NHS
North East and North Cumbria

Our Reference North East and North Cumbria ICB\ FOI ICB 26–278

North East and North Cumbria ICB
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By Email

8 September 2026

Dear Applicant

Freedom of Information Act 2000 – Request for Information – NHS North East and North Cumbria Integrated Care Board (NENC ICB)

Thank you for your request received on 1 September 2026 for information held by NHS North East and North Cumbria Integrated Care Board (the ICB) under the provisions of the Freedom of Information Act 2000. The ICB covers the areas of County Durham, Newcastle Gateshead, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland, and Tees Valley.

Please find the information you requested on behalf of the ICB as follows.

Your Request

I am requesting information concerning NHS-funded IVF for patients with secondary infertility who have living children, and the impact of the new NICE fertility guideline NG257, published in March 2026.
Please provide the following aggregate information for 2023/24, 2024/25, 2025/26 and 2026/27 to date:

1. The number of Individual Funding Requests (IFRs) submitted for IVF where the patient had secondary infertility and/or had one or more living children.

2. Of these applications, the number:
   - approved;
   - declined;
   - withdrawn; and
   - appealed/reconsidered.

3. Of the applications that were approved, how many were approved despite the patient not meeting the routine commissioning criterion relating to having a living child?

4. For declined applications, please provide the aggregate recorded reason for refusal, where this information is held. For example:
   - clinical exceptionality not demonstrated;
   - insufficient evidence of greater expected benefit;
   - policy criteria not met;
   - other reason.

5. Since publication of NICE guideline NG257 in March 2026, has NENC ICB formally reviewed its fertility commissioning policy, specifically the exclusion relating to patients with living children? If yes, please provide copies of any publicly disclosable documents recording:
   - the review;
   - its outcome;
   - relevant committee/board papers or minutes;
   - any equality impact assessment; and
   - any clinical or policy analysis concerning secondary infertility or patients with living children.

6. Please confirm whether the current NENC fertility commissioning policy still excludes routine NHS-funded fertility treatment where a person with proposed parental responsibility has living children.

7. Please provide any information held by NENC ICB concerning how the current policy has been considered alongside the relevant provisions of NICE NG257 regarding patients who already have living children.

I am requesting aggregate information only and do not require any patient-identifiable information.

If any part of this request would exceed the appropriate cost limit, please provide the information that can be supplied within the limit and advise me how the request could be narrowed. If information requested above has already been published, please provide the relevant FOI reference number or document title and link. Please provide the response electronically by email.

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the information requested.

1. The table below shows IFRs submitted for IVF where the patient had secondary infertility and/or had one or more living children:

Financial year	Question 1	Question 2			
	Confirmed applications	Approved	Declined	Withdrawn	Reconsidered
2023/24	3	0	3	0	0
2024/25	2	0	2	0	1
2025/26	4	0	4	0	1
2026/27 to date	1	0	1	0	0

2. Please find the requested numbers in the table above.

3. Based on the information held within the IFR records reviewed, the ICB has not identified any IVF Individual Funding Requests involving patients with secondary infertility and/or where a patient or proposed parent had a living child that were approved despite not meeting the routine commissioning criterion relating to having a living child. Therefore, the number identified is 0 (zero) approvals.

4. The IFR database does not routinely record refusal reasons in standardised reporting categories. Consequently, the ICB does not hold aggregate refusal data in the format requested.

   However, for the identified IVF IFRs relating to secondary infertility and/or patients with living children, the recorded reason for refusal was consistently that the application did not meet the commissioning policy criteria relating to living children and that clinical exceptionality had not been demonstrated where applicable

5. NENC ICB is currently undertaking a review of its Fertility Policy as part of its routine policy review process. As part of that review, the recently published NICE Guideline NG257 is being considered alongside other relevant clinical, commissioning and policy factors. The review remains ongoing and no revised policy has yet been formally approved or adopted. It is anticipated that the review process will conclude later this year.

   Any publicly disclosable documentation relating to the review will be available once the review and associated governance processes have been completed and any revised policy has been formally approved.

6. Yes. The current NENC Fertility Policy remains in force pending completion of the ongoing policy review. The policy states that the NHS does not routinely commission fertility treatment "when any party to the pregnancy with proposed parental responsibility has living children."

7. The ICB is currently reviewing its Fertility Policy, including consideration of the recently published NICE Guideline NG257. As the review remains ongoing, no final conclusions or decisions have been reached, and no revised policy position has been formally agreed. The outcome of the review, including any consideration of provisions relating to patients who already have living children, will be determined through the ICB's governance and policy approval processes. At the time of this response, the current policy remains in effect.

In accordance with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response which will protect your anonymity will be posted on the NHS ICB website https://northeastnorthcumbria.nhs.uk/.

If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me on the above telephone number or at the above address.

If you are unhappy with the service you have received in relation to your request and wish to request a review of our decision, you should write to the Information Governance Manager using the contact details at the top of this letter quoting the appropriate reference number.

If you are not content with the outcome your review, you do have the right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act 2000. Generally, the Information Commissioner cannot make a decision unless you have exhausted the ICB's complaints procedure.

The Information Commissioner can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or www.ico.org.uk.

Any information we provide following your request under the Freedom of Information Act will not confer an automatic right for you to re-use that information, for example to publish it. If you wish to re-use the information that we provide and you do not specify this in your initial application for information then you must make a further request for its re-use as per the Re-Use of Public Sector Information Regulations 2015 www.legislation.gov.uk. This will not affect your initial information request.

Yours faithfully

Information Governance Support Officer

Information Governance Support Officer
North East and North Cumbria Integrated Care Board