

Mandatory Training Workbook 2015

Fraud Awareness

All Staff



E-Learning Module



Welcome

Welcome to the Fraud, Bribery and Corruption in the NHS module.

This module will take approximately 30 minutes to work through. It is important that you read the information carefully as you will be required to complete a simple test at the end of the module.

To navigate your way around the training module use the forward and back arrows in the bottom right hand corner of the screen.



Learning Objectives

On this course we will look at the following topics?

- What is the definition fraud?
- Common offences under the Fraud Act 2006
- Who is capable of committing Fraud against the NHS?
- How much of a problem is fraud?
- What are the common types of NHS fraud? (includes examples of NHS Fraud cases)
- What is bribery and corruption?
- Criminal offences under the Bribery Act 2010
- How is NHS fraud, bribery and corruption punished?
- Who is NHS Protect?
- What is the role of NHS Protect?
- What is the role of your Anti-Fraud Specialist?
- What to do if you personally suspect fraud, bribery or corruption?
- Who is your Anti-Fraud Specialist and how do I contact them?
- Assessment
- Summary

The Trust is committed to an environment that promotes equality, embraces diversity and respects human rights both within our workforce and in service delivery.

This module is intended to promote awareness of the potential for fraud, bribery and corruption, which takes valuable resources away from patient care, so that you know what to do and who to contact if you have any suspicions.

This module will give you some basic advice on the steps to follow.



What is the definition of Fraud?

A dictionary definition of fraud is that it is theft through a deception or trick, in order to secure unfair or unlawful gain.

In simplest of terms, Fraud is theft with an element of deception involved.

The Fraud Act 2006 came into force in January 2007 and introduced a general offence of fraud.



Common offences under the Fraud Act 2006



Section 2: Fraud by false representation

e.g. submitting a timesheet for hours that have not been worked

working elsewhere when off sick from the Trust



Section 3: Fraud by failing to disclose information

e.g. failing to declare criminal convictions when applying for NHS employment



Section 4: Fraud by abuse of position

e.g. a person in a position of trust using their position to commit fraud

Who is capable of committing fraud against the NHS? [click the pictures below to reveal...]



The reasons for committing fraud are usually for personal greed, or for personal need. Whatever the reason, it is still fraud and it takes money away from patient care and services.

Who is capable of committing fraud against the NHS? [click the pictures below to reveal...]



Patients,
Service Users
and Visitors



All levels of
NHS Staff



Professionals
(ie Dentists,
Opticians)



Suppliers

ANYONE CAN COMMIT FRAUD

How much of a problem is Fraud?

Although Fraud is committed by a small minority, the amount of money potentially lost through NHS fraud is very substantial. See if you can match the correct figures to the quotes from the options below

[drag your choices across to the spaces provided and then click the submit button...]



£263 million



£3.6 million



£52 billion



£15.4 million



•The threat from fraud continues to have a damaging effect on our country with estimated losses of.....per year (National Fraud Authority Annual Fraud Indicator 2013-14)



•The value of fraud, bribery and corruption identified by NHS Protect and Anti-Fraud Specialists (AFSs) during 2013 - 14 was..... (NHS Protect Annual Report 2013-14)

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• £15.4 million

What are the common types of NHS fraud?

(click on the pictures to reveal some examples of common fraud types in the NHS)



Patient Fraud



Staff Fraud



Professionals



Suppliers

What are the common types of NHS fraud?

(click on the pictures to reveal some examples of common fraud types in the NHS)



Claiming free or reduced cost treatment and services when not entitled
Claiming free prescriptions when they are not exempt



Working elsewhere whilst on sick leave from the NHS
Submitting falsified timesheets, invoices, mileage & subsistence claims
Providing false identification, personal details or right to work status
Providing false qualifications, experience or employment references
Failing to disclose criminal convictions
Selling NHS supplies on EBay



Opticians/Dentists submitting claims for patients who do not exist
Claiming for treatment/services not provided



Submitting false invoices for work not done or inflated charges
Supplying products of a lower quality than specified in the contract
Inappropriate tendering -bribery/corruption
Recruitment agencies submitting claims for hours not worked

This page provides examples of NHS fraud cases investigated

(click on the pictures to reveal what action was taken)



A patient made false claims for travel expenses from numerous health bodies which were known to be false.



A former head of financial accounting at an NHS Trust defrauded the NHS of £2.2 million by manipulating internal payments systems and diverting NHS funds to his own bank accounts.



Four operating theatre experts defrauded the NHS of over £430,000 by undertaking private work at numerous other NHS hospitals despite holding full time jobs at an NHS hospital.



A group diverted £642,000 of NHS cancer care money into their own personal bank accounts by changing the bank account details of a supplier without their knowing.

This page provides examples of NHS fraud cases investigated

(click on the pictures to reveal what action was taken)



A Home Detention Curfew for 4 months -ordered to pay £500 compensation to the NHS.



PRISON - Sentenced to 5 years and 4 months imprisonment



PRISON - Combined sentences of 9 years imprisonment



PRISON – Combined sentences of over 14 years imprisonment

What is Bribery and Corruption?

The **Bribery Act 2010** that came into effect on **1st July 2011** makes it a criminal offence for individuals and organisations to give or accept any form of bribe. Under the Act, a bribe is a financial or other advantage intended to induce or reward the 'improper performance' of a person's function or activity, where any personal benefit from this could create a conflict between his/her own interests and the interests of those he/she is expecting to be serving [for example the NHS].



Bribery does not have to be just money – it could be a gift, it could be hospitality or it could be anything else that may be of benefit to the person.

Criminal offences under the Bribery Act 2010

[click on the pictures below to reveal two types of bribery]



Section 1 – ‘Active Bribery’ - to give, promise or offer a bribe



Section 2 – ‘Passive Bribery’ - to request, agree to receive or accept a bribe

Criminal offences under the Bribery Act 2010

[click on the pictures below to reveal two types of bribery]



perhaps this envelope containing £500 may help you choose the right person for the job



your tender submission is strong. A cash donation may help guarantee it being successful

What do I do if I am offered a bribe or inducement?

“To accept, without formal approval, inducements that could be potentially detrimental to the organisation, patients or colleagues may be viewed as fraudulent or corrupt”

If you are offered an inducement that does not comply with the Standards of Business Conduct and Hospitality Policy notify your **Anti-Fraud Specialist** and/or your **Director of Finance** immediately for advice.

All offers must be recorded in the **Gifts and Hospitality Register** along with confirmation of whether the inducement was approved or rejected.

How is NHS fraud, bribery and corruption punished?

There are three courses of action that would be considered where evidence of fraud, bribery or corruption has been discovered and proven.

The aim is apply them appropriately and consistently across the NHS.

Any one, or a combination of these could be used:

- **CRIMINAL PROSECUTION** or a **POLICE CAUTION** (resulting in a criminal record)
- **CIVIL PROSECUTION** (including County Court orders)
- **DISCIPLINARY ACTION** (including action taken by a professional body)

Where fraud is identified and proven all efforts are made to recover the amount defrauded.

Who is NHS Protect?

NHS Protect is a division of the NHS Business Services Authority, an arm's-length body of the Department of Health (DH) and are directly accountable for their work to DH.

NHS Protect exists to tackle fraud, corruption and bribery and minimise losses nationally within the NHS.

NHS Protect's three main objectives are:

- **To educate and inform those who work or use the NHS about crime in the health service and how to tackle it**
- **To prevent and deter crime in the NHS by removing opportunities for it to occur or to re-occur**
- **To hold to account those who have committed crime against the NHS by detecting and prosecuting offenders and seeking redress where viable.**



What is the role of NHS Protect?

NHS Protect carries out anti-crime work which cannot be undertaken by NHS health bodies either in isolation or at a regional level. This includes:

- Gathering and analysing information and intelligence from across the NHS to develop a national picture of crime threats
- Producing evidence-based advice and guidance for the NHS to help prevent crime from occurring
- Investigating cases of economic crime which are large, complex or of national significance
- Working with health bodies, the police and other stakeholders to recover funds lost to economic crime so they can be reinvested into patient care
- Raising awareness of crime affecting the NHS and the work being done to tackle it.



What is the role of your Anti-Fraud Specialist?

Your Anti-Fraud Specialist is professionally trained and accredited to...

- Actively promote and develop an anti fraud culture within the Trust to effectively deter, prevent and detect fraud
- Conduct professional fraud investigations where allegations or suspicions have been raised and work with the Trust to apply sanctions where fraud is proven
- Liaise with the Director of Finance and NHS Protect on all anti-fraud work at the Trust



What to do if you personally suspect fraud, bribery or corruption?

✓ **DO** make a note of your suspicions – sign, date them and keep them safe.

✓ **DO** try to secure or copy documents you believe to be suspicious.

✓ **DO** contact your Anti-Fraud Specialist or your Director of Finance or the National Fraud & Corruption Reporting Line 0800 028 40 60. You can also report online at www.reportnhsfraud.nhs.uk

✗ **DON'T** investigate the matter yourself or report it to your manager – this may compromise any potential investigation.

✗ **DON'T** undertake any surveillance – this will breach the Human Rights Act.

✗ **DON'T** tell your colleagues as it may result in the suspect being tipped off or evidence being destroyed.



What if I am wrong?

Never be afraid to raise your suspicions directly with your Anti-Fraud Specialist even though you may be wrong ... you may be right!

There will be no ramifications for reporting a reasonably held suspicion regardless of how the investigation is concluded.

All staff have legal right to 'blow the whistle' on any wrongdoing without detriment to themselves. You can report any concerns or issues using the Trust's Whistleblowing Policy which can be found at; **[INSERT TRUST LINK TO POLICY]**

If you are uncertain of whether a referral is needed, you should contact your Anti-Fraud Specialist anyway for advice.

The person investigated will not be disadvantaged if the investigation undertaken does not uncover any fraudulent activity.

What if I am right?

The Anti-Specialist will have validated the suspicions and uncovered evidence

The person under investigation will be asked to explain their actions. This may be done at a formal interview under caution – which can be used in a criminal prosecution.

A decision will be reached by the Trust regarding appropriate sanctions to be pursued.

Any loss will be calculated and a decision will be made by the Trust regarding appropriate recovery action.

Who is your Local Counter Fraud Specialist and how do I contact them?

Your Anti-Fraud Specialist is Michelle Moss



0151 285 4547



michelle.moss@miaa.nhs.uk



Mersey Internal Audit Agency
Ground Floor, Regatta Place
Summer Road
Brunswick Business Park
Liverpool
L3 4BL



Confidential Hotline 0800 028 40 60
www.reportnhsfraud.nhs.uk



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Assessment

If you have been through all the topics, it is now time to test your understanding in the assessment section.

The assessment consists of 10 questions to answer which are drawn at random from a bank, so you will not see the same selection each time you attempt it.

In each case you should read the question and then select the appropriate answer or answers.

Once you are sure you have the right answer, select Confirm. That will take you to the next question.

Once you have selected Confirm, you will not be able to revisit the question.

At the end of the assessment you will be told how well you did and whether you have passed or failed.

You need to get 8 of the 10 questions right to achieve the pass mark.

If you pass the assessment you can print off a certificate.

If you do not meet the pass mark, you will need to complete the assessment questions again.

Summary

You have now completed the Fraud, Bribery and Corruption in the NHS module. We hope you found the content useful.

The module has been intended to promote awareness of the potential for fraud, bribery and corruption and the potential loss of valuable NHS resources.

You should now be able to;

- Understand what constitutes fraud and bribery
- Identify who can commit NHS fraud and the different forms of punishments
- Awareness of the level of fraud within the NHS and identify the common types of NHS fraud
- Understand who NHS Protect is and their role in combating fraud and bribery
- Awareness of the role of your Anti-Fraud Specialist and how to contact them
- Advice and guidance on what to do if you personally suspect fraud, bribery or corruption

It is the responsibility of all Trust staff, at all levels, to protect and respect the Trust's valuable resources and act with honesty, dignity and integrity.

You may now exit this module.



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