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1. Policy Statement

Quay Primary Healthcare CIC (QPH CIC) recognises that one of the most fundamental principles governing any organisation, whether in the private or public sector - is the proper use of funds, however these are derived.

It is everyone's responsibility to prevent fraud, bribery and corruption and know how to report concerns.

QPH CIC has a zero-tolerance stance in respect of all incidents relating to fraud and bribery/corruption. QPH CIC will seek to apply all three appropriate sanctions (criminal, civil and disciplinary) in any investigation of alleged fraud and/or bribery.

2. Purpose

This document is intended to provide direction and help to all employees who have suspicions or become aware of fraud and/or bribery/corruption.

3. Scope

This policy applies to all staff, and for the avoidance of any doubt any reference to staff in this policy will include any temporary staff, e.g. agency staff, locums, volunteers or contractors employed by QPH CIC.

4. Definitions

4.1 Fraud

The Fraud Act 2006 came into force on 15 January 2007 and applies in England, Wales and Northern Ireland. The focus is on the dishonest behaviour of the subject and their intent to make a financial gain or cause a financial loss. The gain or loss does not have to succeed as long as the intent is there.

The offence of fraud can be committed in a number of ways. The more common ones are:

- Fraud by false representation (Section 2) – a representation can be in words, written

or communicated by conduct. There must be knowledge that the representation is false or misleading

- Fraud by failing to disclose (Section 3) – not declaring something verbally or in writing when there is a legal duty to disclose that information
- Fraud by abuse of a position of trust (Section 4) – abusing a position where there is an expectation to safeguard, or not act against, the financial interests of another person or organisation.

4.2 Bribery

In July 2011, the Bribery Act 2010 came into force reforming the criminal law of bribery, enabling simpler prosecution of offences. The Act created a new corporate offence. A relevant commercial organisation (e.g. the Trust or any NHS organisation) is guilty of an offence if a person associated with the organisation bribes another person or receives a bribe to obtain an advantage. Simply put it can be defined as accepting an incentive to do something which they would not normally do. **However** it is a defence for the organisation to prove that it had in place adequate policies and procedures designed to prevent persons from undertaking such conduct.

5. General Principles

There are three fundamental principles that govern everyone working in QPH CIC:

1. **Accountability** – everything done by those who work in QPH CIC must be able to stand the test of public and parliamentary scrutiny, and judgements on propriety and professional codes of conduct.
2. **Probity** – absolute honesty and integrity should be exercised in dealing with suppliers, patients, staff and contracts.
3. **Openness** – QPH CIC activities will be sufficiently transparent at all times so as to promote confidence between QPH CIC and its commissioners, staff and patients. All financial records will be available and accessible by more than one person at all times.

QPH CIC is absolutely committed to maintaining an honest, open and well-intentioned atmosphere within the practices. It is therefore also committed to the elimination of any fraud, bribery/corruption and to the rigorous investigations of any such cases.

QPH CIC wishes to encourage anyone having reasonable suspicions of fraud, bribery/corruption to report them. Therefore, it is also QPH CIC's policy, which will be rigorously enforced, that no employee will suffer in any way as a result of reporting reasonably held suspicions.

All members of staff can therefore be confident, that QPH CIC will do everything possible to ensure that they will not 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, which are raised maliciously and found to be groundless.

6. Policy

6.1 Internal Reporting

If a member of staff has reason to suspect a colleague, provider or other person of committing a fraudulent offence, or other offence involving a serious infringement of QPH CIC rules, for example:

- Theft of practice property
- Abuse of practice property
- Deception or falsification of records
- Fraudulent claims

The member of staff should, in the first instance, report their concerns to their line manager. If it is suspected that the line manager may be involved in the fraud, the report should be made to a more senior person.

The person receiving the report will make a written record of the discussion and immediately inform senior management before taking any action. The member of staff reporting the fraud will be kept informed as to the outcome of the investigation.

Any member of staff who raises suspicions that they are unable to justify as being “reasonably held” or with malicious intent will be dealt with through the QPH CIC disciplinary procedures.

Reference should also be made to the QPH CIC Whistleblowing Policy as these principles and procedures will apply.

6.2 Investigation

QPH CIC is committed to the elimination of any fraud, Bribery/corruption within the activities of its business. To this end:

- a. Every case of suspected fraud will be rigorously investigated. QPH CIC will seek to commission an external investigation which will focus on obtaining information about whether fraud, bribery or corruption is indeed present in a specific case, collating that information and supplying it as evidence so that any appropriate sanction can be sought, and making it available so any lost resources can be recovered.
- b. The police will be called in whenever it appears that a criminal offence may have been committed.
- c. The QPH CIC disciplinary procedures will be rigorously followed.
- d. Action will be taken to recover any loss to the organisation.
- e. Fraudulent activity will be considered as Gross Misconduct and may be subject to summary dismissal.
- f. QPH CIC has the right to suspend an employee pending the outcome of any investigation.

7. Online Fraud

In recent years there has been a significant increase in many kinds of online fraud with criminals finding different ways to dupe organisations into divulging their online credentials. Fraudsters see it as a low risk way of getting away with stealing money.

Malware (malicious software) via phishing emails remains the most common method of attack.

Phishing scams are used by fraudsters to target medical practices by email with the aim being to steal money or acquire sensitive information. Other methods used by fraudsters include targeting medical practices using a phone scam, or text message.

In 2015 Action Fraud, the UK national fraud and cybercrime reporting centre, reported 8,000 reports of phishing scams every month.

7.1 Essential Steps to Reduce Risk of Online Fraud

Staff must:

- Never divulge online banking passwords or online banking secure codes to anyone on the telephone, even if you think you are talking to the bank
- Not rely on your phone's caller display to identify a caller. Fraudsters can make your phone's incoming display show a genuine number
- Be aware that a bank will never call you and tell you to transfer your money to a 'safe' account. If you see unusual screens or pop-up boxes when using your online banking or unusual requests to enter bank passwords, log out immediately and call your bank
- Not follow the links or requests for bank details in these emails. If your accountant has not advised, you of a tax refund it is highly likely to be a fraud. If in doubt, speak to your accountant.

		YES/NO	COMMENTS
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Equality Impact Assessment

1	Does the policy/guidance affect one group less or more favourably than another on the basis of;		
	<ul style="list-style-type: none"> • Race/ethnic or national origin/colour/nationality 	No	
	<ul style="list-style-type: none"> • Disability 	No	
	<ul style="list-style-type: none"> • Gender 	No	
	<ul style="list-style-type: none"> • Religion / belief culture 	No	
	<ul style="list-style-type: none"> • Sexual orientation 	No	
	<ul style="list-style-type: none"> • Age 	No	
	<ul style="list-style-type: none"> • Marital status 	No	
	<ul style="list-style-type: none"> • Pregnancy or maternity 	No	
2	Is there any evidence that some groups are affected differently?	No	
3	If you have identified potential discrimination, are any exceptions valid, legal and/ or justifiable?	Yes	
4	Is the impact of the policy/ guidance likely to be negative?	No	
5	If so can the impact be avoided?	Yes	
6	What alternatives are there to achieving the policy/ guidance without the impact?	N/A	
7	Can we reduce the impact by taking different action?	N/A	

8. Equality Impact Assessment