

Department of Health review of the way in which the Human Fertilisation and Embryology Authority and Human Tissue Authority undertake their regulatory functions

Terms of reference

Key Activities of the Review

With the intention that the Human Fertilisation & Embryology (HFEA) and the Human Tissue Authority (HTA) introduce further efficiencies in the way in which they both undertake functions and operations, the review will assess and make recommendations on:

- the scope to streamline the way in which the two bodies undertake their regulatory and statutory functions, including through joint working, sharing resources and information and working more closely with other health sector regulators
- the scope to reduce and rationalise the burden of inspection, information collection and process of research approvals that falls on the regulated sector, without compromising the safeguards in the respective Acts;
- the scope for shared Authority membership and leadership, and of a merger of the two bodies.

Key Outcomes

A report to be made available by April 2013 for the Public Health Minister and Minister for the Cabinet Office, featuring recommendations in each key activity area about the further efficiencies that could be achieved.

Timeframe

The project to run from January 2013 to end March 2013.

Background

The Department of Health, as part of its contribution to the Public Bodies Reform (PBR) programme, conducted a consultation on the proposed transfer of functions from the Human Fertilisation and Embryology Authority (HFEA) and the Human Tissue Authority (HTA), to the Care Quality Commission (CQC) and Health Research Authority (HRA). The consultation was held between 28 June and 28 September 2012.

The majority of respondents (nearly three quarters) including most of the leading bodies, disagreed with the option of transferring the HFEA and HTA functions to the CQC and HRA. Given the strength of responses, DH Ministers have taken the view that they do not believe it would be appropriate at this time to proceed with the transfer of functions.

DH are now proposing to maintain the HFEA and HTA as statutory bodies for the time being, but, in recognition of the broader policy objectives of the PBR programme, are committed to continuing to deliver the statutory duties of the two bodies in a significantly more efficient and lower cost manner. The Department will seek to achieve this by:

- including the HFEA and HTA in the DH Shared Services programme, and;
- commissioning an independent review of the way in which the HFEA and HTA undertake their functions and operations, with a view to delivering greater efficiencies and giving serious consideration to a merger of the two bodies.

The need for a review was a clear message in the consultation responses.

The Review will be undertaken by Justin McCracken.

Justin is currently Chief Executive of the Health Protection Agency. He has substantial experience of regulation, having previously been the Deputy Chief Executive of the Health and Safety Executive and a Regional Director of the Environment Agency. Prior to that Justin, a physicist by background, worked in industry. He started his career as a research scientist and gained experience in operations and marketing before becoming Managing Director of a substantial international technology business.