What Is Fraud?
Fraud can be considered to be the use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party. Generally, the term fraud is used to describe such acts as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion.

What Makes Fraud A Criminal Act?
When a person commits fraud they are subject to the Fraud Act 2006 which is statute and therefore results in fraud being a criminal act. There are three main offences to the Act:
• Fraud by False Representation;
• Fraud by Failing to Disclose Information;
• Fraud by Abuse of Position.

Full details of the Fraud Act can be found at [www.legislation.gov.uk/ukpga/2006/35/contents](http://www.legislation.gov.uk/ukpga/2006/35/contents)

What Type Of Things May Be Considered to Be Fraud?
Examples of what might constitute fraud include:
• Claiming to be sick when you are not;
• Claiming for hours not worked;
• Claiming for any type of expense when it has not been incurred;
• Failing to declare a criminal conviction when applying for a job;
• Providing a false reference.

What Action Do We Take Concerning Fraud?
The CCG has a zero-tolerance approach to fraud. Anyone that commits fraud against the CCG will be prosecuted where there is sufficient evidence to support a case. Criminal and civil powers will also be used to recover monies from fraudsters. We also take disciplinary action where a person has committed fraud which will normally result in dismissal. In addition, professionals may also be reported to their professional body to enable them to consider whether there has been any breach of professional standards.

Who Should I Report A Fraud Concern To?
All concerns should always be reported in the first instance and promptly to your Local Counter Fraud Specialist (LCFS) or the Fraud and Corruption Hotline (see below).

What If I Reported Something and I Was Wrong?
If your concern is genuine then there is nothing for you to worry about. All fraud concerns are dealt with in accordance with the CCG’s Whistle Blowing Policy. The role of the LCFS is all about carrying out an investigation and determining if there is enough evidence to indicate fraud. Lots of investigations don’t end up uncovering fraud but something else may be evident such as a system not working properly or there has been a simple misunderstanding.

But I Don’t Want to Cause Trouble For Anyone?
The person reporting a fraudster doesn’t get a person into trouble. The fraudster gets themselves into trouble for committing fraud in the first place.
Nothing Will Be Done So Should I Bother?
Every single referral that appears to be fraud from the outset is investigated by the LCFS and appropriate action is always taken. You may think that it has not been investigated but it is not always appropriate to feed back to the Whistle Blower as this may compromise the case and has to remain strictly confidential. It is only when a case reaches Court would it be made known to the Public.

If It Is Something Minor Do I Need To Report It?
Every instance of suspected fraud, even if it appears to be small should be reported to the LCFS to allow them to investigate it. Many cases start off small but can uncover fraud which may be of a significant value.

What If It Was My Manager I Suspected?
It doesn’t matter – you should always report your suspicion directly to your LCFS anyway and never your manager. You don’t need to tell your manager that you have reported a concern. Your report is in confidence and your manager will not be told who made the referral.

I’m Concerned That There May Be Repercussions If I Make a Report and This Could Affect My Employment?
You shouldn’t be concerned. All reports of suspected fraud are made in confidence and the identity of the person reporting their suspicion is protected. Provided your concern is genuine, there will not be any repercussions to you reporting them. Reports can be made anonymously but if this is your preferred option, it would be better to speak directly to the LCFS in case they need to ask further questions to gain the relevant information.

What Information Do I Need To Make A Report?
Gather what basic information you can to support your concern but do not start “investigating” – this is the job of the LCFS who is trained to do this. If you start looking into the matter you could alert the person to what you are doing. Also, evidence has to be gathered in a certain way in line with the Criminal Procedures and Investigation Act and if it is not, then it is likely that it will not be admissible in Court. What might have been a successful case is then ruined. If in doubt, contact the LCFS at the earliest opportunity.

Making A Fraud Referral?
Remember – always to the LCFS or the Fraud and Corruption Reporting Hotline In the first instance.

Carol Brown - LCFS
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NHS National Fraud and Corruption Reporting Line - 0800 028 40 60
on-line www.reportnhsfraud.nhs.uk