



Human  
Fertilisation &  
Embryology  
Authority

# Giving consent

A guide for  
patients and their  
partners

Before you undergo fertility treatment, or store eggs, sperm or embryos, you must fill in one or more of our consent forms.

This leaflet explains more about consent and why you need to complete these forms, what you should consider when giving your consent and how your clinic should support you.

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## First, a little bit about us

We're the Human Fertilisation and Embryology Authority (HFEA), the UK's independent regulator of fertility treatment. We're a Government body responsible for licensing and inspecting UK fertility clinics and setting the standards they must meet.

Legally, your clinic can only use your eggs, sperm or embryos in fertility treatment, or store them, if you give your consent. We produce the consent forms your clinic will ask you to fill in to help ensure you and your clinic have covered everything required by the law.

You can also come to us for free, clear and impartial information about different fertility clinics and treatments – find out more on our website [www.hfea.gov.uk](http://www.hfea.gov.uk).

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## Why do I have to fill in a consent form?

We know that paperwork is probably the last thing on your mind, but it's a legal requirement and for good reason. A consent form is not just a signature on a piece of paper; it is your opportunity to record what your wishes are in particular circumstances.

The process of giving consent involves carefully thinking through everything that will, and could, happen in your situation and discussing your questions and concerns with the experts at your clinic. This is incredibly important – you must be fully aware of what could lie ahead and have thought about all the things you need to before you start your treatment.

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For example, you will be asked to consider what you would like to happen to your eggs, sperm or embryos if you were to die or lose the ability to decide for yourself (become mentally incapacitated). While this might be something

you'd prefer not to think about, it's vital that you do so and that you record your wishes on the forms. You must name the person who you would like to use your sperm, eggs or embryos and specify how long you would like your sperm, eggs or embryos to be stored for. This will ensure that if something does happen to you, your clinic can follow your wishes.

The consequences of not recording this information, or not updating your wishes if your circumstances change, can be devastating. For example, we have seen some patients go through long, distressing and costly legal cases to use their partner's sperm after they have died unexpectedly, because their wishes were not properly recorded on the forms.

### What you need to know

If you're using donated sperm or embryos in your treatment and you're not married or in a civil partnership, it is essential that you and your partner fill out our legal parenthood consent forms to enable your partner to become the legal parent of your child.

Our legal parenthood leaflet, available on [our website](#), explains more.

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## What is my clinic responsible for when it comes to consent?

As we said earlier, consent is much more than a signature on a consent form. For your consent to be valid, your clinic must offer you an opportunity to have counselling and must support you throughout the process by talking you through the forms and making sure you are given all the relevant information you need to make fully informed decisions.

This includes giving you information about:

- the different options set out in the forms
- the implications of giving your consent (or not giving consent)
- the consequences of withdrawing your consent, and
- how to make changes to, or withdraw your consent.

If you feel you haven't had this support, talk to your clinic; you need to decide on some complex issues so it's very important you understand and thoroughly discuss your options with them.

Once you have had an opportunity to receive counselling and have been given all the relevant

information, your clinic should make sure they give you the right consent form(s) to fill out.

Depending on your situation, you might have to fill in one, two or several HFEA forms. Your clinic may also ask you to complete some of their own forms too.

You should not be given the form(s) to complete by yourself without any guidance, nor should your clinic complete the form(s) for you.

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If you're storing eggs, sperm or embryos, you legally have a right to store them for any period up to 10 years. In certain circumstances, it may be possible for you to consent to store for up to 55 years if you or your partner are prematurely infertile. Your clinic will be able to advise whether this applies in your circumstances.

Some clinics have tried to limit patients' storage to only a year or two because this ties in with NHS funding or payment plans – you have a right to store for up to 10 years and you do not have to agree to a shorter period of time if you do not wish to. When deciding how

long to store for, think about your personal circumstances and discuss the options with your clinic.

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## **Why should I be offered counselling?**

Because fertility treatment is such a complicated process, all clinics licensed by us must offer you an opportunity to talk to a counsellor before you start treatment. This will help you to think about your treatment in advance and how it might affect you and those close to you – now and in the future.

Counselling on the implications of treatment is especially important if you are considering using donated sperm, eggs or embryos or surrogacy arrangements – all of which involve complicated issues.

You may need time to explore how you feel, to consider the needs and legal rights of donor-conceived children and to talk about whether this is going to be the right decision for you.

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## **What do I need to make sure I've done?**

You should take your time to read the form(s) thoroughly in a quiet place with no distractions. Make a note of any questions you have so

you can ask your clinic for more information before proceeding.

Think through your answers carefully – the consent you give could have life-changing implications so it's very important you don't rush.

Make sure you've completed the right form(s) and all the relevant sections of the form(s), ticked the right boxes, and signed the page declarations at the bottom of each page. You must also sign and date the declaration at the end. If you are unsure about anything, ask your clinic to explain it to you.

Ask your clinic for a copy of your completed form(s) so you have a record of what you have consented to. This can prove invaluable in the unfortunate event that your clinic consent forms go missing.

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**If your personal circumstances change in the future, it's vital that you contact your clinic to discuss whether you need to review the consent you have given and bring it up to date.**

This is especially important if you separate from your partner or get

divorced, or if you or your partner are diagnosed with a terminal illness. The consequences of not reviewing your consent in these circumstances can be devastating and result in long, costly and distressing legal cases.

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## How do I change or withdraw my consent at a later date?

Consent to treatment, surrogacy, donation and parenthood can be changed or withdrawn at any time until the point of sperm, egg or embryo transfer. Consent to storing sperm, eggs or embryos and disclosing information can be changed at any time.

You can change or withdraw your consent by completing a new form which you can get from your clinic.

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## Find out more

Our website, [www.hfea.gov.uk](http://www.hfea.gov.uk), has lots more useful information. If you have any questions, you can contact us by emailing [enquiriesteam@hfea.gov.uk](mailto:enquiriesteam@hfea.gov.uk) or calling 020 7291 8200.

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to know more about our evidence  
sources.