



Welfare of the Child

During your first consultation at the fertility clinic, your doctor will ask you a number of questions about your medical history to determine the best course of treatment for you. You will also be asked a series of questions relating to your social circumstances. These questions are part of an assessment, known as the welfare of the child assessment, which clinics are required to perform prior to a treatment cycle.

Why do clinics ask these questions?

Fertility clinics offering treatments such as IVF, ICSI, egg or sperm donation or surrogacy operate under an Act of Parliament called the Human Fertilisation and Embryology Act. The Act requires clinics to consider the welfare of any child who may be born as a result of treatment, or any existing child in the family, before they agree to provide treatment. It is the HFEA's responsibility to provide clinics with guidelines on how to comply with this legal requirement.

What are the criteria for making the assessment?

The HFEA's updated guidelines now mean there is a presumption to provide treatment, unless there is evidence that any child conceived is likely to experience serious harm. This means the vast majority of patients, whose circumstances raise no concerns at all, are able to proceed with treatment with the minimum of delay. However, it also means that, in a small minority of cases, where there are serious concerns about a prospective child's welfare, treatment may not be provided.

What kind of information are clinics looking for?

Clinics will ask you questions relating to the following issues:

- any previous convictions relating to harming children
- any contact with social services over the care of existing children
- any serious violence or discord within the family
- any serious drug or alcohol abuse
- any serious mental or physical conditions, and
- any risk to the child of a serious medical condition

Will all patients undergo an assessment?

All patients and their partners (if applicable) having any treatment, at a clinic licensed by the HFEA, must undergo a welfare of the child assessment. The assessment process is the same, regardless of whether you are having IVF, donor insemination, intrauterine insemination or any other form of assisted conception.

How will the information be collected?

Your clinic will collect information from you about the list of issues above. Your doctor will record the answers you provided in your notes, which will be held in confidence.

If I answer yes to the questions asked, will I still be considered for treatment?



Each case is decided on an individual basis and patients' circumstances are given fair consideration. Some information provided by you might prompt your doctor to seek further information, but this doesn't necessarily mean you will be turned down for treatment. The purpose of gathering information is to collect information about your specific circumstances, so that you doctor can assess whether your prospective child is likely to experience serious harm.

Will the clinic need to ask for information from anyone other than me and my partner?

Most of the time, your doctor will be satisfied from the information that you provide. Occasionally he or she may wish to seek further information in order to understand your situation better. This information may be sought from your GP, a relevant medical specialist or another relevant professional such as a probation officer. If your doctor does wish to contact such a person, he or she must first obtain your written consent to do so.

What if I don't want to consent to the clinic contacting my GP or other third party?

You don't have to consent to such contact, but your doctor will consider the fact that you have refused to consent when he or she decides whether or not to provide treatment. You may have a good reason why you don't want a particular person to be contacted. In such circumstances it may help for you to suggest someone else who could provide the information required.

For how long is my assessment valid?

Your clinic should repeat the welfare of the child assessment if:

- it has been two years or more since your last contact with the clinic
- you have changed partner
- you have had a child, or
- there has been a different significant change in your circumstances
- Repeating an assessment in these cases is necessary because such changes in your circumstances may mean new information needs to be taken into consideration.

Who will make the final decision about whether or not I get treatment?

Your doctor will give approval for treatment to start once he or she is satisfied that your prospective child is unlikely to suffer serious harm. If there is a need for further information or consideration, your case will be discussed in confidence with other members of staff at the clinic. Ultimately, the person who is named on the clinic's HFEA licence (known as the Person Responsible) is responsible for the decision about whether or not to provide treatment.

Will the assessment process delay my treatment starting?

For most patients, the assessment process will be quick and straightforward. In some cases, however, more information and discussion may be needed. Clinics may refer particular cases to their Clinical Review Panel for further advice. Each of these stages is likely to delay the start of treatment, though clinics should resolve matters with you as quickly as possible.

If I am turned down for treatment, what right of appeal do I have?

If LCRH decides to refuse treatment as a result of the assessment, you will be given the following information verbally and in writing:



- why you were refused treatment and, where appropriate, any circumstances that may cause the clinic to reconsider
- what other options are available to you, and
- what counselling services are available to you

If you feel that you have been unfairly treated or the clinic has failed to consider information that you think is relevant, the first step to take is to appeal to LCRH to reconsider the decision. If you feel that the clinic has failed to comply with HFEA guidelines, you should make a complaint to the HFEA. For more information about the HFEA and its role including how to make a complaint, go to the HFEA website www.hfea.gov.uk