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Autumn 2023

fraudtalk



Focus on...

Fraud prevention or investigation of fraud? Which is better?

Fraud prevention is generally considered better than investigation for the following reasons;

- **Cost-effective:** Prevention is usually more cost-effective than investigation. Investigating fraud can be resource-intensive, requiring time, and financial resource to uncover and resolve the fraudulent activities. Prevention efforts, such as implementing robust controls is often more efficient and economical in the long run.
- **Reputation Management:** Preventing fraud helps maintain a positive image and trustworthiness, whereas fraud investigations can damage an organisation's reputation.
- **Reduced Losses:** Investigating fraud is reactive and may only recover a portion of the losses incurred. Preventing fraud minimises the financial losses that an organisation may suffer in the first place.
- **Employee Morale:** Frequent fraud investigations can negatively impact employee morale and trust within the organisation. Employees may feel that their workplace lacks security and that their contributions are undervalued. Preventing fraud helps create a more positive environment.
- **Strategic Focus:** Focusing on fraud prevention allows an organisation to direct its attention toward its core objectives and strategic goals rather



than being constantly reactionary to fraud incidents.

While investigating fraud is important for identifying culprits and recovering losses, fraud prevention is the first line of defense against fraudulent activities. Combining robust prevention measures with effective detection and response mechanisms helps create a comprehensive anti-fraud strategy.

Local Counter Fraud Specialists working in NHS organisations undertake work to

investigate, prevent, detect and deter fraud and bribery. There is now however more of a focus on fraud prevention than there was previously. Where system weaknesses or lack of compliance are identified during the course of investigations, recommendations are made to address these. Reviews are also undertaken in known risk areas to check the adequacy of controls and also compliance with existing controls.

fraudtalk

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.
- 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.
- 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.
- Discuss your concerns with anyone other than the LCFS or the Director of Finance/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 (NELFT) 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

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

National cases

Senior Manager sentenced for £560,000 Fraud against the NHS:

A Senior Manager at a CCG has been sentenced to three years and eight months in prison after pleading guilty to a charge of Fraud by Abuse of Position. The fraud came to light when a colleague at the CCG, where the fraudster had been employed between April 2017 and December 2020, queried invoices from a company called Tree of Andre Therapy Services Limited.

It transpired Tree of Andre was a ghost company set up on-line in the name of family members of the senior manager who had no knowledge of the fraud.

In their role at the CCG, the fraudster managed a team of staff and had a budget responsibility. They had authority and approval to sign off invoices up to a

value of £50,000. Between August 2018 and December 2020, they authorised and approved invoices submitted by Tree of Andre for payment to the CCG totalling £564,485. These were paid into a bank account registered to themselves. They were the sole approver for all invoices submitted, and no services were delivered, or work conducted for the CCG by that company.

The fraudster attempted to cover up their fraudulent activities by sending an email to the CCG using the address of their deceased partner who had died in 2012, eight years prior to the email being sent.

Work will now continue to recover the monies taken and return them to the NHS. <https://cfa.nhs.uk/about-nhscfa/latest-news/senior-manager-sentenced>

Carer receives two-year warning for failing to report almost £10,000 wage overpayment

A carer has received a two-year warning on their registration by the Scottish Social Services for failing to report that they had received almost £10,000 in payments from their employer, despite the error being on the employer's part. Other conditions were also imposed including providing an account of "why it was wrong to keep the money" and what they "would now do differently if faced with a similar situation".

The carer received three payments amounting to £9,289, between November

2022 and January 2023 while working for Newcross Healthcare Solutions Ltd in Aberdeen.

The watchdog that imposed the warning stated; "You were overpaid by your agency and failed to report this or return the funds ... You ... caused your previous employer significant financial harm. Your actions have been dishonest. This falls below the standards of conduct expected of a social service worker and amounts to misconduct."

<https://news.sky.com/story/carers-receives-two-year-warning-for-failing-to-report-almost-16310000-wage-overpayment-12899487>

NELFT cases

Agency Worker undertaking work at two different Trusts at the same time

Following a joint investigation between NELFT and another trust, it was found that a nurse had been submitting timesheets to both trusts claiming to have worked on the same days and during the same hours. They were working at NELFT via one agency and via a different agency for the other Trust which enabled the fraud to occur and initially go undetected. The LCFS analysed system data which evidenced how often the nurse was logged in and carrying out work for NELFT. From this analysis it was determined that the nurse had not carried out a total of 79 hours and 11 minutes of work they had claimed for on timesheets to NELFT. This totalled £4074 and the nurse has been invoiced. The nurse is no longer being used at NELFT. The case has also been referred to the regulatory body, the Nursing and Midwifery Council (NMC). Submitting false timesheets can constitute fraud by false representation and can be prosecuted under the Fraud Act 2006.



Fraudulent Covid-19 Vaccination Entries

The LCFS has been involved in an investigation, working alongside the Metropolitan Police Cyber Crime Unit, concerning two NELFT employees and their involvement in making, advertising and selling fraudulent entries made on the National Immunisation and Vaccination System (NIVS). NIVS is the system used in secondary care to record the Covid-19 vaccines administered to patients. Unfortunately there were some members of the public who did not want to have the vaccine but still wanted it recorded as if they did, as this would enable them to

obtain a Covid-19 passport, which during the pandemic would have allowed them to travel abroad or attend a public event.

Sadly some individuals who had access to NIVS abused their position by recording fraudulent Covid-19 vaccine entries on NIVS in exchange for payment. The 'going rate' to record the first and second dose was £500.

Following disciplinary investigations both employees have been dismissed from their roles at the Trust and a criminal prosecution is underway. One of the former employees has been suspended by their regulatory body, awaiting the outcome of the criminal prosecution.

ELFT cases

Doctor convicted and sanctioned by the GMC

A locum doctor who worked at ELFT has been issued with a 12 month suspension order by the General Medical Council's (GMC) Medical Practitioners Tribunal Service following their prosecution for timesheet fraud against ELFT.

The doctor had previously pleaded guilty to one count of fraud by abuse of position and was sentenced at Crown Court to a 12 month Community Order, 20 rehabilitation activity days, had to undertake 180 hours of unpaid work and was subject to a curfew for three months.

The doctor repaid ELFT the full amount they defrauded which totalled £5597.27.

During their six month employment at the Trust, the doctor submitted false entries on timesheets on 15 separate occasions for hours they did not work.

Job offer rescinded

A candidate who applied for a post within ELFT and was successful in receiving a conditional job offer, subject to satisfactory pre-employment checks, had their job offer rescinded. Enquiries made by the Trust, following the return of reference checks, found the candidate had provided a contradictory account and

delayed providing correspondence as to the nature of a disciplinary investigation undertaken by a previous employer.

Disciplinary outcome for failing to declare secondary employment

An investigation undertaken by the LCFS identified that an ELFT employee who also works on the bank at another NHS organisation, had failed to declare their outside/secondary in accordance with the Standards of Business Conduct Policy. Following the investigation the staff member was issued with a disciplinary outcome.

Disciplinary outcome for working whilst on sick leave

The National Fraud Initiative (NFI), which is a data-matching exercise across the public sector to detect fraud and error, identified that a member of staff had secondary employment at another NHS Trust and had undertaken bank work at that organisation whilst on sick leave from their substantive post at ELFT. Following a disciplinary investigation the staff member was issued with a final written warning and monies are being recovered. Working whilst on sick leave constitutes fraud and is prosecuted under the Fraud Act 2006. Cases can also be progressed criminally.



Fighting fraud: highlights of the work undertaken

Highlights of the work undertaken at NELFT since 1st April 2023

- 10 referrals
- £490 recovered and more in progress
- £1,099,500 fraud identified but not a loss against NELFT

Highlights of the work undertaken at ELFT since 1st April 2023

- 29 referrals received
- £53 non-fraud prevention saving
- £2,879 fraud prevention saving
- £1,676 recovered
- £845,250 fraud identified but not a loss against ELFT
- Eight disciplinary sanctions (internal and external)

Protecting yourself from scams in the UK

Scams have become increasingly sophisticated, targeting unsuspecting individuals across the United Kingdom. From online fraud to doorstep deception, it's crucial to stay informed and vigilant to protect yourself and your loved ones. Here are some essential tips to guard against scams in the UK.

- **Stay informed:** Scammers continuously adapt their tactics, so staying informed about the latest scams is vital. Follow trusted news sources, government websites, and consumer protection agencies to keep up to date with emerging threats. Useful websites include <https://www.actionfraud.police.uk/>, <https://www.friendsagainstscams.org.uk/>
- **Be sceptical of unsolicited contacts:** Whether it's an email, text message, or phone call, be cautious when dealing with unsolicited communications. Scammers often pretend to be from legitimate organisations, such as banks, government agencies, or even charities. Verify the identity independently before sharing any personal or financial information.
- **Protect your information:** Never disclose sensitive information like your bank account details or password to anyone you don't trust completely. Legitimate organisations will not ask for this information through unsolicited messages.
- **Verify the source:** Before making any financial transactions or providing personal information, double-check the source. Contact the company or organisation directly using official contact information you find independently, not through the contact details provided in suspicious messages.
- **Use strong passphrases:** Ensure your online accounts are secured with passphrases instead of passwords. An example of a passphrase is VirusOrMalwareMyDefenselsRed.
- **Don't be pressured:** Scammers often cause a sense of urgency to pressure you into making hasty decisions. Take your time to consider any offer or request carefully. Legitimate organisations will give you the time you need to make informed choices.



- **Report suspected scams:** If you believe you've encountered a scam or have fallen victim to one, report it immediately to Action Fraud <https://www.actionfraud.police.uk/>. If you have made a payment you realise you shouldn't have also contact your bank immediately. For scams targeting you at work, report them to your IT Department.
- **Educate yourself and others:** Share your knowledge about scams with friends and family, particularly vulnerable individuals like the elderly. Awareness is one of the most effective ways to prevent scams from succeeding.

In today's digital age, scams can happen to anyone. By staying informed, cautious, and proactive, you can protect yourself and your community from falling victim to scams. Remember, if something seems too good to be true or feels suspicious, it's always better to stay on the side of caution.

The importance of checking all details on invoices prior to approval

Prior to approving all invoices approvers MUST check;

- The delivery address is one of the organisation's sites and the invoice relates to goods/services for your organisation and wasn't sent to your organisation in error
- The goods/services were actually ordered and have definitely been received – check the correct quantities have been invoiced as well as the correct goods/services

- For agency invoices, that the correct rates have been charged and the invoice is accompanied by a signed timesheet

If an approver has no knowledge of the order being placed or delivered, enquiries should be made with colleagues who may be aware. If in doubt, the supplier can be asked to provide evidence of the order being placed and delivered.

Any queries in relation to approving invoices should be raised with your



Finance contact and any questions about procurement should be directed to your organisation's procurement team.



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