



Holidaymaker scammer jailed for fake Covid-19 certificates

Fraudster handed a two year sentence
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Banks warn impersonation fraud soars by 300%

£4000 average losses
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Autumn 2022

fraudtalk



Focus on...

Fitness for Work

Statement for Fitness for Work documents are more commonly known as sick notes. If someone alters a sick note, for example;

- amends the period it covers
- the name of the person it was issued to or any other information on it,

Then this constitutes a false representation, and can be liable to prosecution under the Fraud Act 2006.

Investigations

The Counter Fraud Team have investigated cases whereby NHS employees have presented sick notes which have been altered to allow them more paid time off work and other cases whereby staff have provided a document that was issued to someone else but it was altered to make it.

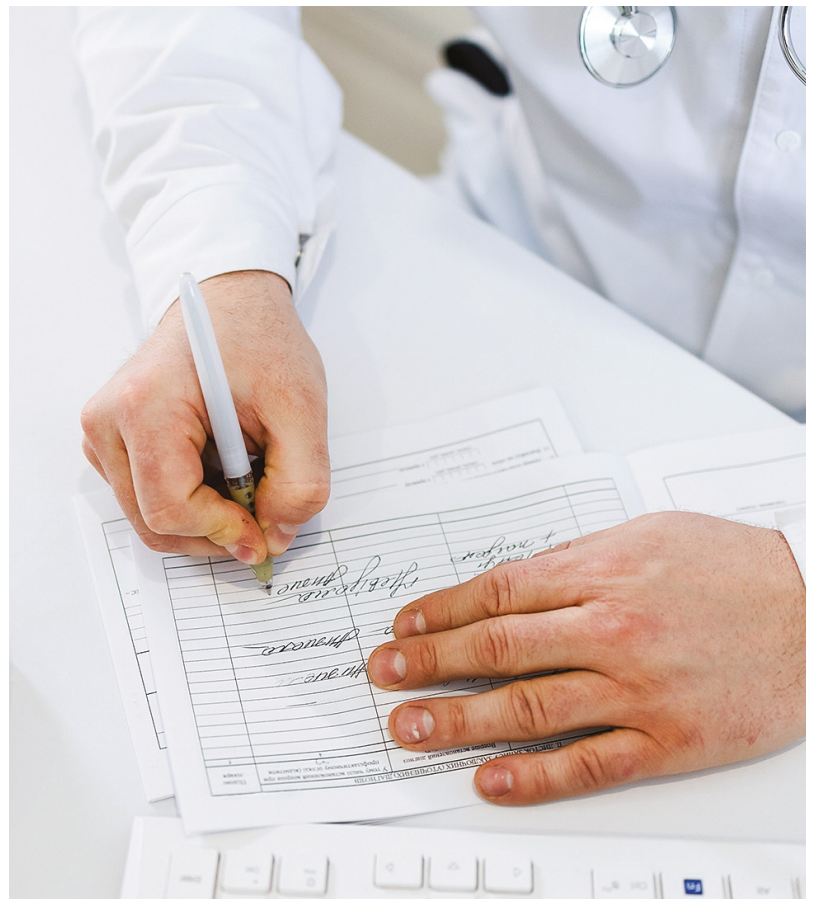
Where fraud is proven, this can result in internal disciplinary action, criminal action, and also referral to professional bodies such as the Nursing

and Midwifery Council (NMC), General Medical Council (GMC) and Healthcare Professionals Council (HCPC). Action is always taken to recover monies too.

In a recent investigation undertaken by counter fraud it was identified that the Statement for Fitness for Work document that a member of staff had provided, had been altered to make it look like it was issued to them. Following a disciplinary investigation, the manager was dismissed for gross misconduct.

QR code

Did you know that the QR code on sick notes can be scanned to show the name of the person it was issued to? Therefore, if a concern is raised with the authenticity of a sick note, the counter fraud team can check the QR code. We can also contact the GP who purportedly issued it.



This edition of **FraudTalk** has been compiled by **Zenda Butler**, Head of Counter Fraud. You'll find information about local and national fraud cases as well as general advice about fraud issues.

Reminder – what to do if you suspect fraud

Do

- Report your suspicion to your LCFS immediately. If the problem is ignored, it may get worse and if it isn't addressed more money might be lost to the organisation.
- Deal with the matter promptly – the sooner it's reported the sooner the problem can be dealt with.
- Keep any evidence safe. Your LCFS will need this to form part of the case. Please don't write on it.
- Make notes on what you know/have heard or seen. It makes you more credible as a witness if you can be sure of what you're saying.

Don't

- Don't rely on someone else to make the call – the chances are they are hoping someone else will do it too.
- Don't ignore it.
- Don't confront any suspect yourself directly. This could give them time to destroy or remove evidence. The LCFS will notify the individual at the appropriate time.
- Don't start an investigation yourself. The LCFS has had specialist training to collect evidence to meet the standard required for admission in court. Any relevant findings will be shared with the health body and professional bodies so that disciplinary action can also be considered, if appropriate.
- Don't discuss your concerns with anyone other than the LCFS or the Chief Finance Officer – you don't know whether others are involved or if they are linked to the subject.
- If you're not sure whether or not what you have found constitutes fraud or bribery or can be investigated by the LCFS, please contact your LCFS anyway. It is better that you report a concern so that we have the opportunity to decide whether we can investigate, rather than missing an opportunity to deal with suspected fraud.

ELFT's Counter Fraud Service delivers an in-house counter fraud service to East London NHS Foundation Trust (ELFT) and also provides North East London NHS Foundation Trust's Counter Fraud Service.

Introducing the team



Zenda Butler
Zenda is the Head of Counter Fraud at ELFT. Also the lead Local Counter Fraud Specialist (LCFS) for ELFT



Beth Raistrick
Beth Raistrick is the LCFS responsible for all referrals relating to fraud and bribery within ELFT's Bedfordshire and Luton services.



Daniel Higgs
LCFS for NELFT. Daniel is the LCFS for NELFT and works across NELFT sites.

Working two positions at different employers at the same time

Sadly within the NHS there has been an increase of referrals concerning alleged fraud whereby individuals who are either substantively employed by a Trust or working via an agency, are also working, on the same dates and during the same hours, for other organisations.

This constitutes fraud and is classed as fraud by false representation. Where an individual is claiming payment from an NHS organisation for hours worked, but is also claiming payment from another employer, for working during the same hours, they are falsely representing the fact they are carrying out duties for one or possibly both organisations, as it is not possible for someone to carry out their full duties for two employers at the same time and individuals cannot be in two places at the same time.

This type of fraud seems to have increased during the Covid-19 pandemic as remote working has created opportunity for some individuals to take on multiple positions across different organisations and earn more money. The rise in referrals may also be attributed to the increased cost of living. In addition to being fraud, it also raises health and safety implications to NHS service users, as in some cases they might not be receiving full and adequate attention and care if

individuals are trying to juggle multiple roles.

These cases can result in internal disciplinary action up to dismissal, criminal prosecution, and external disciplinary action by regulatory bodies and recovery of monies.

Your LCFS will soon be reviewing the National Fraud Initiative (NFI) data matches for 2022. The NFI is a data-matching exercise between public bodies which identifies if an NHS employee has a second job at another NHS Trust or local authority. There is also now closer working across the Integrated Care System (ICS).

Please be aware of this type of fraud, and if you line manage please ensure you are aware of levels of expected work, actual productivity, record keeping, and whether employees are contactable when they should be. Any concerns managers identify could be indicators of this fraud.

Employees should familiarise themselves with their employer's policy in relation to declaring secondary employment and the working time regulations. Managers should have regular conversations with their teams about the requirements under their Trust's policy to declare additional work they undertake.

Do not hesitate to contact your LCFS if you have concerns and wish to discuss these.



Dismissal after theft identified

An investigation was undertaken within the Trust following reports of multiple thefts on an Inpatient Ward.

As a result of the disciplinary investigation undertaken, a member of staff was identified for being responsible for a theft.

Following a disciplinary hearing, the member of staff was dismissed for gross misconduct.

This case highlights the importance of managers ensuring that the Patient Property Policy and procedures on their units are being complied with on a daily basis and that staff are aware of the policy. In the event of an incident, it is important that evidence such as CCTV is preserved and downloaded in a timely manner.

Managers should ensure daily checks of money within the safe are undertaken and documented, and that ward safe keys are kept in the possession of a nominated person and not readily available to any members of staff who ask for them without a work related and plausible reason.

Staff should not leave their personal money unattended.

Employee dismissed after misappropriation of service user's money

A disciplinary investigation, supported by the Counter Fraud Team at ELFT, into the alleged misappropriation of a service user's money was undertaken following concerns over unauthorised banking activity.

As a result of the disciplinary investigation, the employee was dismissed for gross misconduct and the service user was reimbursed the money that was misappropriated. The matter was also referred to their respective regulatory body.

This case highlights the importance that staff members must abide by the code of conduct set by their regulatory body and the policies and procedures of the Trust.

Staff must not take advantage of the finances of the service users they are entrusted to care for.

Dismissal for an altered sick note

An investigation was undertaken following concerns a member of staff had manipulated a Statement for Fitness for Work document (sick note). It was identified that the Statement for Fitness for Work document had been altered to make it look like it was issued to them.

Following a disciplinary investigation, the member of staff was dismissed for gross misconduct.

Jail for Covid fraudster

A fraudster who conned holidaymakers into paying for fake Covid-19 certificates has been jailed. The fraudster traded as Travel Test Solutions Ltd, offering PCR tests for travel certificates costing between £60 and £149 per person.

During the pandemic, many countries required proof of a negative Covid-19 test to allow travellers to enter. Warwickshire Trading Standards said an investigation was launched into the fraudster after a customer became

concerned that the certificates they had received were fake.

The fraudster, who advertised on social media, visited customers' homes to take swabs, with the certificates she provided stating testing had taken place at a Coventry-based laboratory and were negative for coronavirus. But, the tests did not take place and the certificates issued were fake.

To try to hide their identity, the fraudster had used an online bank account in the name of an ex-partner and set up a website

using a fake name. The limited company was also set up in the name of another person, with a fake Care Quality Commission number used on the certificates.

The fraudster admitted five charges of fraud. On 11 May they were jailed for two years at Coventry Crown Court, ordered to pay compensation and a victim surcharge, and disqualified from being a company director for seven years.

<https://www.bbc.co.uk/news/uk-engla-1477737>

ELFT employee dismissed for working on sick leave

The LCFS undertook an investigation into an allegation that a member of staff had worked bank shifts at another trust whilst on sick leave from ELFT.

As part of the disciplinary investigation it transpired that the member of staff had also been working back to back shifts between ELFT and the other Trust.

The case progressed to a disciplinary hearing and they were dismissed for gross misconduct. The salary the employee received from ELFT for the dates they worked at the other Trust whilst being recorded as off sick, were recovered.

At ELFT, in accordance with the Standards of Business Conduct Policy, staff are required to seek approval of any outside/additional employment on a

Declaration of Interest Form, which can be found at Appendix G of the Standards of Business Conduct Policy. In this case, the employee had not declared their secondary employment to ELFT.

Under the Working Time Regulations 1998 – ELFT Rules, which can be found in the Standards of Business Conduct Policy, staff must not undertake back to back working which includes working;

- A Late (or a long day) shift followed by a night shift
- A Night shift followed by any day duty

Staff must also ensure they have sufficient rest periods, which can be averaged out over a seven-day period; however, they must ensure that they receive a minimum of a 90 hour rest period a week.

Bank warns over impersonation fraud as cases soar by 300%

People should be on alert for fraudsters pretending to be from banks or organisations asking for money.

The average victim of impersonation fraud loses £4,000, with household names like Royal Mail, Amazon and BT being used to lure unsuspecting people into sending money to scammers.

Households can be bombarded with scam calls, texts and emails every day. It's important to remain suspicious of any unsolicited contact to avoid falling victim to fraud.

Impersonation fraud is an attack in which a criminal impersonates a company, business, organisation or individual and reported cases have soared by 300% since 2019.

More than half of the money lost due to impersonation fraud was from criminals pretending to be from a bank, who claimed their victim's account was under attack and money had to be transferred to a "safe account".

Authority fraud, when imposters claim to be from

official organisations like the police, HMRC, the National Crime Agency or the NHS, made up 13% of the total value lost. Tech support and phone provider fraud made up 9% of losses, with BT, Virgin and Sky used most, when fraudsters pretend to offer speed increases or help with software, 8% of the total loss were from fraudsters pretending to be from delivery companies like Royal Mail, Hermes and DPD, while 7% was from fraudsters pretending to be from Amazon.

Be suspicious of any out-of-the-blue contact, keep your guard up and do not be easily convinced. Fraudsters thrive on causing panic, so people should take their time and the best way to deal with anything suspect would be to hang up or delete the message.

Bank fraud departments will never ask you to make a transfer, and by dialling 159 people can find out if it really is their bank calling.

https://www.standard.co.uk/news/uk/bank-tsb-households-royal-mail-amazon-b995138.html?mc_cid=6a130e2b84&mc_eid=234554795d



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NELFT Case

Abuse of Position – manipulating annual leave

Following an investigation by the LCFS, an administrative assistant was found to have abused their position and manipulated their annual leave entitlement using their manager's system log in details, which resulted in them gaining a total of 142 extra annual leave hours. This equated to a figure of £1,405 gained fraudulently.

The individual left their role at the Trust before any disciplinary investigation was instigated, however, as with all fraud and bribery cases, if they remained in employment with NELFT, this would have been dealt with as per Trust policies and in line with disciplinary procedures.

Action was taken to recover the monetary value of the fraud so the individual was invoiced for the total amount, which has been paid in full.

This case highlights the importance of not sharing system passwords and log in details with others, as unfortunately not everyone will follow procedures and agreements that are put in place and it allows the very few that want to, to commit fraud.

Please be reminded that many, if not all, of NELFT's employees, work in a position of Trust, and abusing that position, for example by using the access or powers they have been granted for their own financial gain, is classed as fraud by abuse of position under the Fraud Act 2006. Any such allegations are passed to the LCFS to investigate. Offences under the Fraud Act are a criminal offence and are taken very seriously and progressed accordingly.

All monies repaid after conviction

A former ELFT employee who was convicted of fraud for working whilst on sick leave, and ordered to repay all of the sick pay they received, in addition to the costs of the investigation, has repaid all of the monies to the Trust in full.

The former employee had reported sick to the Trust and worked bank shifts at another Trust during the sick leave. The fraud was identified as a result of the National Fraud Initiative (NFI), a national data matching exercise run by the Cabinet Office that detects fraud and error.

Fighting fraud highlights

Since 1st April 2022 at NELFT

- Regular bitesize videos on various fraud topics
- Multiple recommendations made to address system weaknesses.
- 7 referrals received
- One investigation with the Met Police and currently with the CPS for a charging decision
- Multiple investigations on-going joint working with counter fraud services at other Trusts due to allegations of individuals working two positions, at different Trusts at the same time

- £240 recovered and further recovery in progress.
- £240 fraud identified to date. This is a fraud prevented figure as controls in place stopped this being lost.

Since 1st April 2022 at ELFT

- 17 referrals received
- £3,264 non-fraud prevention saving
- £568 recovered
- One dismissal for working at another Trust whilst on sick leave from ELFT

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