

# The NHS Confederation

Charity number 1090329

Company number 04358614

## Anti Fraud Policy

Date policy agreed by Audit  
Committee

Date of policy review

Owner of policy

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Director of People & Governance

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## 1.0 Purpose of this policy

The NHS Confederation will not accept any level or type of fraud. The purpose of this policy is to set out our responsibilities, and the responsibilities of those working for us, in preventing fraud and provides information on how to recognise and deal with fraud issues.

## 2.0 Scope

This policy applies to everyone working at or with the NHS Confederation<sup>1</sup>. It applies to:

- all staff, including chief executives, directors, employees (whether permanent, fixed-term or temporary), seconded staff, homeworkers, agency workers and volunteers
- consultants and contractors
- trustees and committee members.

Any employing or contracting manager must ensure that all temporary staff, consultants, or contractors are aware of this policy.

By the NHS Confederation we mean the NHS Confederation charity, any subsidiary companies and any hosted networked organisation.

The NHS Confederation has designated the Director of People & Governance as the individual who is responsible for ensuring that the NHS Confederation implements this policy.

This policy should be read in conjunction with the organisation's Anti-Bribery Policy, Conflicts of Interest Policy, Whistleblowing Policy and Gifts and Hospitality Policy.

## 3.0 Roles and Responsibilities

The NHS Confederation Trustees have overall responsibility for ensuring this policy complies with our legal and ethical obligations and that all those under our control comply with it.

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<sup>1</sup> Collectively referred to as workers in this policy

The **Director of People & Governance** has primary responsibility for implementing this policy across the NHS Confederation as a whole, and for monitoring its use and effectiveness and dealing with any queries on its interpretation. They are responsible for creating an anti-fraud culture and establishing and maintaining internal controls that support the achievement of the organisation's aims and objectives.

**Directors** are responsible for ensuring that adequate internal control exists within their areas of responsibility and controls operate effectively.

All **workers** must ensure that they read, understand and comply with this policy. All workers are responsible for the prevention, detection and reporting of fraud.

All Trustees, Directors and Workers are required to undertake the mandatory training provided by the NHS Confederation which includes a module on the Bribery Act and Anti-Fraud Awareness. Completion of the training is required on appointment and every 3 years after.

## 4.0 Policy statement

The NHS Confederation seeks to foster a culture of openness, honesty and integrity and expects all staff and board members to lead by example, ensuring that they have a clear understanding of what constitutes fraud; they adhere to all appropriate regulations, procedures and practices; and that they take a proactive approach to identifying any issues or concerns.

The organisation will be proactive in its measures to detect fraud and corruption. Directors will deal promptly, firmly and fairly with suspicions and allegations of fraud or corrupt practice. Each case will be considered individually, taking all the relevant facts into account and guided by professional advice, as appropriate.

All investigations will be overseen by the Director of People & Governance and reported to the authorities as appropriate. In cases where an employee is involved in the incident, the Director of People & Governance. In complex cases, the organisation may also bring in experienced individuals to ensure proper support for the investigation.

All acts of fraud will be taken very seriously and the organisation takes a zero tolerance approach to dishonesty and fraudulent activity. Cases will normally be reported to the police.

Any employee who is found to have been in breach of this policy will face disciplinary action, which could result in dismissal for gross misconduct. The organisation reserves its right to terminate its contractual relationship with any worker if they breach this policy.

Our zero-tolerance approach to fraud must be communicated to all suppliers, contractors and other third parties with whom the organisation has dealings at the

outset of our business relationship with them including a requirement for compliance in all contracts with suppliers.

## 5.0 Guidance notes

### What is fraud

The term fraud is usually used to describe depriving someone of something by deceit. This might either be straightforward theft, misuse of funds or other resources, or more complicated crimes like false accounting and the supply of false information.

Fraudulent acts include: deception; bribery; forgery; extortion; corruption; theft; conspiracy; embezzlement; misappropriation; concealment of material facts; and collusion.

The Fraud Act 2006 gives a statutory definition of the criminal offence of fraud, defining it in three classes - fraud by false representation; fraud by failing to disclose information; and fraud by abuse of position. A person found guilty of fraud is liable for a fine or imprisonment.

Fraud is committed by the act of seeking improper benefit. It is a crime to have intention to defraud not just to commit the act.

### Examples of fraud

Some examples of fraud and similar irregularities include:

- Forgery or alteration of a payable invoice, expense claim, cheque, letter or contract
- Misappropriation or misuse of funds, supplies or other asset owned by the NHS Confederation
- Any irregularity in the handling or reporting of any transactions
- Misappropriation or misuse of NHS Confederation property, equipment, materials, information or records
- Computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes
- Any claim for reimbursement of expenses not incurred completely and exclusively in the performance of official duty or in line with the Travel and Expenses policy.

## 6.0 Raising Concerns

Workers must notify their line manager or the Director of People & Governance as soon as possible if they believe or suspect that this policy or any other has or may be breached. If you are unsure whether a particular act constitutes fraud, or if you have any other queries, these should be raised with your line manager or the Director of People & Governance.

This policy should be read in conjunction with the organisation's Whistleblowing Policy, which contains a specific reporting process in relation to concerns.

## 7.0 Monitoring and Review

The Director of People & Governance will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness, taking into account legal developments and changes in the organisation's business.