



**PWYLLGOR ARCHWILIO A SICRWYDD RISG
AUDIT AND RISK ASSURANCE COMMITTEE**

DYDDIAD Y CYFARFOD: DATE OF MEETING:	19 October 2021
TEITL YR ADRODDIAD: TITLE OF REPORT:	Counter Fraud Update
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Huw Thomas, Director of Finance
SWYDDOG ADRODD: REPORTING OFFICER:	Ben Rees, Head of Counter Fraud

**Pwrpas yr Adroddiad (dewiswch fel yn addas)
Purpose of the Report (select as appropriate)**

Er Gwybodaeth/For Information

**ADRODDIAD SCAA
SBAR REPORT**

Sefyllfa / Situation

This report provides to the Audit & Risk Assurance Committee an update on the Counter Fraud work completed within Hywel Dda University Health Board (HDdUHB). This ensures compliance with the Welsh Government Directives for Countering Fraud in the NHS and the NHS Counter Fraud Authority Requirements of the Government Functional Standard GovS 013: Counter Fraud.

The report will present a breakdown as to how resource has been used within Counter Fraud, alongside an overview of key work areas completed against the 4 NHS Counter Fraud Authority standard areas.

Cefndir / Background

To evidence the provision of services within a sound governance framework.

Asesiad / Assessment

The Health Board is compliant with the Welsh Government Directives.

Argymhelliad / Recommendation

The Audit & Risk Assurance Committee is invited to receive for information the Counter Fraud Update Report and appended item.

**Amcanion: (rhaid cwblhau)
Objectives: (must be completed)**

Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	3.2 In particular, the Committee will review the adequacy of: 3.2.4 the policies and procedures for all work related to fraud and corruption as set out in National Assembly for
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	Wales Directions and as required by the Counter Fraud and Security Management Service.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable.
Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	Governance, Leadership and Accountability
Amcanion Strategol y BIP: UHB Strategic Objectives:	3. Striving to deliver and develop excellent services 6. Sustainable use of resources
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2018-2019	10. Not Applicable

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Counter Fraud Workplan 2021/22
Rhestr Termiau: Glossary of Terms:	LCFS – Local Counter Fraud Specialist/s
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Archwilio a Sicrwydd Risg: Parties / Committees consulted prior to Audit and Risk Assurance Committee:	Not Applicable

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	Not Applicable
Ansawdd / Gofal Claf: Quality / Patient Care:	Not Applicable
Gweithlu: Workforce:	Not Applicable
Risg: Risk:	Not Applicable
Cyfreithiol: Legal:	Not Applicable
Enw Da: Reputational:	Not Applicable
Gyfrinachedd: Privacy:	Not Applicable
Cydraddoldeb: Equality:	Not Applicable



HYWEL DDA UNIVERSITY HEALTH BOARD

COUNTER FRAUD UPDATE

For Presentation 19th October 2021

The NHS Protect Standards are set in four generic areas:

- Strategic Governance
- Inform and Involve
- Prevent and Deter
- Hold to Account

AREA OF ACTIVITY	Resource Allocated (days) 2021/22	Resource Used (days) as at 30/09/2021
STRATEGIC GOVERNANCE	50	9
INFORM AND INVOLVE	90	42.5
PREVENT AND DETER	100	48
HOLD TO ACCOUNT	180	117.5
TOTAL	420	217

Work Area	<i>Summary of work areas completed</i>
Inform and Involve	<ul style="list-style-type: none"> • All new inductees have completed the Health Board’s induction programme and completed the Counter Fraud mandatory training program. • Counter Fraud content on the Health Board’s Medicines Safety learning days has again been delivered to Nurses by way of virtual sessions. Further sessions are to be arranged throughout the year. • The department has continued to provide Fraud Training Sessions, presenting at a recent Finance Away Day. Presentation sessions have also been provided to NWSSP Payroll Services, during which awareness of the HB’s Overpayment of Salary Policy was highlighted, together with the importance and methods of reporting concerns in a timely manner. • An Autumn edition of ‘The Fraud Reporter’ has been published, highlighting a number of recent cases, including a HDdUHB case that recently concluded at Swansea Crown Court. A copy is appended to this report for Committee Members’ perusal (Appendix 1). • Since the last report, a total of 2 Global awareness messages were issued surrounding the following topics: <ul style="list-style-type: none"> HB and local scam advice, including updates on recent Covid Passport scams. • As of 31st September 2021, a total of 3279 employees have now completed the Counter Fraud Mandatory Training package, up from 2468 in August. The below graph demonstrates areas of compliance. Medical and Dental appear to be the least compliant; as such, this area will be targeted during the next Fraud Awareness Week, which is due to take place between 14th and 20th November 2021.



Prevent and Deter

- Updated Mandate and Invoice Fraud alerts have been issued to staff within the Finance Team and relevant procurement department. This has coincided with a review of known Fraud risks with NWSSP Accounts Payable, which, due to their sensitivity, have been mentioned as part of the In-Committee paper.
- As mentioned at the August 2021 ARAC meeting, the Recovery of Overpayments and Management of Underpayments Policy is now live and awareness work regarding the changes has delivered to NWSSP Payroll Services, highlighting the importance of policy compliance and timely reporting of concerned. A new reporting method has been developed for Payroll Services and will be disseminated to all staff. This will allow employees to directly report incidents to the LCFS.
- The 2021 NHS Counter Fraud Authority (NHS CFA) Post-event assurance (PEA) exercises focusing on COVID-19 PEA and Purchase Order (PO) vs non-PO spend has now concluded. Relevant data was reviewed in partnership with NWSSP Accounts Payable and local procurement teams and submitted accordingly. The NHS CFA will now review the data on a national level, before providing advice and guidance reference lessons learnt, together with an outline of the fraud vulnerabilities that may have been revealed during the pandemic period.
- A third pro-active exercise has commenced in relation to the annual review of Requisitions associated with the Estates Directorate and others across the organisation that have not complied with the No PO and No Pay Policy. A total of 100 requisitions have been reviewed as part of the Estates review and a sample of Non-PO compliant requisitions have been provided by NWSSP Procurement for review.

	<p>The Estates related samples have been reviewed on Oracle, ensuring relevant processes have been followed. To date no concerns of fraud have been identified, but further local document checks are required. Those requisitions highlighted as non-compliant by NWSSP Procurement will be reviewed from both a Fraud and Governance perspective, notifying relevant supervisors of instances of Policy Non-Compliance.</p> <p>The outcome of this exercise will be shared with the committee in December 2021.</p>
<p>Hold to Account</p>	<ul style="list-style-type: none"> • Several new referrals have been received into the department over the last two months. These are noted within in a separate report, for discussion during the closed In-Committee session. • Hywel Dda University Health Board has no open cases on FIRST, the now non-operational crime reporting system, all cases are now live on Clue 3.
<p>Strategic Governance</p>	<ul style="list-style-type: none"> • Quarterly statistics (Q2) have been submitted to Counter Fraud Service (CFS) Wales and in compliance with WG directions. The Quarter 1 report has been issued and a copy is appended to the In-Committee paper (the document contains information relating to ongoing investigations).
<p>Other matters</p>	<ul style="list-style-type: none"> • The HDdUHB Counter Fraud Department are now members of the NHS Wales Counter Fraud Steering Group, participating in their first meeting on 30th September 2021. • Lead LCFS Rees has been nominated by CFS to represent the LCFS at Clue 3 focus groups, who are tasked with improving Clue 3 usage at a local level. • Counter Fraud Services Wales are hoping to hold their first CPD training session on 19th October 2021 at their offices in Pontypool. Both LCFS Terry Slater and Ben Rees will be in attendance and will join ARAC remotely at the appointed time.

Report Provided by:
Ben Rees, Lead Local Counter Fraud Specialist

Report agreed by:
Huw Thomas, Director of Finance

For presentation; 19th October 2021

THE FRAUD REPORTER

Welcome to the Autumn Edition of The Fraud Reporter

Welcome to the Autumn edition of the **Fraud Reporter**, the **Hywel Dda UHB newsletter** to keep you up to date with **fraud issues affecting the Health Board and wider NHS**.

Summer has come and gone and we are now looking ahead to Christmas and the challenges the winter months bring.

Historically, Autumn is the season when the International Fraud Awareness Week is held. This year's event is scheduled to take place between the 14th and 20th November 2021 and during this week our aim is to raise awareness of Fraud in the NHS and highlight how you can help us detect and tackle fraud in your area of work. So, if you would like us to come along and hold a fraud awareness session in your area of work then please let us know by contacting us on the details provided within this leaflet. We can present online via Microsoft Teams or present in person if it is safe to do so.

This month has seen the conclusion of a Counter Fraud Case at Swansea Crown Court, whereby a member of the public, a practicing solicitor was convicted of Fraud by False Representation. This case resulted in the subject receiving a 12-month Community order, which included rehabilitation session, a fine and was ordered to repay court costs and compensation to Hywel Dda University Health Board. A copy of the Wales online article has been provided on page 2.

Although this was a low value offence, the degree of dishonesty was high. This was noted by the Judge in the case, demonstrating that not all fraud is equal and each case must be assessed on its own merit. This reinforces the message that you should report all concerns to your Local Counter Fraud Specialist, so that an appropriate assessment can be made.

As part of our ongoing review of Policies

Covid pass scam

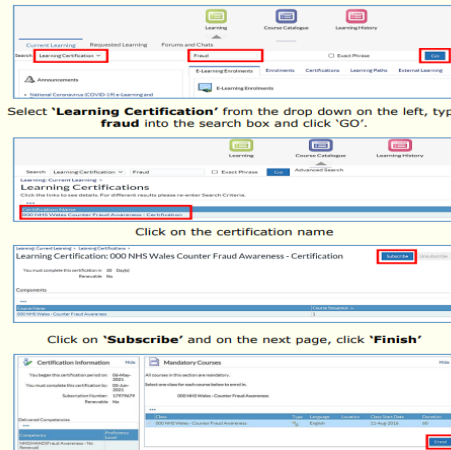
Ceredigion County Council is warning people that the NHS is not sending out invitations for Covid passes. There are reports of criminals using the NHS Covid Pass as a way to steal money, financial details and personal information. The NHS Covid pass is free and can be used to prove that you're vaccinated against coronavirus before attending events or when travelling abroad. The pass is available to show your Covid-19 vaccination status either in a digital or paper format via the NHS App, the NHS website or by calling 119. The following tips can help you stay safe from this NHS COVID Pass scam and other COVID-19 related scams:

- Be alert to links and attachments in unexpected text messages or emails
- Never click on links in suspicious texts and emails – and don't enter any personal or financial information
- If you've clicked on a link and you think it's a scam, contact your bank immediately.
- Be wary of any out of the blue approaches about the COVID-19 vaccine or passports. If in doubt, check the official NHS site for information or contact the organisation in question directly.

and Procedures we would like to take the opportunity to highlight the CHARITABLE FUNDS FINANCIAL ADMINISTRATION AND GOVERNANCE PROCEDURE, which went live earlier this year. The purpose of this procedure is to provide guidance to all staff relating to the administration and governance of our charity funds. It clearly outlines our roles and responsibilities as HB employees in relation to accepting and banking charitable donations and our relationships with external charities. If you have any question on the procedure, or would like further guidance then please contact the HDUHB Charities team on 01267 239815. Remember, if you are involved with an external charity and have concerns whether you need to declare an outside interest then please contact the Corporate Governance Team on 01267 239869. Further information on declarations of interest can be found in the Standards of Behaviours policy.

As you may all know, The Counter Fraud E-Learning package is now mandatory and can be accessed by following the steps documented below. At the time of writing 3279 employees have completed the online package, so thank you to those who have done so. If you have any difficulties in finding / accessing the correct package then please feel free to get in touch.

How to find the Fraud Awareness module on ESR



Select 'Learning Certification' from the drop down on the left, type **fraud** into the search box and click 'GO'.

Click on the certification name

Click on 'Subscribe' and on the next page, click 'Finish'

Click on 'Enrol', then you should be able to play the module from your e-learning enrolments table, on your learner homepage.

Please note: Upon completion of the module, your competency will not update instantly. Please wait 5 working days for your competency to be awarded.

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Fraud Awareness Training Remote Training Available

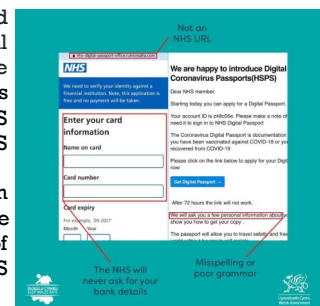
One of the key aims of an LCFS is to develop an anti-fraud culture within the Health Board and ensure that staff can spot fraud when it occurs so something can be done about it.

Training can be tailored to the fraud risks for your specific work area and can be delivered at a time and place that suits you and your team.

To arrange your training Contact the LCFS on 01267248627 / 01267283025 or email

Benjamin.Rees2@wales.nhs.uk

Terry. Slater@wales.nhs.uk



Former NHS worker is found guilty of fraud by Oxford jury

This article was published by the Oxford Mail and highlights the importance of identity checks.

A former support worker who was not entitled to work in the UK got an NHS job under her sister-in-law's name. Mugo, 49, who obtained work at a Southern Health facility in Oxford under sister-in-law Mary Mutua's name in 2005, later used her brother's marriage certificate to change the surname on her employee file from Mutua to Mugo.

After a two week trial, jurors at Oxford Crown Court found her guilty of obtaining pecuniary advantage by deception. During the trial, prosecutors said Mugo had got work at the supported accommodation unit in Bickerton Road, Oxford, under false pretences. She was known to colleagues as Mary Mutua until she applied to change the surname listed on her employee file in March 2011.

And until 2010, her wages paid into an Abbey National bank account held in her sister-in-law's name. Between 2007 and 2009, £7,000 was withdrawn from cash

machines in London – where Mary Mutua was living – while £32,000 was taken out in Oxford, where Mugo lived with the father of her children.

The fraud came to light in 2016 when staff at the Southern Health NHS Foundation Trust unit where she worked were transferred to charity Affinity Trust. Mugo and her colleagues were asked for paperwork to confirm their details. Mugo came into line manager Samantha Mahoro's office with a UK residency permit and Kenyan and South African passports.

Ms Mahoro told the jury: "She said the documents you have on file will not match what I'm going to give you today." The date of birth on the permits and passport, which were in the name Milca Mugo, did not match those in her personnel file.

Documents in her personnel file showed she twice agreed maternity leave with the NHS trust where she worked. Other health service patient records held under her real name listed her profession as 'full-time mum'.



Pictures: CPS/OM/GOOGLE

Mugo's file showed the support worker – then known to her colleagues as 'Mary Mutua' – was living at a house in Upway Road, Headington, where council tax returns had Mugo living with a partner. Mutua and Mugo were both listed at Companies House as the former directors of firm Jambo Supply Ltd. Mugo's occupation was given on company records as nurse and she was said to be living in Headington.

Mugo, who was representing herself, claimed it was her sister-in-law who worked for the NHS trust initially – which was denied by her co-defendant – and that she went by the name Mary as well as Milca.

Mugo was granted bail and will be sentenced on October 29.

Portsmouth GP admits embezzling £1.1m from care group

This article highlights the importance of good governance and financial controls. The article states;

A GP has admitted embezzling £1.1m from a care group he was a director of. Dr Rumi Chhaphia, 45, pleaded guilty to one count of fraud by abuse of position at Portsmouth Magistrates' Court.

Chhaphia, of Southsea, was a director of Portsmouth Primary Care Alliance (PPCA) when he moved money from its account to his, between 20 August to 30 September 2020.

He will be sentenced at Portsmouth Crown Court on 22 October.

'Reassure patients'

Prosecutor Lucy Linington said Chhaphia had repaid £233,000 but added almost £904,000 was still outstanding after the "significant" fraud.

Jo York, managing director at NHS Portsmouth Clinical Commissioning Group, said it was working with

the PPCA, Hampshire Constabulary and NHS Counter Fraud Authority on the "serious matter".

She added: "We would like to reassure patients that the Portsmouth Primary Care Alliance continues to operate as normal without disruption to the out-of-hours and home visiting services provided to the Portsmouth community."

The PPCA is a collection of GP practices working together in and around Portsmouth.

"At the time of this offence, a director was signed off sick and therefore gave Dr Chhaphia the freedom and the permission, at that stage, to have access to the business accounts of the PPCA," Ms Linington added.



Woman assumed friend's identity to access prescription drugs from GP surgery

The below article relates to a recent case taken to court by ourselves. It involved a member of the public exposing weaknesses in procedures associated with telephone consultations during the Covid-19 pandemic. This article was written by Wales Online and can be found on their website;

'A woman used the identity of a close friend to get her hands on prescription drugs from a GP surgery, a court has heard. Over a six-month period, Janine Wilkinson Oram repeatedly rang a medical centre and pretended to be someone else in order to get painkillers and sleeping medication. The scam only came to light when her husband noticed a pack of pills at their house in name of another woman he happened to work with. Swansea Crown Court heard the fraud took place in the summer of 2020 when health services were being severely stretched due to the ongoing Covid-19 pandemic.

Tom Scapens, prosecuting, said on 15 occasions between April and September the defendant rang the medical surgery where her friend was registered and gave the friend's name, address, and date of birth and after a phone consultation was able to get prescriptions. She then went to the pharmacy to collect the drugs, again giving her friend's details.

The court heard the con was only discovered when 37-year-old Oram's husband mentioned to a woman he worked with that he had seen a packet of her medication at his house. When the victim checked her prescription history with her Llandeilo 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.

The woman challenged her friend about what had been happening and Oram apologised. The court heard that over a series of texts the defendant continued to apologise but then began asking the victim why she would not forgive her. In one message she wrote: "All of your other friends treat you like s**t and you forgive them. Why won't you forgive me?" The defendant then said she no longer wanted to be a friend of the victim. The woman whose identity the defendant had stolen said in her statement that her one-time friend had abused the trust placed in her and she said she had been forced to change jobs as it was too difficult to continue working alongside Oram's husband.

Janine Wilkinson Oram, of Llandeilo, Carmarthenshire, had previously pleaded guilty to one count of committing fraud by false representation at the Meddygfa Teilo surgery when she appeared in the dock for sentencing. She has no previous convictions. Jon Tarrant, for Oram, described it as a "somewhat unusual" case in that had the defendant simply gone to GP herself she would in all likelihood have been prescribed the medication. He said Oram was suffering pain for injuries received in a car crash a number of years ago and was a "workaholic" holding down a good job while home schooling children during the lockdown and also helping with her parents' taxi business when needed. The advocate said it may that going to the doctors and asking for medication in her own name "would be seen as some sort of weakness" on the part of his client and so she had embarked on the "foolish, stupid" course of action.



Counter Fraud Authority

STOP

Taking a moment to stop and think before parting with your money or information could keep you safe

CHALLENGE

Could it be fake? It's ok to reject, refuse or ignore any requests. Only criminals will try to rush or panic you.

PROTECT

If attempt is noticed in work, contact the Counter Fraud Team or outside work contact your bank immediately if you think you've fallen for a scam and report it to Action Fraud.



How to protect yourself:

- Don't assume a call, text or email is genuine.
- Never provide financial or personal details to a caller.
- Don't click on website links or download attachments in unexpected texts or emails.
- Phone numbers and emails can be changed (spoofed) and are not proof of identity.
- Challenge every request for your information, money or details.
- Double check requests for your details and verify via a trusted source.

We can't stop crime we don't know is happening

If you suspect a Fraud has occurred in your area of work then please contact Ben Rees or Terry Slater on the details below



010267 248627 / 01267283025

- Benjamin.Rees2@wales.nhs.uk
- Terry.Slater@wales.nhs.uk

Further, up-to-date information around fraud and scam threats emerging as a result of Covid-19 is available on the Health Board's intranet page.

Further Information

With fraud and cyber crime on the rise across the UK its a good idea that we all know how to deal with scams if we find ourselves unlucky enough to be in that situation. Action Fraud lead the fight against fraud and cyber scams in the UK and they have issued some simple rules to follow to stay safe.

You will find more advice via clicking on the following link

<https://www.actionfraud.police.uk/>

Further advice is available from the Take Five—To Stop Fraud campaign which is a Government backed initiative to reduce fraud <https://takefive-stopfraud.org.uk/about/take-five/>

YOU CAN SEARCH COUNTER FRAUD ON THE HYWEL DDA INTRANET FOR FURTHER INFORMATION

The Health Board's Counter Fraud Team are responsible for raising awareness of fraud, preventing fraud through 'fraud proofing' exercises and investigating fraud where uncovered.

The Counter Fraud Team are always happy to offer advice about NHS fraud, bribery and corruption.

The LCFS is available to support, guide and assist on all fraud, bribery and corruption matters. If you need any advice on fraud or if you want to request counter fraud training for your team please contact your LCFS.

The Counter Fraud Team

Benjamin Rees—Head of Local Counter Fraud Services

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You can also make an anonymous report by calling
the **Fraud & Corruption Reporting Line** on
0800 028 4060

or search 'NHS Fraud' online for more information.

STOP NHS FRAUD
www.reportnhsfraud.nhs.uk
0800 028 4060

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