

Social Care Council

Fraud Policy Statement

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~~April 2019~~
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Document Control Sheet

Title	Social Care Council CC -Fraud Policy Statement
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Date of ratification by Council	
Review Date	Every two years

Version History

Document Version	Date	Status	Reviewed by	Document Revision History
V1.1	Oct 2015	Draft	PRG (07/10/15)	
V1.2	May 2016	Draft		Responsibility for investigation amended
V1.3	Nov 2018	Draft		Some minor edits including reference to DoH (from DHSSPS) Inclusion of NISCC Values
	Jan 2019	Draft	JNF	
	Jan 2019	Draft	ARAC	
	April 2019	Draft	S Stranaghan	Changes to reflect 'Social Care Council'
V2.0	April 2019	Final	Board	Final
V2.1	Sept 2022	Draft	ARAC	Includes a reference to working remotely as per NIAO guide on managing internal fraud.

Approvals

Date	Document Version	Approver Name and Title	Approver Signature
17/4/2019	V2.0	Paul Martin, Chair	

1 Introduction

- 1.1 One of the [Northern Ireland Social Care Council \(Social Care Council\)](#)'s fundamental objectives is to ensure the proper use of the public funds with which it has been entrusted. In pursuit of this objective, the Social Care Council promotes an anti-fraud culture which requires all staff to act with honesty and integrity at all times, and to take appropriate steps to safeguard resources.
- 1.2 The majority of staff who work in the Social Care Council and throughout the HSC are honest and professional, and they rightly consider fraud to be wholly unacceptable. Nevertheless, fraud is an ever-present threat and must be a concern for all members of staff. Fraud may occur internally or externally and may be perpetrated by staff, external consultants, suppliers or contractors, individually or in collusion with others.
- 1.3 The purpose of this policy is to set out the Social Care Council's position on fraud and thereby set the context for the ongoing efforts to reduce fraud to the lowest possible level.

2 Definition

- 2.1 The Fraud Act 2006 was introduced on 15 January 2007. Under the Act, fraud is now a specific offence in law. The Fraud Act 2006 supplements the Theft Act (Northern Ireland) 1969 and the Theft (Northern Ireland) Order 1978. Fraud is used to describe acts such as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion.
- 2.2 For practical purposes, fraud may be considered to be the use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party. The criminal act is the attempt to deceive and attempted fraud is therefore treated as seriously as accomplished fraud.
- 2.3 Computer fraud is where information technology equipment has been used to manipulate programs or data dishonestly or where an IT system was a material factor in the perpetration of fraud.

3 The Social Care Council's Position on Fraud

- 3.1 The Social Care Council is committed to maintaining an anti-fraud culture in the organisation so that all staff who work in the Social Care Council are aware of the risk of fraud, of what constitutes fraud and the procedures for reporting it. The Social Care Council has a zero tolerance approach to fraud and will not accept any level of fraud within the organisation. It is also the Social Care Council's policy that there will be a thorough investigation of all allegations or suspicions of fraud and robust action will be taken where fraud is proven in line with the Social Care Council's Fraud Response Plan.

- 3.2 The Social Care Council has agreed the following values for the organisation within which it operates is policy and position on Fraud –

Respect – Staff will ensure that the services they use and provide are efficient, effective and appropriate; and are not wasteful or misused.

Integrity – Staff will undertake their duties with the highest level of probity and within the organisation's Code of Conduct.

Partnership – The Social Care Council will work with the Counter Fraud and Probity Service and other stakeholders to reduce fraud across the HSC.

Excellence – Staff will deliver high quality services and compliance within the relevant guidelines, legislation and procedures.

- 3.3 The Social Care Council will also be cognisant of its Code of Conduct and operate all services and processes within that Code.
- 3.4 The Social Care Council wishes to encourage anyone having reasonable suspicions of fraud to report them. It is the policy of the Social Care Council that no employee will suffer in any way as a result of reporting reasonably held suspicions of fraud. For these purposes, 'reasonably held suspicions' shall mean any suspicions other than those that are raised maliciously. Further guidance on the protection afforded to staff is contained in the Social Care Council's Whistleblowing Policy.
- 3.5 The Social Care Council will, however, take a serious view of allegations against staff that are malicious in nature, and anyone making such an allegation may be subject to disciplinary action.
- 3.6 After proper investigation of any allegation or suspicion of fraud, in line with the Social Care Council's Fraud Response Plan, the Social Care Council will consider the most appropriate action or actions to take. Where fraud involving a Social Care Council employee is proven, the Social Care Council will initiate disciplinary action against the employee which may result in dismissal.
- 3.7 Where a fraud is proven, whether involving an employee or an external party, the Social Care Council will report the matter to the PSNI with a view to pursuing a criminal prosecution. The Social Care Council will also seek to recover all losses resulting from the fraud, if necessary through civil proceedings.
- 3.8 The Social Care Council has adopted the Department of Health (DoH) Counter Fraud Strategy as the basis for its anti-fraud activities. The key elements of this Strategy are as follows:
- The creation of an anti-fraud culture;
 - Maximum deterrence of fraud;
 - Successful prevention of fraud;
 - Prompt detection of fraud;
 - Professional investigation of detected fraud;

- Effective sanctions, including appropriate legal action against anyone found guilty of committing fraud;
- Effective methods of seeking recovery of money defrauded or imposition of other legal remedies.

4 Fraud Prevention and Detection

- 4.1 The Social Care Council supports the role of the BSO Counter Fraud and Probity Unit and will ensure that appropriate fraud prevention and detection measures are implemented in accordance with the Unit's guidance.
- 4.2 The Social Care Council has implemented a range of policies and procedures that are designed to ensure probity and business integrity and minimise the likelihood and impact of incidents of fraud arising.
- 4.3 The Social Care Council has also put in place a robust Internal Audit service that is actively involved in the review of the adequacy and effectiveness of control systems, thereby further deterring the commissioning of fraud.

4.4 The Social Care Council is aware that working remotely can provide opportunity for fraud to occur and will therefore ensure that robust procedures are in place to prevent fraud.

5 Reporting Suspicions of Fraud

- 5.1 The Social Care Council has a number of avenues available by which staff can raise suspicions of fraud. These are detailed in the Social Care Council's Fraud Response Plan and Whistleblowing Policies. Concerns should be raised initially with the appropriate line manager. However, staff can raise their concerns directly with their Director, the Director of Registration and Corporate Services or the Head of Counter Fraud and Probity Services if they so wish. Staff should also be aware of the DoH Fraud Reporting Hotline that can be used to highlight concerns in confidence and anonymously if preferred. The telephone number for the Hotline is **08000 963 396**.

6 Conclusion

- 6.1 Whilst the individual circumstances surrounding each fraud will vary, Social Care Council takes all cases very seriously and adopts a zero tolerance approach. All reported suspicions will be fully investigated and robust action will be taken where fraud can be proven.

7. Equality Screening

- 7.1 This Policy has been screened for equality implications as required by Section 75 of the Northern Ireland Act 1998 and for compliance with human rights and disability legislation.

8. Review

8.1 This Policy is subject to review after two years or earlier if necessary to account for any developments in legislation or best practice.

8.2 This Policy was endorsed by ~~JNF in January 2019 and by~~ the Board in ~~April 2019~~[insert date] and is therefore due review by ~~April 2020~~[insert date].