

Northern Ireland Blood Transfusion Service

POLICY DOCUMENT

Document Details**Document Number:** POL:99:FP:002:04:NIBT**No. of Appendices:** NONE**Supersedes Number:** POL:99:03:FP:002:NIBT**Document Title:** FRAUD POLICY**ISSUE DATE:** 25 OCTOBER 2013**EFFECTIVE DATE:** 22 NOVEMBER 2013**Document Authorisation****Written By :** Mr G Bell, Finance Manager**Signature:** _____ **Date :** _____**Authorised By :** Dr K Morris, Chief Executive Office**Signature:** _____ **Date :** _____**Authorised By :** Mr J Lennon, Chairman of NIBTS Board**Signature:** _____ **Date :** _____**CROSS REFERENCES**

This Policy refers to the following documents:

Doc Type	Doc. No.	Title
Circular	N/A	DHSSPS Circular HSS(F)13/2007
N/A	N/A	Fraud Act 2006
N/A	N/A	Bribery Act 2010
POL	FP:004	Fraud Response Plan
POL	PP:038	Whistle Blowing Policy

Key Change From Previous Revision:

This document was reformatted.

Fraud reporting website address added.

1. STATEMENT

One of the fundamental objectives of the Agency is to ensure the proper use of the public funds with which it has been entrusted. In pursuit of this objective, the Agency promotes an anti-fraud culture, which requires all staff to act with honesty and integrity at all times and to take appropriate steps to safeguard resources.

The majority of people who work in the Agency and throughout the HSC are honest and professional and they rightly consider fraud to be wholly unacceptable. Nevertheless, fraud is an ever-present threat and must be a concern for all members of staff. Fraud may occur internally or externally and may be perpetrated by staff, external consultants, suppliers, contractors or development partners, individually or in collusion with others.

The purpose of this document is to set out the Agency's position on fraud and thereby set the context for the ongoing efforts to reduce fraud to the lowest possible level. It is based on DHSSPS Circular HSS(F) 13 / 2007 Financial Governance Model for New HSS Trusts issued on 8 March 2007.

2. OVERVIEW

The Fraud Act 2006 was introduced on 15th January 2007. Under the Act fraud is now a specific offence in law. The Fraud Act 2006 supplements the Theft Act (Northern Ireland) 1969 and the Theft (Northern Ireland) Order 1978. Fraud is used to describe acts such as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion. Bribery can be defined as the offering, giving, receiving, or soliciting of something of value for the purpose of

influencing the action of an official in the discharge of his or her public or legal duties. Bribery is a crime under the Bribery Act 2010. The Agency will thoroughly investigate all allegations of bribery.

For practical purposes, fraud may be considered to be the use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party. The criminal act is the attempt to deceive and attempted fraud is therefore treated as seriously as accomplished fraud.

Computer fraud is where information technology equipment has been used to manipulate programs or data dishonestly or where an IT system was a material factor in the perpetration of a fraud.

3. RESPONSIBILITY

The Agency Board is absolutely committed to maintaining an anti-fraud culture in the organization.

All staff have a responsibility to be aware of the following:

- the risk of fraud
- the need to minimize fraud
- what constitutes a fraud
- the procedures for reporting it

4. POLICY

4.1 The Agency adopts a zero-tolerance approach to fraud and will not accept any level of fraud within the organization. It is also Agency policy that there will be a thorough investigation of all allegations or suspicions of fraud and robust action will be taken where fraud is proven in line with the Agency's Fraud Response Plan.

4.2 The Agency Board wishes to encourage anyone having reasonable suspicions of fraud to report them. It is the policy of this Agency, which will be rigorously enforced, that no employee will suffer in any way as a result of reporting reasonably held suspicions of fraud. For these purposes "reasonably held suspicions" shall mean any suspicions other than those that

are raised maliciously. Further guidance on the protection afforded to staff is contained in the Agency's policy on whistle blowing. This is included in "Guidance for Staff on Relations with the Public and the Media Incorporating Guidance on Whistle Blowing".

- 4.3 The Agency Board will not tolerate allegations against staff that are malicious in nature and anyone making such an allegation may be subject to disciplinary action.
- 4.4 After proper investigation of any allegation of fraud or suspicion of fraud, in line Fraud Response Plan, the Agency will consider the most appropriate action or actions to take. Where fraud involving an Agency employee is proven, the Agency will instigate disciplinary action against the employee that may result in dismissal.
- 4.5 Where fraud is proven, whether involving an employee or an external party, the Agency will report the matter to the PSNI with a view to pursuing a criminal prosecution. The Agency will also seek to recover all losses resulting from the fraud, if necessary through civil court proceedings. For further information please refer to the Fraud Response plan.
- 4.6 The Agency has adopted the HSC Counter Fraud Strategy as the basis for its anti-fraud activities. The key elements of this Strategy are as follows:
- The creation of an anti-fraud culture
 - Maximum deterrence of fraud
 - Successful prevention of fraud
 - Prompt detection of fraud
 - Professional investigation of detected fraud
 - Effective sanctions, including appropriate legal action against anyone found guilty of committing fraud
 - Effective methods for seeking recovery of money defrauded or imposition of other legal remedies.

4.7 Fraud Prevention and Detection

The Agency wholeheartedly supports the role of the BSO Counter Fraud Probity Service and will ensure that appropriate fraud prevention and detection measures are implemented in accordance with the CFPS guidance.

The Agency has implemented a range of policies and procedures that are designed to ensure probity, business integrity and minimise the likelihood and impact of incidents of fraud arising.

The Agency has also put in place a robust Internal Audit service that is actively involved in the review of the adequacy and effectiveness of control systems thereby further deterring the commissioning of fraud.

4.8 Avenues for Reporting

The Agency has available a number of avenues by which staff can raise suspicions of fraud. These are detailed in the Agency's Fraud Response Plan (FP:004) and the Whistle Blowing Policy (PP038). Concerns should be raised initially with the appropriate line manager. However, staff can raise their concerns directly with their Senior Manager, Chief Executive, Finance Manager or the Head of Internal Audit if they so wish.

Staff should also be aware that Counter Fraud and Probity Service have initiated a fraud reporting hotline that can be used to highlight concerns in confidence and anonymously if preferred.

The telephone number for the HSC Fraud Hotline is **08000 963396**. Alternatively reporting suspicions via the website www.cfps.hscni.net

4.9 Conclusion

Whilst the individual circumstances surrounding each fraud will vary, the Agency takes all cases very seriously and adopts a zero-tolerance approach. All reported suspicions will be fully investigated and robust action will be taken where fraud can be proven.

5 EQUALITY, SCREENING AND ACCESSIBILITY

This policy has been drawn up and reviewed in light of the statutory obligations contained within Section 75 of the Northern Ireland Act (1998). In line with this statutory duty of equality this policy has been screened against particular criteria. If at any stage of the life of the policy there are any issues within the policy which are perceived by any party as creating adverse impacts on any of the groups under Section 75 that party should bring these to the attention of the Head of HR & Corporate Services.

The Northern Ireland Blood Transfusion Service is committed to the promotion of equality of opportunity for staff, donors and service users. We strive to ensure that everyone is treated fairly and that their rights are respected at all times. We believe that it is important that our policy is understood by all those whose literacy is limited, those who do not speak English as a first language or those who face communication barriers because of a disability. On request it may be possible to make this policy available in alternative formats such as large print, Braille, disk, audio file, audio cassette, Easy Read or in minority languages to meet the needs of those not fluent in English.

6 TRAINING REQUIREMENTS

All staff must read and understand this policy.