



Local Counter Fraud, Bribery and Corruption Policy

Complete the blank cells in the table below. The rest will be added by the corporate team once the policy approved and before it is added to the website.

Policy ref no:	1
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Date Approved:	1st May 2025
Approved by:	ICB Board
Date of next review:	1 st May 2028

Policy Review Checklist

	Yes/No/NA	Supporting information
Has an Equality Impact Assessment Screening been completed?	Yes	
Has the review taken account of latest Guidance/Legislation?	Yes	Template and guidance provided by NHS Counter Fraud Authority
Has legal advice been sought?	N/A	
Has HR been consulted?	Yes	Through review at BNSSG CPRG
Have training issues been addressed?	Yes	Through Implementation Plan & E-Learning
Are there other HR related issues that need to be considered?	No	
Has the policy been reviewed by Staff Partnership Forum?	No	Not required
Are there financial issues and have they been addressed?	N/A	The policy is intended to safeguard NHS resources.
What engagement has there been with patients/members of the public in preparing this policy?	N/A	
Are there linked policies and procedures?	Yes	See associated policies section
Has the lead Executive Director approved the policy?	Yes	For CFO
Which Committees have assured the policy?	Yes	Previous iterations seen by ICB AGR Committee
Has an implementation plan been provided?	Yes	
How will the policy be shared with staff	-	Intranet and Website
Will an audit trail demonstrating receipt of policy by staff be required; how will this be done?	No	Awareness of the policy will be tested upon completion of eLearning and a staff survey
Has a DPIA been considered in regard to this policy?	N/A	IG inputs to the policy through membership of CPRG
Have Data Protection implications have been considered?	Yes	IG inputs to the policy through membership of CPRG

Version	Date	Consultation

Table of contents

Local Counter Fraud, Bribery and Corruption Policy	1
Policy Review Checklist	2
Table of contents	3
Counter Fraud, Bribery and Corruption Policy	4
1 Introduction	4
1.1 BNSSG ICB Values	4
2 Purpose and scope	5
3 Duties – legal framework for this policy	5
4 Responsibilities and Accountabilities	7
5 Definitions/explanations of terms used	12
6 The Response Plan	14
7 Recovery of Losses due to Fraud, Bribery and Corruption	15
8 Sanctions	16
9 Reporting the Results of an Investigation	16
10 Training requirements	17
11 Equality Impact Assessment	17
12 Implementation and Monitoring Compliance and Effectiveness	17
13 Countering Fraud, Bribery and Corruption	17
14 References, acknowledgements and associated documents	17
15 Appendices	18
Equality Impact Assessment	18
Implementation Plan	18

Local Counter Fraud, Bribery and Corruption Policy

1 Introduction

One of the basic principles of public sector organisations is the proper use of public funds. The majority of people who work in the NHS are honest and professional and they find that fraud committed by a minority is wholly unacceptable as it ultimately leads to a reduction in the resources available for patient care.

The NHS Counter Fraud Authority (NHSCFA) is charged with identifying, investigating and preventing fraud and other economic crime within the NHS and the wider health group. As a special health authority focused entirely on counter fraud work, the NHSCFA is independent from other NHS bodies and directly accountable to the Cabinet Office.

The aim is to protect staff and resources from activities that would otherwise undermine their effectiveness and their ability to meet the needs of patients and professionals. Ultimately, this helps to ensure the proper use of valuable NHS resources and a safer, more secure environment in which to deliver and receive care.

BNSSG ICB does not tolerate fraud, bribery or corruption. The aim is to eliminate all NHS fraud, bribery and corruption as far as possible. To meet its objectives, it has adopted the operational framework developed by the NHSCFA:

Governance - supporting a zero-tolerance approach to wrongdoing; makes this clear to all staff; and monitors, at the very top of the organisation, the effectiveness of the arrangements in place. BNSSG ICB will appoint a qualified Local Counter Fraud Specialist (LCFS) to support this commitment.

Proactive - setting clear policies and a code of conduct for all staff; raising awareness of the risks; and liaising with other organisations to develop a shared resistance to wrongdoing. Undertaking comprehensive risk assessments of existing systems and processes, auditing and review of records and completing of proactive exercises to detect fraud.

Reactive - investigating allegations and indications of wrongdoing; and seeking appropriate sanctions if wrongdoing is detected.

1.1 BNSSG ICB Values

This policy supports the values of the organisation by informing staff of their responsibility to act with integrity and to do the right thing. The ICB is committed to reducing the level of fraud, bribery and corruption within the NHS to increase the resources available for providing better patient care.

2 Purpose and scope

This policy details how staff should conduct themselves whilst working for the ICB, and raises awareness of fraud, bribery and corruption offences and the reporting lines available for staff who wish to report and suspicions of illicit activity.

This policy relates to all forms of fraud, bribery and corruption and is intended to provide direction and help to employees who may identify suspected fraud. It provides a framework for responding to suspicions of fraud, advice and information on various aspects of fraud and implications of an investigation. It is not intended to provide a comprehensive approach to preventing and detecting fraud, bribery and corruption. The overall aims of this policy are to:

- Improve the knowledge and understanding of all employees in BNSSG ICB, irrespective of their position, about the risk of fraud, bribery and corruption within the organisation and its unacceptability.
- Assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly.
- Ensure the appropriate sanctions are considered following an investigation, which may include any or all of the following: criminal prosecution, civil prosecution or internal/external disciplinary action.
- To reduce the occurrence of fraud, bribery and corruption at the ICB.

This policy applies to all employees of BNSSG ICB, regardless of position held, as well as any individual performing duties on behalf of the ICB, including those with honorary contracts, consultants, vendors, contractors, and/or any other parties who have a business relationship with BNSSG ICB. It will be brought to the attention of all employees and form part of the induction process for new staff.

3 Duties – legal framework for this policy

All organisations providing NHS services are required to put in place appropriate counter fraud, bribery and corruption measures to prevent, detect, deter and investigate fraud, bribery and corruption.

NHS Counter Fraud Authority (NHSCFA)

The NHSCFA is responsible for the detection, investigation and prevention of fraud and economic crime within the NHS. Its aim is to lead the fight against fraud affecting the NHS and the wider health and social care sector, by using intelligence to understand the nature of fraud risks, investigate serious and complex fraud, reduce its impact and drive forward improvements.

The ICB will take all necessary steps to counter fraud, bribery and corruption in accordance with this policy and the NHSCFA Digital Fraud Manual, (available to the Chief Finance Officer and Local Counter Fraud Specialist (LCFS) only).

‘Applying Appropriate Sanctions Consistently’ published by NHSCFA and any other relevant guidance or advice issued by NHSCFA. Available at: <https://cfa.nhs.uk/about-nhscfa/corporate-publications>

The NHSCFA has also produced its Counter Fraud, Bribery and Corruption Strategy which sets out its vision and purpose, and can be found at: <https://cfa.nhs.uk/about-nhscfa/corporate-publications/strategy-2023-26>

All work planned and undertaken by the ICB in relation to fraud, bribery and corruption aligns to this strategy.

Government Functional Standard for Counter Fraud

The Government Functional Standard for Counter Fraud (GovS013), and specific NHS adjustments sets out the requirements placed on NHS organisations to aid fighting fraud. The requirements can be found at: <https://cfa.nhs.uk/government-functional-standard/NHS-requirements>

This policy document is written in accordance with these requirements and in line with the NHSCFA model policy template. The NHSCFA carries out regular engagements to check the requirements are being followed at all NHS organisations.

Economic Crime

Economic Crime can be defined as illegal acts committed by an individual or a group of individuals to obtain a financial or professional advantage. In such crimes, the offender’s principal motive is economic gain. This term is the overarching name for crimes such as Fraud, Bribery and Corruption.

Fraud

The Fraud Act 2006 represents a fundamental shift in the elements required to prove a fraud offence. It is no longer necessary to prove that a person has been deceived. The focus is now on the dishonest behaviour of the suspect and their intent to make a gain or cause a loss.

The offence of fraud can be committed in three ways:

- Fraud by false representation (Section 2) – lying about something using any means, e.g. by words or actions.
- Fraud by failing to disclose information (Section 3) – not saying something when you have a legal duty to do so.

- Fraud by abuse of position (Section 4) – abusing a position where there is an expectation to safeguard another person or organisation.

Bribery and Corruption

The Bribery Act received assent in 2010 and repealed previous anti-bribery/corruption legislation. It covers the public and private sector. The purpose of the legislation is to simplify the law on bribery and to allow a more effective response to bribery offences that occur either in the UK or abroad.

The main offences covered by the Act are:

1. An offence of active bribery (i.e. giving, promising or offering a bribe), which applies in the public or private sector.
2. An offence of passive bribery (i.e. requesting, agreeing to receive or accepting a bribe), which applies in the public or private sector.
3. A specific offence of bribing a foreign public official.
4. A new ‘corporate’ offence which applies where a corporate body or partnership fails to prevent persons performing services on their behalf from paying bribes.

Economic Crime & Corporate Transparency Act

The Economic Crime & Transparency Act 2023 (ECCT Act) creates a new corporate criminal offence, the ‘failure to prevent fraud’ offence. This offence is intended to hold large organisations to account if they profit from fraud and comes into effect on 1 September 2025.

Under the offence, large organisations may be held criminally liable where an employee, agent, subsidiary or other “associated person” commits a fraud intending to benefit the organisation.

The corporate offence is irrespective of whether or not there was management knowledge of the primary offence.

In the event of a prosecution, the organisation will have to demonstrate that reasonable fraud prevention measures were in place at the time the fraud was committed; the ‘reasonable procedures’ defence.

4 Responsibilities and Accountabilities

BNSSG ICB will take all necessary steps to counter fraud, bribery and corruption in accordance with this policy, the NHSCFA Digital Fraud Manual, (available to the CFO and LCFS only), the policy statement Applying Appropriate Sanctions Consistently published by NHSCFA and any other relevant guidance or advice issued by NHSCFA.

The **Board of the ICB** is responsible for gaining assurance that:

- BNSSG ICB has adopted and is operating adequate procedures and controls to deter and prevent wrongdoing from occurring, in compliance with the Government Functional Standard requirements.

- Adequate arrangements are in place to ensure that all staff are aware of the standards of personal and professional behaviour expected of them; and that all staff have access to this policy.

The **Audit and Risk Committee** is responsible for gaining assurance that:

- BNSSG ICB has appointed a qualified Local Counter Fraud Specialist (LCFS) to lead the drive to maintain and improve the standards and processes for deterring, detecting and investigating wrongdoings; and seek prosecution where wrongdoing is discovered.
- The annual counter fraud work plan is adequate and provides a reasonable balance between raising fraud awareness across BNSSG ICB and evaluating the effectiveness of BNSSG ICB's counter-fraud systems and controls.
- It receives periodical reports from the LCFS on the progress against the work plan and update of the progress of any investigations.
- It receives a formal annual report of BNSSG ICB's compliance with the standards set by NHSCFA.

The **Chief Financial Officer** is the lead for all anti-fraud, bribery and corruption work at BNSSG ICB, monitors and ensures compliance with Government Functional Standards and is responsible for:

- Ensuring that an annual risk assessment is carried out by the BNSSG ICB, using the tools provided by NHSCFA.
- Managing the continuity of appointment of a qualified LCFS to the BNSSG ICB; and ensuring that the counter-fraud service continues to be delivered in the event of the departure, or long-term absence of the appointed LCFS.
- Overseeing the delivery of services from the LCFS including induction and any relevant training or promotional activities.
- Providing the relevant required support to the LCFS in any investigations that they carry out.
- Depending on the outcome of investigations (whether on an interim/on-going or concluding basis) and/or the potential significance of suspicions that have been raised, inform appropriate senior management accordingly.
- Informing and consulting with the Chief Executive in cases where the loss may be above the agreed limit or where the incident may lead to adverse publicity.

All managers responsible for commissioning or procuring services will ensure that:

- Special regard is paid to the requirements of the Bribery Act 2010: that all organisations from which services are procured have proportionate controls and checks on their staff to deter and prevent all forms of wrongdoing, including bribery in favour of BNSSG ICB and bribery that does not benefit BNSSG ICB.
- Special regard, as of 1 September 2025, is paid to the requirements of the Economic Crime & Corporate Transparency Act 2023: that all agents, subsidiaries or other

‘associated persons’ from which services are procured and who are part of supply chains providing services for or on behalf of the ICB, should be asked to demonstrate compliance with the with the Act. **(Note: Sec 2.3.2 of Nov 24 ECCT Guidance).**

All staff are required to:

- Act in accordance with the standards laid down by their professional institutes, where applicable, and have a personal responsibility to ensure that they are familiar with them.
- Have a duty to protect the assets of BNSSG ICB, including information, goodwill and property.
- Comply with all applicable laws and regulations relating to ethical business behaviour, procurement, personal expenses, conflicts of interest, confidentiality and the acceptance of gifts and hospitality.
- Avoid acting in any way that might cause others to allege or suspect them of dishonesty.
- Behave in a way that would not give cause for others to doubt that BNSSG ICB’s employees deal fairly and impartially with official matters.
- Be alert to the possibility that others might be attempting to deceive.
- Ensure that public funds are safeguarded, whether or not they are involved with cash or payment systems, receipts or dealing with contractors or suppliers.
- Reporting any suspected fraud or corruption, or any suspicious acts or events, to the nominated LCFS.

Managers at all levels have a responsibility to ensure that an adequate system of internal control exists within their areas of responsibility and that controls operate effectively. The responsibility for the prevention and detection of fraud, bribery and corruption therefore primarily rests with managers but requires the co-operation of all employees. As part of their responsibility, managers need to:

- Ensure that procedures to guard against fraud and corruption are followed. They should be alert to the possibility that unusual events or transactions could be symptoms of fraud, bribery and corruption. If they have any doubts, they must seek advice from the nominated LCFS.
- Managers must instil and encourage an anti-fraud, anti-bribery and anti-corruption culture within their team and ensure that information on procedures is made available to all employees as part of local induction and on an ongoing basis. The LCFS will proactively assist the encouragement of an anti-fraud culture by undertaking work that will raise fraud awareness.
- All instances of actual or suspected fraud or corruption which come to the attention of a manager must be reported immediately. It is appreciated that some employees will initially raise concerns with their manager. However, in such cases, managers

must not attempt to investigate the allegation themselves; they have the clear responsibility to refer the concerns to the LCFS as soon as possible.

- Inform staff of BNSSG ICB's code of business conduct and Fraud, and Bribery policy as part of their induction process, paying particular attention to the need for accurate completion of personal records and forms.
- Ensure that all employees and others engaged in ICB business for whom they are accountable are made aware of the requirements of the policy.
- Assess the types of risk involved in the operations for which they are responsible.
- Ensure that adequate control measures are put in place to minimise the risks. This must include clear roles and responsibilities, supervisory checks, staff rotation (particularly in key posts), separation of duties wherever possible so that control of a key function is not invested in one individual, and regular reviews, reconciliations and test checks to ensure that control measures continue to operate effectively.
- Ensure that any computer equipment, software programs, applications and peripherals are only used or accessed by properly authorised employees for legitimate ICB related business (in accordance with relevant ICB IT & Information Governance Policies). Furthermore, that any access to petty cash by employees is linked to the performance of their duties within BNSSG ICB and properly recorded as per ICB Standing Financial Instructions and SOP's.
- Be aware of BNSSG ICB's Fraud and Bribery policy and the rules and guidance covering the control of specific items of expenditure and receipts.
- Identify financially sensitive posts and post-holders, to include those that have responsibilities for making financial decisions or are involved in procurement or the management of assets; and ensure they are aware of responsibilities and understand systems and controls.
- Ensure that controls are being complied with.
- Contribute to their Director's assessment of the risks and controls within their business area, which feeds into BNSSG ICB's and the Department of Health Accounting Officer's overall statements of accountability and internal control.

The Local Counter Fraud Specialist (LCFS)

Government Functional Standard GovS 013: Counter Fraud set out the expectations for the management of fraud, bribery and corruption risks across government. All NHS organisations must comply with specific NHS requirements within this standard, set out by the Cabinet Office. One requirement is that all NHS organisations must have an appropriately qualified and nominated Local Counter Fraud Specialist (LCFS).

NHSCFA provides the NHSCFA Counter Fraud Manual to both LCFS and Chief Financial Officers. This details how counter fraud work should be delivered in order to comply with the requirements of the Counter Fraud Functional Standards.

The Local Counter Fraud Specialist is required to:

- Regularly report on progress against the Counter Fraud Workplan to the Audit and Risk Committee.
- Regularly report to the CFO on the progress of the investigation and when/if referral to the police is required.
- Ensure that the Chief Financial Officer is informed about all referrals/cases.
- Be responsible for the day-to-day implementation of the NHSCFA operational framework, in particular, the investigation of all suspicions of fraud.
- In consultation with the Chief Financial Officer report any case to the police or NHSCFA as agreed and in accordance with the NHSCFA Counter Fraud and Corruption Manual.
- Report any case and the outcome of the investigation through NHSCFA's national case management system, CLUE.
- Ensure that other relevant parties are informed where necessary, e.g. Human Resources (HR) will be informed if an employee is the subject of a referral. In this situation, the LCFS will not conduct a disciplinary investigation, but the employee may be the subject of a separate investigation by HR.
- Ensure that BNSSG ICB's incident and losses reporting systems are followed.
- Ensure that any system weaknesses identified as part of an investigation are followed up with management and reported to internal audit.
- Adhere to the Counter Fraud Professional Accreditation Board (CFPAB's) Principles of Professional Conduct as set out in the NHSCFA Counter Fraud and Corruption Manual.
- Ensure that the Chief Financial Officer is informed of NHSCFA investigations, including progress updates.
- Report any case and the outcome of the investigation to the Chief Financial Officer, as well as to the Audit & Risk Committee.
- Liaise on a regular basis with key points of contact in the ICB and supporting organisations as required.
- The LCFS shall be responsible, in discussion with the Chief Financial Officer, for informing third parties such as external audit or the police at the earliest opportunity, as circumstances dictate.
- Provision of induction, training and other activities to support understanding and adoption of LCFS matters including this policy.

Internal and External Audit are responsible for:

- Passing any suspicions of fraud immediately to the nominated LCFS. The outcome of the investigation may necessitate further work by internal or external audit to review systems.

Human Resources are responsible for:

- Liaising closely with managers and the LCFS from the outset if an employee is suspected of being involved in fraud, bribery or corruption, in accordance with agreed liaison protocols. HR staff are responsible for ensuring the appropriate use of BNSSG ICB's Disciplinary Policy.
- Advising those involved in the investigation on matters of employment law and other procedural matters, such as disciplinary and complaints procedures, as requested. Close liaison between the LCFS and HR will be essential to ensure that any parallel sanctions (i.e. criminal, civil and disciplinary sanctions) are applied effectively and in a coordinated manner.
- Taking steps at the recruitment stage to establish, as far as possible, the previous record of potential employees, as well as the veracity of required qualifications and memberships of professional bodies, in terms of their propriety and integrity. In this regard, temporary and fixed-term contract employees are treated in the same manner as permanent employees. Such information will be shared with recruiting managers.

Outsourced Contract Leads will:

- Ensure that the contractor is aware of their responsibility to contact the LCFS immediately in all cases where there is suspicion of fraud, bribery and/or corruption, or any other concern which could pose a fraud risk.

Information Management and Technology will:

- Contact the LCFS immediately in all cases where there is suspicion that IT equipment is being used for fraudulent purposes. HR will also be informed if there is a suspicion that an employee is involved.

Procurement will:

- Contact the LCFS immediately in all cases where there is suspicion of fraud, bribery or corruption within the procurement process.

The **Counter Fraud Champion** (ICB Audit & Risk Committee Chair) is responsible for:

- Promoting awareness of fraud, bribery and corruption across the ICB.
- Understanding the threat posed by fraud, bribery and corruption.
- Understanding best practice in counter fraud work.
- Supporting the LCFS in their work, whilst also ensuring the accountability of the LCFS.

5 Definitions/explanations of terms used

NHS Counter Fraud Authority (NHSCFA)

The NHSCFA is responsible for the detection, investigation and prevention of fraud and economic crime within the NHS. Its aim is to lead the fight against fraud affecting the NHS and the wider health and social care sector, by using intelligence to understand the nature of fraud risks, investigate serious and complex fraud, reduce its impact and drive forward improvements.

Government Functional Standard for Counter Fraud

The Government Functional Standard for Counter Fraud (GovS013), and specific NHS adjustments sets out the requirements placed on NHS organisations to aid fighting fraud. The organisation is required to submit an annual self-assessment of compliance with the standards.

Economic Crime

Economic Crime can be defined as illegal acts committed by an individual or a group of individuals to obtain a financial or professional advantage. In such crimes, the offender's principal motive is economic gain. This term is the overarching name for crimes such as Fraud, Bribery and Corruption.

Fraud

The Fraud Act 2006 defines fraud as dishonestly obtaining a benefit or causing a loss by deception, false representation or abuse of position.

Bribery

The Bribery Act 2010 defines a bribe as any advantage given to influence a person in the carrying out of a function, usually connected with their work or office. More simply it is the crime of giving someone money or something else of value to persuade them to do something for you.

Corruption

Corruption is dishonest behaviour, especially by those in positions of power.

Local Counter Fraud Specialist (LCFS)

One requirement of the Government Functional Standard is that all NHS organisations must have an appropriately qualified and nominated Local Counter Fraud Specialist (LCFS).

Counter Fraud Champion (CFC)

The Counter Fraud Champion is a nominated role and should be held by a person who is senior, directly employed by the organisation and has enough influence to raise awareness of fraud.

Fraud Champions will support and promote the fight against fraud at a strategic level and with other colleagues in their own organisation. Fraud Champions will support the LCFS in the work they already do.

6 The Response Plan

If an employee has any of the concerns mentioned in this document, they must inform the nominated LCFS (contact details available on The Hub) or BNSSG ICB's Chief Financial Officer, unless the Chief Financial Officer or LCFS is implicated. If that is the case, they should report it to the Audit Chair or Chief Executive, who will decide on the action to be taken.

Employees can also call the NHSCFA Fraud and Corruption Reporting Line on Freephone 0800 028 40 60. This provides an easily accessible route for the reporting of genuine suspicions of fraud within or affecting the NHS. It allows NHS staff who are unsure of internal reporting procedures, to report their concerns in the strictest confidence. All calls are dealt with by experienced trained staff and any caller who wishes to remain anonymous may do so.

Additionally, members of staff are able to report suspicions of fraud, bribery or corruption via the NHSCFA online reporting facility at: <https://cfa.nhs.uk/report-fraud>

Anonymous letters, telephone calls, etc. are occasionally received from individuals who wish to raise matters of concern, but not through official channels. While the suspicions may be erroneous or unsubstantiated, they may also reflect a genuine cause for concern and will always be taken seriously.

The LCFS will make sufficient enquiries to establish whether or not there is any foundation to the suspicion that has been raised. If the allegations are found to be malicious, they will also be considered for further investigation to establish their source.

Disciplinary Action

The disciplinary procedures of BNSSG ICB must be followed if an employee is suspected of being involved in a fraudulent or otherwise illegal act.

It should be noted, however, that the duty to follow disciplinary procedures will not override the need for legal action to be taken (e.g. consideration of criminal action). In the event of doubt, legal statute will prevail.

Police involvement

In accordance with the NHSCFA Digital Fraud Manual, the Chief Financial Officer, in conjunction with the LCFS, will decide whether or not a case should be referred to the police. Any referral to the police will not prohibit action being taken under the local disciplinary procedures of BNSSG ICB.

Managing the investigation

The LCFS, in consultation with BNSSG ICB's Chief Financial Officer, will investigate an allegation in accordance with procedures documented in the NHSCFA Digital Fraud Manual.

The LCFS must be aware that staff under an investigation that could lead to disciplinary action have the right to be represented at all stages. In certain circumstances, evidence may best be protected by the LCFS recommending to BNSSG ICB that the staff member is suspended from duty. BNSSG ICB will make a decision based on HR advice on the disciplinary options, which include suspension.

BNSSG ICB will follow its disciplinary procedure if there is evidence that an employee has committed an act of fraud, bribery or corruption.

Criminal and Disciplinary Investigations may take place at the same time. Parallel investigations are supported by NHSCFA where disciplinary sanctions could reduce the risk of further financial loss or risks to patient safety. The LCFS and the ICB's Human Resources function will liaise to ensure that appropriate sanctions are pursued.

Gathering Evidence

The LCFS will take control of any physical evidence, and record this in accordance with the procedures outlined in the NHSCFA Digital Fraud Manual. If evidence consists of several items, such as many documents, LCFS's should record each one with a separate reference number corresponding to the written record. Note that in criminal actions, evidence on or obtained from electronic media needs a document confirming its accuracy.

Interviews under caution or to gather evidence will only be carried out by the LCFS, if appropriate or, the investigating Police Officer in accordance with the Police and Criminal Evidence Act 1984 (PACE). The LCFS will take written statements where necessary.

All employees have a right to be represented at internal disciplinary interviews by a trade union representative or accompanied by a friend, colleague or any other person of their choice, not acting in a legal capacity in connection with the case.

The application of the Fraud and Bribery Policy will at all times be in tandem with all other appropriate BNSSG ICB policies, e.g. Detailed Financial Policies, Conflict of Interests Policy, Gifts and Hospitality Policy and Standing Orders (SOs).

7 Recovery of Losses due to Fraud, Bribery and Corruption

Redress allows resources that are lost to fraud and corruption to be returned to the NHS for use as intended, for provision of high-quality patient care and services.

The seeking of financial redress or recovery of losses will always be considered in cases of fraud or corruption that are investigated by either the LCFS or NHSCFA where a loss is identified. Redress can take the form of confiscation and compensation orders, a civil order for repayment, or a local agreement between the organisation and the offender to repay monies lost. The decisions will be taken in light of the particular circumstances of each case.

8 Sanctions

The types of sanction that may apply when an offence has occurred are:

Civil – Civil sanctions can be taken against those who commit fraud, bribery and corruption to recover money and/or assets which have been fraudulently obtained, including interest and costs.

Criminal – The LCFS will work in partnership with NHSCFA, the police and/or the Crown Prosecution Service to bring a case to court against an alleged offender. Outcomes can include cautions, fines and/or imprisonment.

Disciplinary – Where events giving rise to disciplinary action are the subject of legal proceedings, the ICB may take disciplinary action before such legal proceedings are concluded. This will depend on advice from the police or other prosecuting bodies, including the LCFS on whether it is appropriate to continue with the ICB's disciplinary process.

Professional body disciplinary – If warranted, staff may be reported to their professional body as a result of a successful investigation and/or prosecution

9 Reporting the Results of an Investigation

The investigation process requires the LCFS to review the systems in operation to determine whether there are any inherent weaknesses. Any such weaknesses identified should be corrected immediately.

If fraud, bribery or corruption is found to have occurred, the LCFS will prepare a report for the Chief Financial Officer setting out the following details:

- The circumstances.
- The investigation process.
- The estimated loss.
- The steps taken to prevent a recurrence.
- The steps taken to recover the loss.

This report should also be available to BNSSG ICB's Audit and Risk Committee and Board.

10 Training requirements

Associated Fraud, Bribery and Corruption eLearning is mandatory for all ICB staff and covers elements of this policy. Staff awareness will be measured through analysis of compliance rates for completion of the eLearning available via the ICB's education platform or application and through the Counter Fraud Staff Survey, created by ASW Assurance.

11 Equality Impact Assessment

An Equality Impact Assessment has been completed for this policy and can be found at Appendix A.

12 Implementation and Monitoring Compliance and Effectiveness

An implementation plan is discussed in the Appendices of the policy

Monitoring of Compliance and Effectiveness will be conducted via the assessment of completion rates for mandatory Counter Fraud eLearning and a staff survey.

13 Countering Fraud, Bribery and Corruption

The ICB is committed to reducing and preventing fraud, bribery and corruption in the NHS and ensuring that funds stolen by these means are put back into patient care. During the development of this policy document, we have given consideration to how the risk to the organisation from fraud, bribery or corruption may be mitigated by an effective policy.

We have sought to ensure that knowledge and awareness of the policy will assist in preventing, detecting and deterring fraud, bribery and corruption and made reference to the roles and responsibilities of those working for or on behalf of the organisation in aiding and promoting the Counter Fraud, Bribery and Corruption agenda within the ICB.

References, acknowledgements and associated documents

The following list is not exhaustive:

- The Fraud Act 2006
- The Bribery Act 2010
- The Economic Crime & Transparency Act 2023
- Standing Financial Orders
- Detailed Financial Policies
- Conflict of Interests Policy
- Gifts and Hospitality Policy

- Information Governance Policy
- Disciplinary Policy
- Raising Concerns (Whistleblowing) Policy
- Recruitment Policy
- Grievance Policy

14 Appendices

Equality Impact Assessment

Implementation Plan

Target Group	Implementation or Training objective	Method	Lead	Target start date	Target End date	Resources Required
ICB Board	Ensure ICB Board is aware of the ICB's responsibilities for countering Fraud, Bribery and Corruption.	Policy and Cover paper to be presented by the ICB Board after approval by Audit, Governance and Risk Committee.	LCFS	Upon approval at AGRC	Unknown	LCFS time AGRC time GB time
All staff	Ensure that all staff are aware of the policy and its contents.	Launch via ICB staff newsletter and via intranet.	LCFS	Upon approval of Board.	Unknown	LCFS Time Comms Time
Patients, public and contractors	Ensure awareness of the policy and the ICB's stance towards fraud, bribery and corruption.	Launch policy on ICB website to ensure availability to external groups.	LCFS	As above	Unknown	LCFS Time Comms Time
Contract Leads	Ensure all contract leads for outsourced contracts make contractors aware of their responsibilities.	Contact all contract leads for outsourced contracts.	LCFS	Upon approval of policy	Unknown	LCFS time Contract leads time.
All Procurement Leads, Managers that commission services on behalf of ICB and CSU Procurement Managers	Ensure requirements of ECCT Regulations are covered adequately in Policy, commissioning of services documentation suite and procurement of services.	Ensure that adequate procurement policy, contracting documents and related training is developed, approved and implemented prior to ECCT regulations start date September 2025.	LCFS through Procurement Oversight Group, ICB & CSU Procurement Lead	1 September 2025	Unknown	LCFS Time, Procurement Leads Time, Procurement Oversight Group Time