



# COUNTERING FRAUD AND BRIBERY

Charlotte Rimmington, Local Counter Fraud Specialist

# Objectives

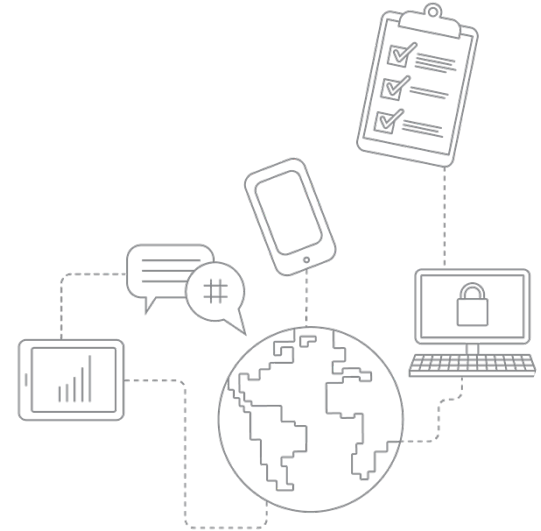
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To develop your understanding of the role of the Local Counter Fraud Specialist

To gain an understanding of the Fraud Act 2006 and Bribery Act 2010

To develop your understanding of emerging fraud and bribery risks in the NHS

To understand your individual responsibility regarding fraud and bribery and how to report concerns



# How much is lost to fraud in the NHS annually?

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The NHS Counter Fraud Authority reports that the amount lost to fraud in the NHS is £1.27 billion.

# Government Functional Standard 013: Counter Fraud

## Policies and registers for gifts and hospitality and COI

Have policies and registers for gifts and hospitality and conflicts of interest

## Access to and completion of training

Ensure all staff have access to and undertake fraud awareness, bribery and corruption training as appropriate to their role

## Undertake detection activity

Undertake activity to try and detect fraud in high-risk areas where little or nothing is known of fraud, bribery and corruption levels, including loss measurement activity where suitable

## Access to trained investigators

Have agreed access to trained investigators that meet the agreed public sector skill standard

## Report identified loss

Will report identified loss from fraud, bribery, corruption and error and associated recoveries, to the centre in line with the agreed government definitions

## Reporting routes for staff, contractors and members of the public

Have well established and documented reporting routes for staff, contractors and members of the public to report suspicions of fraud, bribery and corruption and a mechanism for recording these referrals and allegations

## Accountable individual - 1A / 1B

Have an accountable individual at board level who is responsible for counter fraud, bribery and corruption

## Counter fraud bribery and corruption strategy

Have a counter fraud, bribery and corruption strategy that is submitted to the centre

## Fraud bribery and corruption risk assessment

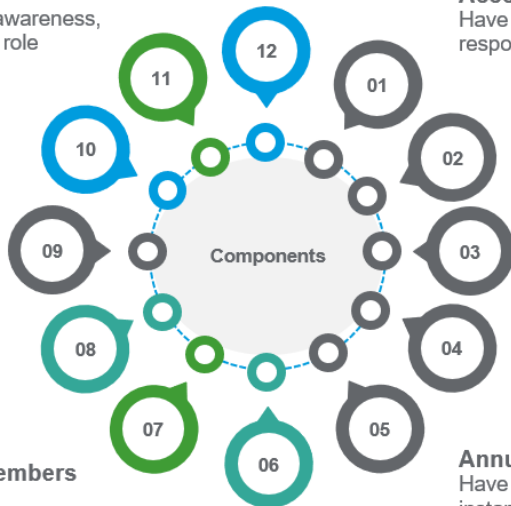
Have a fraud, bribery and corruption risk assessment that is submitted to the centre

## Policy and response plan

Have a policy and response plan for dealing with potential instances of fraud, bribery and corruption

## Annual action plan

Have a policy and response plan for dealing with potential instances of fraud, bribery and corruption



## Outcome-based metrics

Have outcome-based metrics summarising what outcomes they are seeking to achieve that year. For organisations with 'significant investment' in counter fraud or 'significant estimated' fraud loss, these will include metrics with a financial impact



# Fraud

Fraud Act 2006

# What is fraud?

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# Types of fraud

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## Abuse of position

- Collusion with suppliers
- Bribery
- Misappropriation of funds
- Prescribing fraud
- Authorising fraudulent claims

## Failure to disclose

- Conflict of interests
- Criminal convictions
- Regulatory restrictions

## False representation

- False qualifications
- Patient identity
- Prescription fraud
- Alteration of records
- Continuing Healthcare fraud

# Case study: Practice Manager jailed for £200k fraud



The manager was responsible for organising locum doctors to fill staffing gaps and making payments within the surgery. He was also the only staff member who had access to the surgery bank account and was authorised to make payments.

The fraud was discovered during a review of the surgery's annual finances, where the unexpectedly high spend on locum staff, which did not match the appointment booking system, was identified.

The surgery conducted an initial internal investigation, during which the manager admitted he made the transfers to his own account.

**The practice manager was subsequently sentenced to two years and eight months in prison after pleading guilty to fraud by abuse of position.**



# Case study: Prescription fraud during the pandemic



A 27 year old woman fraudulently used another woman's prescription to get painkillers that she was addicted to.

The medication had previously been prescribed to her friend's sister, who had suffered back pain through pregnancy and after childbirth.

The mother-of-two collected 367 tablets between September 2020 and February 2021 over 11 prescriptions for the drugs while pretending to be the other woman.

**She was given an 18-month community order with a 15-day rehabilitation activity requirement.**

# Case study: Prescription fraud during the pandemic



A woman used the identity of a close friend to get her hands on prescription drugs from a GP surgery over a six month period in 2020.

The scam only came to light when her husband noticed a pack of medication at their house in name of another woman he happened to work with.

When the victim checked her prescription history with her GP, she found 15 prescriptions had been issued in her name without her knowledge – some of them for the painkiller co-codamol to which she was actually allergic.

**She was sentenced to a 12-month community order, fined £200, and ordered to complete a rehabilitation course**

# Case study: COVID-19 fraudster jail for mass scam



A 21 year old fraudster sent out bulk text messages to members of the public claiming to be from various organisations including the NHS.

The scam involved requesting personal financial information relating to victim's bank accounts, and the creation of fake gov.uk pages claiming the information was needed to verify victims' entitlement to receive the vaccine.

**Gallagher was sentenced at the Old Bailey to four years' and three months imprisonment.**

The CPS prosecutor commented *“At a time when the country is looking to the COVID-19 vaccination rollout to help our society return to normal, Gallagher was seeking to exploit this by prising vital personal financial information from vulnerable victims eagerly wanting their vaccine.”*



# Bribery

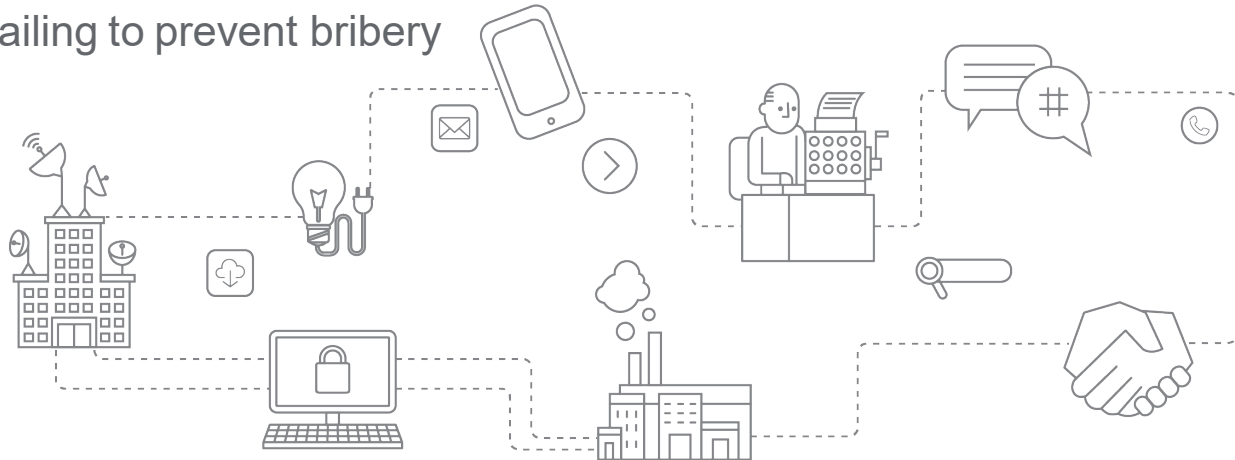
Bribery Act 2010

# The Bribery Act 2010

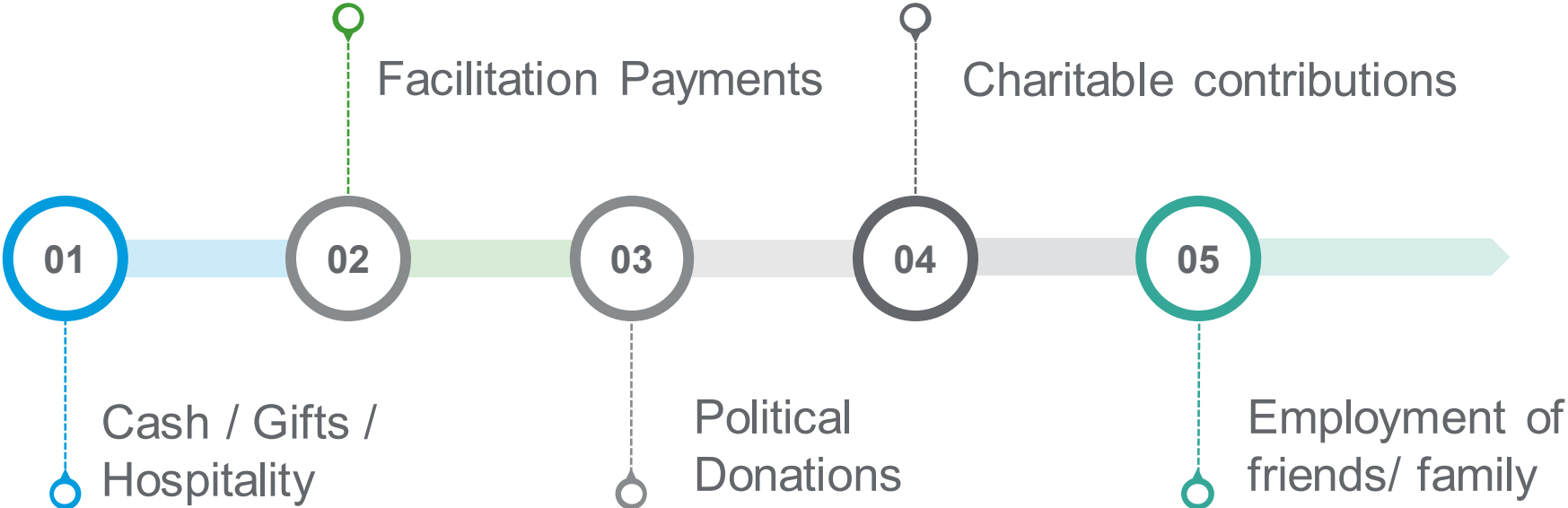
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There are four offences in the Bribery Act;

- S1 Bribing another person
- S2 Being bribed
- S3 Bribing a foreign public official
- S4 Failing to prevent bribery



# Common forms of bribery



# Case study: Trio within the NHS accused of bribery



A former head of a CCG's medicines management function, an NHS pharmacist and a GP are set to appear in court facing multiple charges of bribery.

The trio are accused of accepting over £75,000 in bribes to set up meetings between pharmaceutical companies and advisory boards, promote specific drug companies and their products to GPs and to provide pharmaceutical companies with access to confidential medical databases.

The owner of a pharmaceutical consultancy company who offered and paid the bribes has also been charged with bribery.

**All have pleaded not guilty and are awaiting trial.**



Risks



# Key Risks

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## Misuse of prescriptions

Prescriptions that have been forged, stolen, altered or used by someone else.

## NHS additional funding

Where there are concerns about the legitimacy of additional funding paid by the NHS for help and care.

## Misuse of services/drugs

False representations about symptoms to obtain medication or to get admitted into NHS care.

## Patient registration

Using false information in order to register for NHS services, including, identity and address, or registering at multiple practices.

# Case study: £1.5m NHS compensation claim scam



An NHS patient appeared in court in July 2021 after attempting to defraud the NHS of over £1.5million.

The court found the patient has deliberately and grossly exaggerated the extent of their disability since August 2015, when they had attempted to gain compensation regarding the Trust failing to disclose and treat a spinal injury.

The patient claimed they needed constant care and supervision, was unable to work and had severe mobility issues, requiring the use of a wheelchair.

As a result of surveillance, evidence was obtained which demonstrated the patient had made false representations about their symptoms.

**The patient was ordered to repay £20,000, which had been paid to him during the claim, and sentenced to almost 7 months, in jail.**

# What can you do?

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## DO

- ✓ Tell someone with the proper authority to investigate
- ✓ Be aware of fraud issues
- ✓ Make a note of your concerns
- ✓ Keep a record or copy any documentation that arouses your suspicion

## DO NOT

- x Confront the individual
- x Try to investigate the matter yourself
- x Convey your suspicions to anyone other than those with proper authority to investigate
- x Do nothing!

# Reporting

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Chief Finance Officer: James Murray  
National Fraud Reporting Line : 0800 028 40 60  
Online reporting form: [www.cfa.nhs.uk/reportfraud](http://www.cfa.nhs.uk/reportfraud)  
Protect: 020 3117 2520

*Please also refer to the CCG's Anti-Fraud and Bribery Policy*



Thank you  
for your time  
and attention