cycles and	January 2022
	further cycles	

The on-line version is the only version that is maintained and valid. If this document has been printed or saved to another location, the reader must check that the version number matches that of the on-line version.

Commissioning Policy Statement:

Commissioning

This document represents the commissioning policy of North East Lincolnshire Clinical Commissioning Group for the clinical pathway which provides access to specialist fertility services. This commissioning policy has been developed in partnership with the Yorkshire and Humber Expert Fertility Panel. It is intended to provide a framework for the commissioning of services for those couples who are infertile and require infertility interventions.

The policy was developed jointly by Clinical Commissioning Groups in the Yorkshire and Humber area and provides a common view of the clinical pathway and criteria for commissioning services which have been adopted by North East Lincolnshire Clinical Commissioning Group.

Funding

The policy on funding of specialist fertility services for individual patients is a policy of North East Lincolnshire Clinical Commissioning Group and is not part of the shared policy set out in the rest of this document. The number of full IVF cycles currently funded by the North East Lincolnshire Clinical Commissioning Group for patients who meet the access criteria set out in the shared policy is one. This is unchanged from the previous funding policy in March 2016. This policy will be updated in accordance with the review period of the policy or earlier should sufficient changes in practice or evidence base require it.

Immigration Health Surcharge; Removal of Assisted Conception Services

Amendments to the NHS (Charges to Overseas Visitors) Regulations 2015 were introduced into Parliament on 19 July 2017. As a result, from 21 August 2017, assisted conception services are no longer included in the scope of services. Individuals who are required to pay the NHS surcharge are not eligible for fertility investigations in secondary care. Individuals who are required to pay the NHS surcharge are no longer eligible for NHS funded assisted conception.

Where there is discordance in requirements to pay the NHS surcharge, assisted conception treatment will not be funded if one partner is not eligible as the policy applies as a couple.

Panel Members: (March 2017)

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Karen Leivers Head of Strategy and Delivery, Planned Care - Doncaster CCG

Debbie Stovin Commissioning Manager – Elective Care – Sheffield CCG

Conflicts of Interest

See Appendix C

For further information about this policy

Please contact your local Clinical Commissioning Group:-

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1. AIM OF PAPER

- 1.1 This document represents the commissioning policy for specialist fertility services for adults registered with a Clinical Commissioning Group (CCG) in the Yorkshire and Humber region.
- 1.2 The policy aims to ensure that those most in need in keeping with current eligibility, are able to benefit from NHS funded treatment and are given equitable access to specialist fertility services across the Yorkshire and Humber Area, by identifying the clinical care pathway and relevant access criteria.

2. BACKGROUND

- 2.1 On April 1st, 2013 Clinical Commissioning Groups (CCGs) across the Yorkshire and the Humber regions adopted the existing Yorkshire and the Humber Fertility policy¹. In February 2013 NICE published revised guidance² which was reviewed and updated in 2016.
- 2.2 CCGs across the Yorkshire and the Humber agreed to work collaboratively to update the existing policy in light of the new NICE guidance and changing commissioning landscape.
- 2.3 In this policy document infertility is defined as:

The inability to conceive through regular sexual intercourse for a period of 2 years in the absence of known reproductive pathology, or less than 2 years if there is specific reproductive pathology identified.

Where attempting to conceive by regular sexual intercourse is not possible (for example for people with a physical disability, people with psychosexual disorders or transgender and same sex couples) this will be considered as inability to conceive for the purposes of this policy.

- 2.4 Fertility problems are common in the UK and it is estimated that they affect 1 in 7 couples with 80% of couples in the general population conceiving within 1 year, if:
 - The woman is aged under 40 years and
 - They do not use contraception and have regular sexual intercourse (NICE 2013)

Of those who do not conceive in the first year about half will do so in the second year (cumulative pregnancy rate is 90%).

The remaining 10% of couples will be unable to conceive without medical intervention and are therefore considered infertile.

- 2.5 In 25% of infertility cases, the cause cannot be identified. However, it is thought that in the remaining couples about 30% of cases are due to the male partner being unable to produce or ejaculate sufficient normal sperm, 30% are due to problems found with the female partner such as failure to ovulate or blockage to the passage of the eggs, and 10% are due to problems with both partners.
- 2.6 The most recent DH costing tool estimates that there are 98 attendances at a fertility clinic for every 10,000 head of population. In Yorkshire and the Humber, this could

¹ Yorkshire and the Humber Commissioning Policy for Fertility Services, 2010.

² Fertility: Assessment and treatment for people with fertility problems 2012, NICE Clinical Guideline 156.

range between 4000 and 5000 attendances per year which would result in approximately 1450 couples likely to be assessed as eligible for IVF treatment.

- 2.7 Specialist fertility services include IUI, ICSI and IVF. They may also include the provision of donor sperm and donor eggs. The majority of treatment in the UK is statutorily regulated by the Human Fertility and Embryo Authority (HFEA)³. All specialist providers of fertility services must be licensed with the HFEA in order to be commissioned under this policy.
- 2.8 NICE Clinical Guidelines 156 (2013) covering infertility recommends that:

Up to three full cycles of IVF will be offered to eligible couples where the woman is aged between 18 and 39 and one cycle for eligible couples where the woman is aged 40 to 42.

North East Lincolnshire Clinical Commissioning Group will fund one cycle of IVF treatment. Where an individual feels that they have exceptional circumstances that would merit consideration of an additional cycle being funded by the NHS they should speak to their doctor about submitting an individual funding request to their local CCG.

2.9 In addition to commissioning effective healthcare, CCGs are required to ensure that resources are allocated equitably to address the health needs of the population. Therefore CCGs' will need to exercise discretion as to the number of cycles of IVF that they will fund up to the maximum recommended by NICE.

3. CLINICAL EFFECTIVENESS

It is considered to be clinically effective by NICE to offer up to 3 stimulated cycles of IVF treatment to couples where the woman is aged between 18-39 and 1 cycle where the woman is aged between 40-42 and who have an identified cause for their infertility or who have infertility of at least 2 years duration.

4. COST EFFECTIVENESS

- 4.1 Evidence shows (NICE 2013) that as the woman gets older the chances of successful pregnancy following IVF treatment falls. In light of this, NICE has recommended that the most cost effective treatment is for women aged 18 42 who have known or unknown fertility problems.
- 4.2 As research within this field is fast moving, new interventions and new evidence needs to be considered on an on-going basis to inform commissioning decisions.

4.3 Risks

Fertility treatment is not without risks. A summary of potential risks is outlined below:

- There are risks of multiple pregnancies during fertility treatment, which is associated with a higher morbidity and mortality rate for mothers and babies.
- Women who undergo fertility treatment are at slightly higher risk of ectopic pregnancy
- Ovarian hyper stimulation, which is a potentially fatal condition, is also a risk. The
 exact incidence of this has not been determined but the suggested number is
 between 0.2 1% of all assisted reproductive cycles

³ https://www.hfea.gov.uk/

- Current research shows no cause for concern about the health of children born as the result of assisted reproduction
- A possible association between ovulation induction therapy and ovarian cancer in women who have undergone treatment is uncertain
- Further research is needed to assess the long-term effects of ovulation induction agents

5. DESCRIPTION OF THE TREATMENT

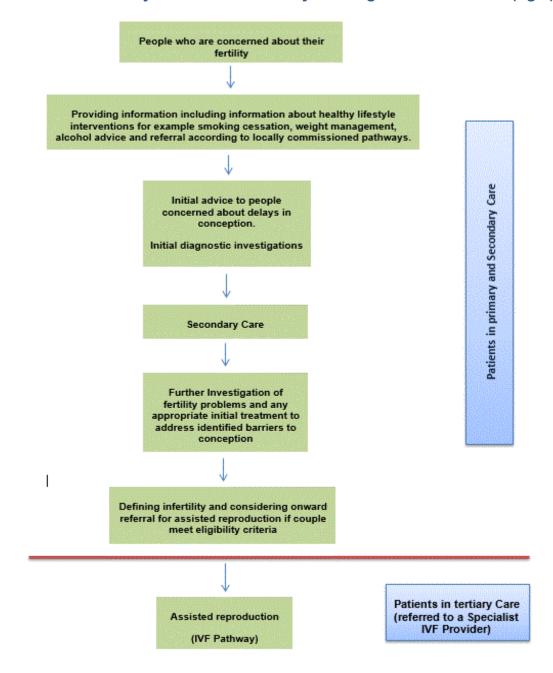
5.1 **Principles of Care**

- 5.1.1 Couples who experience problems in conceiving should be seen together because both partners are affected by decisions surrounding investigation and treatment.
- 5.1.2 People should have the opportunity to make informed decisions regarding their care and treatment via access to evidence-based information. These choices should be recognised as an integral part of the decision-making process.

Information should be provided in the following formats:

- Face to face discussions with couples
- Written information and advice
- Culturally sensitive
- Sensitive to those with additional needs eg physical or cognitive, or those for whom English is not their first language
- 5.1.3 As infertility and infertility treatments have a number of psychosocial effects on couples, access to psychological support prior to and during treatment should be considered as integral to the care pathway.

5.2 The Care Pathway flowchart for fertility investigation and referral (fig 1)



The Care pathway for fertility investigation and referral will take account of NICE guidance.

- 5.2.1 Treatment for infertility problems may include counselling, lifestyle advice, drug treatments, surgery and assisted conception techniques such as IVF.
 - Providers of specialist fertility services are expected to deliver appropriate interventions to support lifestyle behaviour changes which are likely to have a positive impact on the outcome of assisted conception techniques and resulting pregnancies. Recommendations covering screening, brief advice and onward referral are outlined in NICE Public Health Guidance (PH49) and, specifically in relation to fertility and pre-conception, smoking (PH 26, PH48), weight management (PH27, PH53), healthy eating and physical activity (PH11, NG7) and alcohol (PH24).
 - Use any appointment or meeting as an opportunity to ask women and their partners
 about their general lifestyle including smoking, alcohol consumption, and physical
 activity and eating habits. If they practice unhealthy behaviours, explain how health
 services can support people to change behaviour and sustain a healthy lifestyle.
 - Offer those who would benefit from this, a referral to local wellbeing services and/or locally commissioned lifestyle services. For those that are unable or do not want to attend support services direct them to appropriate self-help information such as the national 'One You' website or local websites.
 - Record this in the hand-held record or accepted local equivalent.

The care pathway (fig 1) begins in primary care, where the first stage of treatment is general lifestyle advice and support to increase a couple's chances of conception without the need for medical intervention.

If primary care interventions are not effective, initial assessment such as semen analysis will take place. Following these initial diagnostics, it may be appropriate for the couple to be referred to secondary care services where further investigation and potential treatments will be carried out, such as hormonal therapies to stimulate ovulation. It may be appropriate at this stage for the primary care clinician to consider and discuss the care pathway and potential eligibility for IVF. It may also be appropriate for healthy lifestyle interventions to be further discussed.

If secondary care interventions are not successful and the couple fulfils the eligibility criteria in section 6.0, they may then be referred through to specialist care for assessment for assisted conception techniques, such as IVF, DI, IUI, and ICSI.

5.2.2 IVF involves:

- Controlled ovarian stimulation
- Monitoring the development of the eggs in the ovary
- Ultrasound guided egg collection from the ovary
- Processing of sperm
- Production of a fertilized embryo from sperm and egg cells in the laboratory
- Culture of embryos to blastocyst (if clinically appropriate)
- Single embryo transfer (subject to multiple birth minimisation policy)
- Use of progesterone to make the uterus receptive to implantation
- Transfer of selected embryos and freezing of those suitable but not transferred

The panel will review annually, following the HFEA⁴ annual review via their traffic light report, any other emerging technologies which may then need consideration for incorporation in this policy.

5.3 **Definition of a Full Cycle**

Full cycle is the term used to define a full IVF treatment; it should include one episode of ovarian stimulation and the transfer of any resultant fresh and frozen embryo(s) (NICE 2013). Or

The definition of a single full treatment cycle is the replacement of a fresh embryo and subsequent sequential replacement of all frozen embryos derived from the cycle until pregnancy is successful or harvested embryos have been exhausted.

Adherence in this way to the NICE guidelines would encourage and not disadvantage patients agreeing to single embryo transfer.

5.4 Frozen Embryo

Embryos that are not used during the fresh transfer should be quality graded using the UK NEQAS embryo morphology scheme and may be frozen for subsequent use within the cycle.

All stored and viable embryos should be used before a new cycle commences. This includes embryos resulting from previously self-funded cycles.

5.5 Abandoned Cycles

An abandoned IVF/ICSI cycle is defined as the failure of egg retrieval, usually due to lack of response (where less than three mature follicles are present) or excessive response to gonadotrophins; failure of fertilisation and failure of cleavage of embryos. Beyond this stage, a cycle will be counted as complete whether or not a transfer is attempted. One abandoned cycle should not affect the couple's entitlement to further IVF/ICSI (up to the maximum number of cycles provided by their CCG), providing that additional cycles are clinically appropriate. Further cycles will not be offered after a second abandoned cycle, but the clinician may submit an Individual Funding Request if there are exceptional circumstances.

5.6 **IUI and DI**

IUI and DI are separate from IVF treatment; however, the couple may then access IVF treatment if appropriate.

5.6.1 People with physical disabilities, psychosexual problems, or other specific conditions with infertility (as defined in section 2.3 Definition of Infertility):

Where a medical condition exists, such as physical disability up to 6 cycles of IUI may be funded, followed by further assisted conception if required. In some circumstances, IUI may be impractical and so is not a requirement for further fertility treatment.

5.6.2 IUI and DI in same-sex relationships:

Up to 6 cycles of IUI will be funded as a treatment option for people in same-sex relationships, followed by further assisted conception if required.

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⁴ https://www.hfea.gov.uk/

5.6.3 People with unexplained infertility, mild endometriosis or mild male factor infertility, who are having regular unprotected sexual intercourse:

IUI either with or without ovarian stimulation will not be funded routinely (exceptional circumstances may include, for example, when people have social, cultural or religious objections to IVF), instead couples should try to conceive for a total of 2 years (this can include up to 1 year before their fertility investigations) before IVF will be considered, in keeping with current NICE guidance.

- 5.6.4 Gonadotrophin Therapy for women with anovulatory infertility, ovulation induction with gonadotrophin therapy should be funded for up to 6 cycles, with or without IUI depending on the circumstances of the couple.
- 5.6.5 Donor Gametes including azoospermia:

Patients who require donor gametes will be placed on the waiting list for an initial period of 3 years, after which they will be reviewed to assess whether the fertility policy eligibility criteria is still met. If it is anticipated that there will be difficulty finding a suitable donor exceptionality would need to be considered. At this point consideration may need to be given to sourcing from alternative providers via IFR.

Donor Sperm

Where clinically indicated up to six cycles of donor insemination will be offered. This is dependent on the availability of donor sperm which is currently limited in the UK. The cost of donor sperm is included in the funding of treatment for which it is required, to be commissioned in accordance with this policy and the funding policy of the CCG.

Donor Eggs

Patients eligible for treatment with donor eggs, in line with NICE recommendations, will be placed on the waiting list for treatment with donor eggs. Unfortunately, the availability of donor eggs remains severely limited in the UK. There is, therefore, no guarantee that eligible patients will be able to proceed with treatment.

5.7 **Gametes and Embryo Storage**

The cost of egg and sperm storage will be included in the funding of treatment for which it is required, to be commissioned in accordance with this policy and the funding policy of the CCG. Storage will be funded by the CCG for a maximum of 3 years or until 6 months post successful live birth, whichever is the shorter. This will be explained by the provider prior to the commencement of treatment. Following this period continued storage may be self-funded.

Any embryos frozen prior to implementation of this policy will be funded by the CCG to remain frozen for a maximum period of 3 years from the date of policy adoption.

Any embryo storage funded privately prior to the implementation of this policy will remain privately funded.

5.8 HIV/Hep B/Hep C

People undergoing IVF treatment should be offered testing for HIV, hepatitis B and hepatitis C (NICE 2013).

People found to test positive for one or more of HIV, hepatitis B, or hepatitis C should be offered specialist advice and counselling and appropriate clinical management (NICE 2013).

5.9 Surrogacy

Any costs associated with use of a surrogacy arrangement will not be covered by funding from CCGs. We will, however, fund provision of fertility treatment (IVF treatment and storage) to identified (fertile) surrogates, where this is the most suitable treatment for a couple's infertility problem and the couple meets the eligibility criteria for specialist fertility services set out in this policy.

5.10 Single Embryo Transfer

Please refer to 5.3 for the definition of a full cycle.

Multiple births are associated with greater risk to mothers and children and the HFEA⁵ therefore recommends that steps are taken by providers to minimize them. This is currently achieved by only transferring a single embryo for couples who are at high risk.

We support the HFEA guidance on single embryo transfer and will be performance monitoring all specialist providers to ensure that HFEA targets are met. All providers are required to have a multiple births minimisation strategy. The target for multiple births should now be an upper limit of 10% of all pregnancies.

We commission ultrasound guided embryo transfer in line with the NICE Fertility Guideline.

5.11 Counselling and Psychological Support

As infertility and infertility treatment has a number of negative psychosocial effects, access to counselling and psychological support should be offered to the couple prior to and during treatment.

5.12 Sperm washing and pre-implantation diagnosis

Sperm washing and pre-implantation genetic diagnosis are not treatments for infertility and fall outside the scope of this policy. Prior approval is required.

5.13 **Service Providers**

Providers of fertility treatment must be HFEA registered and comply with any service specification drawn up by Yorkshire and the Humber Clinical Commissioning Groups.

⁵ https://www.hfea.gov.uk/

6. ELIGIBILITY CRITERIA FOR TREATMENT

6.1 **Application for Eligibility Criteria**

Eligibility criteria should apply at the point of referral to specialist care. Women aged between 40–42 will need further assessment within specialist care in order to ascertain whether or not they are eligible, see Section 6.4.

6.2 **Overarching Principles**

- 6.2.1 All clinically appropriate individuals/couples are entitled to medical advice and investigation. Couples may be referred to a secondary care clinic for further investigation.
- 6.2.2 Assisted conception is only funded for those couples who meet the eligibility criteria.
- 6.2.3 Treatment limits are per couple and per individual. Referrals should be as a couple and include demographic information for both partners in heterosexual and same-sex couples.

6.3 Existing Children

Neither partner should have any living children (this includes adopted children but not fostered) from that or any previous relationship.

6.4 Female Age

Age as a criterion for access to fertility treatments is applied in line with the NICE Clinical Guideline on Fertility which is based on a comprehensive review of the relationship between age and the clinical effectiveness of fertility treatment.

The woman intending to become pregnant must be between the ages of 18 - 42 years. No new cycle should start after the woman's 43^{rd} birthday. Referrers should be mindful of the woman's age at the point of referral and the age limit for new cycles.

Women aged 40–42 years who meet the eligibility criteria for infertility in Section 2.3, will receive 1 full cycle of IVF, with or without ICSI, provided the following criteria are fulfilled:

- they have never previously had IVF treatment and there is no evidence of low ovarian reserve (defined as FSH 9 IU/I or more (using Leeds assay); OR antral follicle count of 4 or less; OR AMH of 5 pmol/I or less
- there has been a discussion of the additional implications of IVF and pregnancy at this age
- where investigations show there is no chance of pregnancy with expectant management and where IVF is the only effective treatment, women aged between 40-42 should be referred directly to a specialist team for IVF treatment

6.5 **Pre-Referral Requirement for Specialist Care**

6.4.1 Female BMI

The female patient's BMI should be between 19 and 30 prior to referral to specialist services. Patients with a higher BMI should be referred for healthy lifestyle interventions including weight management advice. Patients should not be re-referred to specialist services until their BMI is within the recommended range.

6.5.2 Smoking Status

GP should discuss smoking with couples prior to referral to secondary care, support their efforts in stopping smoking by referring to a smoking cessation programme.

People should be informed that maternal and paternal smoking can adversely affect the success rates of assisted reproduction procedures, including IVF treatment.

6.6 Reversal of Sterilisation

We will not fund IVF treatment for patients who have been sterilised or have unsuccessfully undergone reversal of sterilisation.

6.7 Previous Cycles

Previous cycles whether self-funded or NHS funded will be taken into consideration when assessing a couple's ability to benefit from treatment and will count towards the total number of cycles that may be offered by the NHS. This includes where either person has had a previous cycle with a previous partner.

6.8 Length of Relationship

The stability of the relationship is very important with regards to the welfare of children; as such couples must have been in a stable relationship for a minimum of 2 years and currently co-habiting to be entitled to treatment.

6.9 Welfare of the Child

HFEA guidance concerning the welfare of the child should be followed.

7. IMPACT ANALYSES

7.1 **Equality**

The CCG is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated.

As a result of preforming the screening analysis, the policy may possibly have an adverse effect on people who share Protected Characteristics and further actions are recommended in the equality impact assessment which can be accessed through this hyperlink.

7.2 **Bribery Act 2010**

The relevance of the Bribery Act 2010 must be considered in respect of every policy.

It is considered the Bribery Act 2010 to be relevant to this policy. Under the Bribery Act it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.
- To bribe a foreign public official A person will be guilty of this offence if they promise, offer or give a financial or other advantage to a foreign public official, either directly or through a third party, where such an advantage is not legitimately due.
- If commercial organisations fail to embed preventative bribery measures. This applies
 to all commercial organisations which have business in the UK. Unlike corporate
 manslaughter this does not only apply to the organisation itself; individuals and
 employees may also be guilty.

These offences can be committed directly or by and through a third person and other related policies and documentation (as detailed on the CCG intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.

Anyone with concerns or reasonably held suspicions about potentially fraudulent activity or practice should refer to the Local Anti-Fraud and Corruption Policy and contact the Local Counter Fraud Specialist at:

http://www.northeastlincolnshireccg.nhs.uk/countering-fraud-in-the-nhs

8. REVIEW

This is a joint policy between the Clinical Commissioning Groups (CCGs) across the Yorkshire and the Humber regions and will be reviewed on a 3 yearly basis.

APPENDIX A – ABBREVIATIONS

Abbreviations Used	Definition
ВМІ	Body mass index
DI	Donor Insemination
GP	General Practitioner
HFEA	Human Fertilisation and Embryology Authority
ICSI	Intracytoplasmic sperm injection
IUI	Intra-uterine insemination
IVF	In-Vitro Fertilisation
NICE	National Institute of Clinical Excellence
CCG	Clinical Commissioning Group

APPENDIX B – CONTENTS DEFINITION

Term	Definition	Further Information
ВМІ	The healthy weight range is based on a measurement known as the Body Mass Index (BMI). This can be determined if you know your weight and your height. This is calculated as your weight in kilograms divided by the square of your height in metres. In England, people with a body mass index between 25 and 30 are categorised as overweight, and those with an index above 30 are categorised as obese.	BBC Healthy Living http://www.bbc.co.uk NHS Direct http://www.nhsdirect.nhs.uk
ICSI	Intra Cytoplasmic Sperm Injection (ICSI): Where a single sperm is directly injected into the egg.	Glossary HFEA http://www.hfea.gov.uk
IUI	Intra Uterine Insemination (IUI): Insemination of sperm into the uterus of a woman.	As above
IVF	In Vitro Fertilisation (IVF): Patient's eggs and her partner's sperm are collected and mixed together in a laboratory to achieve fertilisation outside the body. The embryos produced may then be transferred into the female patient.	As above
DI	Donor Insemination (DI) : The introduction of donor sperm into the vagina, the cervix or womb itself.	As above

APPENDIX C - RELEVANT CONFLICTS OF INTEREST DECLARED

Dr Steve Maguiness:

IVF in Hull is provided by a private company (ERFS Co Ltd), of which I am a Director and employee.

Prof Adam Balen:

NHS Consultant in Reproductive Medicine and Clinical lead for the Leeds Centre for Reproductive Medicine, which performs all fertility treatments funded by the NHS. Partner in Genesis LLP, the private arm of the Leeds Centre for Reproductive Medicine, which performs self-funded fertility treatments using identical protocols to the NHS. Chair, British Fertility Society. Chair, NHS England IVF Pricing Development Expert Advisory Group. Chair World Health Organisation Expert Working Group on Global Infertility Guidelines: Management of PCOS. Chair, British Fertility Society. Consultant for ad hoc advisory boards for Ferring Pharmaceuticals, Astra Zeneca, Merck Serono, Gideon Richter, Uteron Pharma. Research funding received in the past. Pharmasure / IBSA- Key note lecture at ESHRE 2016 & hospitality to attend meetings. OvaScience- Member of international ethics committee. Clear Blue National medical advisory board. IVI, UK- Chair, Clinical Board.

Virginia Beckett FRCO:

I have a private practice where I see fertility patients.

I have received sponsorship from Pharmasure, Ferring and Serono to attend conferences.