



### ELFT cases

Staff member worked elsewhere whilst on Special Leave  
See page 3



### National cases

Healthcare assistant jailed for lying about checks on suicidal patient  
See page 4

Autumn 2024

# fraudtalk



Focus on...

## Following the correct procurement procedures

To ensure you follow the correct procedures it is vital to engage the Procurement Team at an appropriate stage when you are looking to procure goods or services. The Trust has a set of Standard Financial Instructions (SFI's) and these must be adhered to. These detail the financial responsibilities, policies and procedures and are designed to ensure that transactions are carried out in accordance with the law and Government policy in order to achieve probity, accuracy, economy, efficiency and effectiveness in our purchases. The SFI's set out how many quotes are required (dependent on the value of the goods or services to be procured), when a tender process must be used and details about the use of waivers. If you are unsure what you need to do when securing a supplier, it is important you read the Trust SFI's and engage with the Procurement Team. Remember, quotations are required where a formal tendering process does not need to be followed, the number of quotations will be dictated by the value of the goods or service you are looking to procure.

It is also extremely important to remember potential conflicts of interest when it comes to engaging a supplier. Do you or a family member or close friend have a relationship with the supplier? If so, it needs declaring and the question



as to whether you should be involved in the procurement process needs to be considered. If the process was reviewed by an independent source, could they argue that the only reason the supplier was chosen was due to the existing relationship? It is vital all evaluators involved in a tender complete a declaration of interest form for every tender they are involved in. Procurement also obtains declarations of interest forms from

suppliers. If the proposed supplier is also a member of staff at the Trust this must be declared and reviewed to determine whether this, in itself, constitutes a conflict. If a conflict of interest is identified, action will be taken to manage the conflict.

For procurement advice in ELFT contact [elft.procurement@nhs.net](mailto:elft.procurement@nhs.net)

For procurement advice in NELFT contact [procurement@nelft.nhs.uk](mailto:procurement@nelft.nhs.uk)

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.

## Credit Card Skimming/Shimming

Shimming is the process of reading credit card chip information, allowing the card to be duplicated or its information to be sold illegally.

Before chip-enabled cards, skimming was a method of identity theft that would read a card's magnetic stripe. Shimming is largely the same concept, but instead of reading the stripe, skimmers read the information in the card's chip.

Both skimming and shimming require the fraudster to attach or insert a mechanism into a card reader to gather the information.

Credit card shimming works by inserting a small device called a "shim" into a card reader. Unlike skimmers—which were typically bulky and easily detectable if you knew what to look for—shims are small and subtle. Whenever a chip-enabled card is inserted into the reader, the shim collects its data. Then, the scammer collects this data by inserting what looks like a regular card into the reader. This makes it difficult to spot suspicious activity, as it appears the scammer is making a regular transaction.

- It can be quite difficult to spot a credit card shimmer or skimmer, but there are some key questions to help you determine the risk when making a transaction:
- Does the card slot look misaligned?
- Does it take more effort to insert your card?
- Does the credit card reader move around when you touch it?

- Does it look like anything is blocking the credit card slot? Has something already been inserted?
- Are the buttons on the card reader hard to push?
- Does anything about the reader look unusual (colour, font, etc.)?
- Is there security tape on the card reader? Is it broken or tampered with?
- Both skimming and shimming require the fraudster to attach or insert a mechanism into a card reader to gather the information.

Some of you may have seen a picture circulated online of a man standing on a train with a mobile card reader in his hand – Is it possible for a fraudster to steal from you with this method?

Theoretically, yes! Some card machines use GPRS to make a connection, allowing merchants to take card payments almost anywhere. If a thief had one of these GPRS-enabled machines, they would be able to 'skim' victims' contactless cards almost anywhere, without them knowing. However, using this method to steal from people is harder than it seems and there have only been a few reported cases.

Those worried about being targeted could invest in RFID-blocking card sleeves, which prevent cards from being read by scanners. However, the effectiveness of certain brands has been debated. Tests have shown that wrapping cards in tin foil can achieve the same effect.

# ELFT cases

## Staff member worked elsewhere whilst on Special Leave

Data matching between NHS organisations identified that a member of staff worked bank shifts for other trusts in addition to their role at ELFT. An investigation undertaken by the Counter Fraud Team established that this secondary employment had not been declared or approved in accordance with the Standards of Business Conduct Policy. All secondary employment must be approved by a Service Director on a Declaration of Interests Form (Appendix G of the Standards of Business Conduct Policy).

It also transpired that the member of staff had worked bank shifts elsewhere when on Special Leave from ELFT.

Under the Special Leave Policy staff must not undertake paid or unpaid work either in the Trust or outside of the Trust,

or training, placements or study, during their normal contracted hours, when on Special Leave.

Following a disciplinary process the member of staff was issued with a disciplinary outcome. As with all investigations where fraud is substantiated, there will be financial recovery of the salary received.

## Doctor erased from GMC register after providing fake references to secure employment

A bank locum doctor who worked at the Trust has been removed from the General Medical Council (GMC) register following a Medical Practitioner's Tribunal hearing. The doctor provided ELFT's Resourcing Team with the details of three referees to contact. Responses were received from all three referees through email communication.

A Counter Fraud investigation found that the doctor provided false contact details for all three referees and that responses from those email addresses could not have been genuine.

Following a referral to the GMC, a Medical Practitioner's Tribunal hearing took place. The hearing also heard evidence of the same type of fraudulent activity conducted by the doctor with a separate agency. The tribunal found that overall, the doctor dishonestly submitted four references purporting to be from other clinicians and found the doctor 'had created these references and fake email addresses purporting to belong to the clinicians ...'. The Tribunal determined that the doctor's fitness to practise was impaired by reason of misconduct and that erasure from the GMC register was the appropriate and proportionate sanction.

# NELFT cases

## Proper usage of Taxis at the Trust

The LCFS opened investigations into improper use of taxis using Trust accounts. In these instances, taxis had been booked by employees to carry out visits to service users, however, at least one of the journeys made using the taxi service was from the employees' home address to the service user, or from the service user to their home address after visiting the service user.

Finance provides a breakdown of taxi journeys to budget holders on a monthly basis so they can scrutinize the journeys to ensure all are in line with policy. These cases came to light as a result of a budget holder noticing they had been charged for journeys from or to an employee's home address.

This shows the importance of team leaders/budget holders scrutinizing taxi usage reports.

## Agency worker restricted from working for the Trust

An allegation was received stating an individual who was working at the Trust via an agency was also working at another organisation at the same time via a different agency. This individual was not completing her work duties at NELFT due to their other role. There were also performance concerns in respect of the subject. The agency worker had failed to inform NELFT of their other assignment.



Taxis should not be booked using the Trust taxi account for an employee's journey to or from their home address to work. These journeys are classed as an individual's usual commute and therefore should not be charged to the Trust.

If you use Trust taxi services improperly, for example, for personal use or where authorisation from the budget holder was not given, the incident will be passed to the LCFS for investigation in accordance with the Trust Disciplinary Policy as well as the Counter Fraud and Corruption Policy and Response Plan. Action will also be taken to recover the cost of any personal and unauthorised journeys.

The LCFS' investigation confirmed the individual had been working for another Trust, and whilst these shifts did not directly overlap with the shifts at NELFT, it did raise concerns about the honesty of the subject, and concerns about back-to-back working which could have patient safety implications. As a result of the investigation, the agency worker was removed from their role at NELFT and was blocked from working shifts for NELFT in the future.

## When did you last attend fraud and bribery training?

We recommend that staff should attend one of our sessions every two years so if we haven't presented to your team in the last two years please contact your LCFS and we can get one booked in. Presentations work well as part of a team meeting and can be delivered in person or via Teams.

### Highlights of the work undertaken at NELFT since 1st April 2024

- 13 referrals received
- £155 recovered and more in progress
- £600,000 non-fraud prevented (over-inflation of a contract)
- 2 external sanctions, the cancelling of supplier contracts
- 1 internal sanction, agency worker restricted from working for the Trust
- 4 recommendations made so far

### Highlights of the work undertaken at ELFT since 1st April 2024

- 31 referrals received
- £575 recovered and more recoveries in progress
- £1,501 non-fraud prevention saving
- £3,228 fraud identified but not a loss against ELFT
- 11 disciplinary sanctions (internal and external)
- 28 recommendations made to help prevent fraud

# National cases

## Healthcare assistant jailed for lying about checks on suicidal patient

Although the following article isn't strictly an act of fraud, it does show the tragic consequences that are possible when individuals falsify records and abuse their position at work. Remember all records should be an accurate and true reflection of what has occurred and or statement of the facts. It is important to never try and retrospectively amend records to fit a narrative that did not happen.

A healthcare assistant (HCA) who failed to perform mandatory checks on a patient who later took her own life has been jailed for negligence. The HCA lied about carrying out appropriate observations on the welfare of the patient. The HCA was tasked with



checking on the patient at ten-minute intervals from 1pm on 31st January 2020 - but failed to do any.

An inquest later ruled the patient had most likely caused her their own death, opportunities were missed to save their life and they had not received the care they should have.

It was also discovered the HCA had falsely recorded observations every 10 minutes in a log.

The HCA was sentenced to 12 months in prison after pleading guilty to wilful neglect by a care worker.

The Police stated "The creation of false records in an attempt to cover her back was particularly damning."

The sentencing Judge stated in his sentencing remarks that the HCA's failure to perform their duties may have cost the patient her life. 'There is no real excuse or satisfactory explanation other than laziness,' the judge stated.

On the day of the patient's death, the HCA, instead of checking on them as required, was found sitting in a staff room. <https://www.msn.com/en-us/health/other/healthcare-assistant-jailed-for-lying-about-checks-on-suicidal-patient/ar-AA1pZv2P>

### Responses from ELFT/NELFT regarding the above article.

At ELFT we have focussed on improving our therapeutic engagement and observations practice. There is training accessible on the ELA platform within the Inpatient Safety Suite that supports your

understanding of Observations in MH Care and Honesty in Documentation <https://learningacademy.elft.nhs.uk/course/view.php?id=240> . All staff are responsible and accountability for their actions whilst at work. If you are unable to complete observations as prescribed, please inform your line manager or the most senior nurse on shift. Our priority remains the service users' safety however reporting these incidents contributes to our learning and improvement work.

At NELFT we have been doing a piece of work over the last year looking at the culture of care on the inpatient wards. This has included a specific work-stream on improving therapeutic engagement and safe and supportive observations. There is training available for staff through our STEPS system. Staff are engaged in quality improvement work looking at this and several other topics around safe practice in mental health care, including the implementation of the Relational Security Model. All this work is informed and shaped by service users and carers whose input is invaluable to us understanding what this feels like in practice. They are reminded of our PALS and complaint structures to raise concerns outside the ward environment. All practice that falls below our standard is reviewed through our quality and safety governance structures and staff are encouraged to talk to line managers and our Freedom to Speak Up team where they have concerns.

## GP Practice Manager sentenced to three years for fraud

Following an investigation by NHS Counter Fraud Service (NHS CFS) Wales, a former GP practice manager has been sentenced to three years in jail for stealing £324,000 from the practice for their own personal gain. In their role they had sole responsibility for the day-to-day financial operations of the practice including payroll, paying locums and suppliers.

At the time of their suspension in 2022, their salary was approximately £45,000 per annum. The fraud was discovered when some financial documents were found in the surgery which showed that a recent

payment had been made to a locum doctor who had not worked at the surgery for a number of years.

As part of the investigation, an NHS CFS Wales Financial Investigator conducted analysis of the individual's bank account and determined that the stolen money had been transferred into her bank account and spent.

The sentencing judge said, "The impact of this sort of fraud is varied - emotional, practical and financial."

The fraudster pleaded guilty to one offence of Fraud by Abuse of Position.

The Deputy Operational Fraud Manager, at NHS CFS Wales said:

"The impact of these fraudulent actions are far reaching and have had significant impact on the former employer. The individual abused their position and the trust of their employers and colleagues for their own personal greed."

NHS CFS Wales will now use their powers under the Proceeds of Crime Act 2002 to recover the money stolen and return it to the victims.

Source – NHSCFA website



**Zenda Butler**  
07908 194 432  
[zenda.butler@nhs.net](mailto:zenda.butler@nhs.net)  
Trust HQ, Finance Department,  
Robert Dolan House,  
9 Alie Street,  
London E1 8DE



**Beth Raistrick**  
07908 425 280  
[bethan.raistrick@nhs.net](mailto:bethan.raistrick@nhs.net)  
9th Floor, Charter House,  
Alma Street,  
Luton LU1 2PJ  
**Daniel Higgs**



07787 274066  
[Daniel.higgs1@nhs.net](mailto:Daniel.higgs1@nhs.net)  
CEME Centre – West Wing,  
Marsh Way, Rainham,  
RM13 8GQ