

Procedure Group: Corporate
Version no.: 2.0
Date of issue: March 2025
Approved by: Policy Oversight Group

Counter Fraud Procedure

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TARGET AUDIENCE (including temporary staff)	
People who need to know this document in detail	Chief Finance Officer, Local Counter Fraud Specialist
People who need to have a broad understanding of this document	Executive Team, Executive Directors, ARC members
People who need to know that this document exists	All staff are required to comply with this procedure

1. Procedure purpose

All fraud, bribery and corruption is unacceptable and St Andrew's Healthcare is committed to ensuring that its funds are appropriately protected from fraud, bribery and corruption.

The purpose of this procedure is to set out the Charity's approach to the prevention, detection and investigation of fraud. The procedure also provides information to staff regarding what constitutes fraud, and how to report a suspected fraud.

2. Links to Policy

The Charity has a range of measures in place to reduce the likelihood of fraud losses. These include financial policies and procedures, and systems of internal control.

Anti-bribery and Corruption Policy
Data Protection Policy
Declaration of Interests Procedure
Disciplinary Policy
Financial Authorisations Policy
Freedom to Speak Up Policy
Information Security Policy
Procurement Policy
Recruitment and Selection Policy

Policies and Procedures are available via A-Z:
[Policies - Policies - A-Z \(sharepoint.com\)](#)

3. Scope

This procedure applies to all Charity employees (including Workchoice), Volunteers, Contractors, and other internal and external stakeholders.

4. Definitions

TERM	DEFINITION
Local Counter Fraud Specialist (LCFS)	An accredited, nominated person who is responsible for undertaking the full range of counter fraud work for an organisation which provides services under the terms of the NHS contract, including proactive work to prevent and deter fraud, and reactive work to hold those who commit fraud to account.
NHS Counter Fraud Authority (NHSCFA)	The NHSCFA has the responsibility for the detection, investigation and prevention of fraud and economic crime within the NHS.
Counter Fraud Standards	A requirement in the NHS standard contract is that providers of NHS services should have due regard to the standards. The contract places a requirement on providers to have policies, procedures and processes in place to combat fraud, to ensure compliance with the standards. The NHSCFA carries out regular assessments of health organisations in line with the counter fraud standards.

5. Key requirements

5.1. Definition of fraud

Fraud involves acting dishonestly to make a personal gain, usually for money. Fraud can also involve the abuse of a position of trust.

The Fraud Act 2006 defines three main ways in which fraud can be committed:

- Fraud by false representation (being dishonest about something to make a financial gain, i.e. submitting false timesheets)
- Fraud by failing to disclose information (deliberately not reporting something, i.e. not declaring a conflict of interest)
- Fraud by abuse of position (collusion with a supplier).

Other examples of fraud committed within healthcare provider organisations may include:

- Claiming payment for shifts that have not been worked
- Working at another organisation whilst on sick leave
- Misuse of a company credit card
- Diversion of Charity money into another bank account
- Misrepresenting qualifications or failing to disclose a criminal conviction in order to gain employment
- Not disclosing previous employment.

5.2. Reporting suspicions

Staff should report any suspicion of fraud immediately to the Local Counter Fraud Specialist (LCFS) via email counterfraud@stah.org and/or to the NHS Counter Fraud Authority (NHSCFA) via the Fraud and Corruption Reporting Line (0800 0284060) or online reporting tool <https://reportfraud.cfa.nhs.uk/>

Employees should not discuss their concerns with their colleagues or line manager, nor directly challenge the person or people they have suspicions about. Under no circumstances should employees attempt to carry out any investigations themselves.

5.3. Investigation Process

The LCFS will work with key colleagues and stakeholders to investigate all allegations of fraud in accordance with NHSCFA standards and seek to apply criminal and civil sanctions, where appropriate. The LCFS has authority to establish such investigations as deemed necessary, without reference to managers responsible for the area in which dishonesty is suspected.

5.4. Disciplinary action

Disciplinary procedures will be initiated where an employee is suspected of being involved in a fraudulent or illegal act, or where their negligent action has led to a fraud being perpetrated.

6. Roles and Responsibilities

Board of Directors

Ultimate responsibility for the prevention and detection of fraud rests with the Board of Directors. The Board should foster a culture within the organisation in which fraud is never acceptable.

Local Counter Fraud Specialist (LCFS)

The LCFS is responsible for delivering counter fraud work to support the organisation in complying with the counter fraud standard identifying and monitoring its key fraud risks, and progressing any investigations that arise.

Chief Finance Officer

The Chief Finance Officer has ultimate responsibility for counter fraud work within the organisation and holds regular meetings with the LCFS to prioritise counter fraud work and agree a work plan for presentation and approval by the Audit and Risk Committee. The CFO is also required to authorise the organisation's annual Counter Fraud Functional Standard Return to the NHSCFA.

Audit and Risk Committee Chair

The Audit and Risk Committee Chair is responsible for seeking assurance that counter fraud activity is progressing effectively, supporting the organisation in terms of compliance with the counter fraud standard and identification and management of key fraud risks. The Audit and Risk Committee

Managers

All managers should be aware of this policy and bring it to the attention of all staff they line manage.

All St. Andrew's Healthcare Staff

All staff should have an awareness of this procedure and report any concerns that fraud may be taking place to the LCFS.

7. Monitoring and Oversight

The Charity's approach to counter fraud is aligned with the NHSCFA Strategy and Standards, and as such the Board are accountable for obtaining reasonable assurance that adequate controls and management mechanisms in relation to counter fraud are present in the organisation, with the Chief Finance Officer accountable for provision of strategic management of all counter fraud work within the organisation. The Audit and Risk Committee will review and monitor counter fraud work plans, receive regular updates on counter fraud activity, and liaise with the LCFS to sign off the annual NHSCFA Functional Standard Return.

8. Training

The LCFS shall provide training and guidance upon request to ensure that teams are aware of the requirements of this procedure and understand specific fraud risks within their area of work. Please contact the LCFS to arrange training or for further advice.

All staff will be reminded of the existence of this procedure at least annually via an internal communications campaign.

Online e-learning training is also available, and is mandatory for all SAP approvers. All other employees are encouraged to complete the training as part of their professional development.

9. References to Legislation and Best Practice

Fraud Act 2006

<http://www.legislation.gov.uk/ukpga/2006/35/contents>

NHS Counter Fraud Authority – Fraud Standards for Providers

<https://cfa.nhs.uk/counter-fraud-standards>

HFMA NHS audit committee handbook (March 2024)

Economic Crime and Corporate Transparency Act 2023: Guidance to organisations on the offence of failure to prevent fraud.

10. Exception Process

There will be no exceptions to this procedure.

11. Key changes

Version Number	Date	Revisions from previous issue
V1.0	April 2019	Replaces COR 23 Fraud and Corruption Policy v6.2. Re-write after the Governance Review in 2018.
V1.1	July 2020	Links to Anti-bribery and Corruption policy and procedure
V1.2	March 2022	Formatting improvements following the publication of new NHSCFA counter fraud standards, including: <ul style="list-style-type: none">• Clarification of Procedure Purpose• Updated links to other policies• Clarification of the fraud reporting requirements Updated monitoring and oversight arrangements.
V1.3	March 2024	Formatting improvements and update to Reporting suspicions section to reflect staffing changes. Added Disciplinary action to Section 4 in accordance with the NHSCFA Template counter fraud policy.
V2.0	March 2025	Moved to the new template. Roles and responsibilities section added.