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## 1. Introduction

- 1.1 This document sets out the policy and procedures of the College of Paramedics (the College) against fraud and other forms of dishonesty, together with the steps that must be taken where any of these practices is suspected or discovered.
- 1.2 It applies to Trustees, Executive, staff and volunteers. Anybody associated with the College who commits fraud, theft or any other dishonesty, or who becomes aware of it and does not report it, will be subject to appropriate action.

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## 2. Statement of Intent

- 2.1 The College will continually strive to ensure that all its financial and administrative processes are carried out and reported honestly, accurately, transparently and accountably and that all decisions are taken objectively and free of personal interest. We will not condone any behaviour that falls short of these principles.
- 2.2 All members of the organisation have a responsibility for putting these principles into practice and for reporting any breaches they discover.
- 2.3 The College will take steps to treat anyone suspected of fraud fairly and within the bounds of this policy and the law. This may, by necessity, include not alerting the suspected person to the allegations against them, until investigation has been undertaken.

## 3. Definitions

- 3.1 **Fraud:** A deliberate intent to acquire money or goods dishonestly through the falsification of records or documents. The deliberate changing of financial statements or other records by either; a member of the public, someone who works, or is a volunteer, for the College. The criminal act is the attempt to deceive and attempted fraud is therefore treated as seriously as accomplished fraud.
- 3.2 **Theft:** Dishonestly acquiring, using or disposing of physical or intellectual property belonging the College or to individual members, supporters or clients of the College.
- 3.3 **Misuse of Equipment:** Deliberately misusing materials or equipment belonging to the College.
- 3.4 **Abuse of Position:** Exploiting a position of trust within the College

## 4. Culture

- 4.1 The College's culture is intended to foster honesty and integrity
- Define honest behaviour – set out and communicate clear lines of right and wrong
  - No blame policies – A 'no blame' culture allows staff and volunteers to voice concerns
  - Promote fairness – the positive effect of being treated fairly cannot be underestimated
  - Protect whistle-blowers – encourage staff and volunteers to voice their concerns without fear of reprisal
- 4.2 Trustees, Executive, staff and volunteers are expected to lead by example in adhering to policies, procedures and practices. Equally, our members, partners and external organizations (such as suppliers and contractors) are expected to act with integrity and without intent to commit fraud against the College in any dealings they may have with the College.

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4.3 As part of the culture, the College will provide clear routes by which concerns can be raised by Trustees, the Executive, staff and volunteers and by those outside of the College. A copy of the College whistleblowing policy is availability to Trustees, Executive, staff, volunteers, members, suppliers and other third parties.

4.4 The Executive Team are expected to deal promptly, firmly and fairly with suspicions and allegations of fraud or corrupt practice

## 5. Responsibilities

In relation to the prevention of fraud, theft, misuse of equipment and abuse of position, specific responsibilities are as follows:

### 5.1 Board of Trustees

5.1.1 The Trustee are responsible for establishing and maintaining a robust system of internal control that supports the achievement of the College policies, aims and objectives.

5.1.2 The system of internal control is designed to respond to and manage the whole range of risks that the College faces.

5.1.3 The system of internal control is based on an on-going process designed to identify the principal risks, to evaluate the nature and extent of those risks and to manage them effectively. Managing fraud risk is seen in the context of the management of this wider range of risks.

### 5.2 The Chief Executive

5.2.1 Overall responsibility for managing the risk of fraud has been delegated to the Chief Executive. The responsibilities include:

- Undertaking a regular review of the fraud risks associated with each of the key organisational objectives
- Establishing an effective anti-fraud response plan, in proportion to the level of fraud risk identified
- The design of an effective control environment to prevent fraud
- Establishing appropriate mechanisms for:
  - Reporting fraud risk issues
  - Reporting significant incidents of fraud or attempted fraud to the Board of Trustees
  - Liaising with the Treasurer and if appropriate Auditors
  - Making sure that all staff are aware of the College Anti-Fraud Policy and know what their responsibilities are in relation to combating fraud
  - Ensuring that appropriate anti-fraud training is made available to Trustee, staff and volunteers as required

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- Ensuring that appropriate action is taken to minimize the risk of previous frauds occurring in future.

### 5.3 Executive Team

The Executive Team is responsible for:

- Ensuring that an adequate system of internal control exists within their areas of responsibility and that controls operate effectively
- Preventing and detecting fraud as far as possible
- Assessing the types of risk involved in the operations for which they are responsible
- Reviewing the control systems for which they are responsible regularly
- Ensuring that controls are being complied with and their systems continue to operate effectively
- Implementing new controls to reduce the risk of similar fraud occurring where frauds have taken place.

### 5.4 Staff and Volunteers

Every member of staff or volunteer is responsible for:

- Acting with propriety in the use of College resources and the handling and use of funds whether they are involved with cash, receipts, payments or dealing with suppliers
- Conducting themselves in accordance with the values and behaviour principles set out in Section 4.1
- Being alert to the possibility that unusual events or transactions could be indicators of fraud
- Alerting their manager when they believe the opportunity for fraud exists e.g. because of poor procedures or lack of effective oversight
- Reporting details immediately if they suspect that a fraud has been committed or see any suspicious acts or events
- Cooperating fully with whoever is conducting internal checks or reviews or fraud investigations.

## 6. Detection and Investigation

6.1 Whilst having regard to the requirements of the Data Protection legislation, the College actively participates in an exchange of information with external agencies on fraud and corruption. It is often the alertness of Trustees, Executive, staff or volunteers and the general public to the possibility of fraud and corruption that leads to detection of financial irregularity.

6.2 The Chair of the Board of Trustees and Treasurer must be notified immediately of all financial or accounting irregularities or suspected irregularities or of any circumstances which may suggest the possibility of irregularities including those affecting cash, stores, property, remuneration or allowances.

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6.3 Reporting of suspected irregularities is essential as it:

- Facilitates a proper investigation by experienced staff, and ensures the consistent treatment of information regarding fraud and corruption
- When so notified, the Chair/Treasurer will instigate an investigation by appointing a designated officer, auditor or other adviser

6.3.1 The designated officer, auditor or other advisor will:

- deal promptly with the matter
- record evidence received
- ensure the security and confidentiality of evidence
- Work closely with the Executive Team of the College and other agencies, such as the Police and Courts to ensure that all issues are properly investigated and reported upon
- Ensure maximum recoveries are made on behalf of the College and assist the Executive Team to implement the College’s disciplinary procedures where considered appropriate (referral to the Police will not prohibit or restrict action under the Disciplinary Procedure).

6.4 In cases of suspected payroll irregularities where a fraud investigation may be possible, discussion will occur between the Chair and the Chief Executive if it is thought a disciplinary investigation is more appropriate.

6.5 Malicious accusations may be the subject of disciplinary action.

## **7. Training and Awareness**

7.1 An important contribution to the continuing success of an anti-fraud strategy, and its general credibility, lies in the effectiveness of programmed awareness/training, of Directors staff and volunteers throughout the organization.

7.2 This will be achieved through the development of both induction and awareness training for all personnel involved in internal control systems to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced.

## **8. Anti-fraud measures**

8.1 The following general measures will be used on an ongoing basis in order to minimise the risk of fraud:

- circulating financial reports and related papers in advance of meetings to trustees and managers so they have time to consider and, if necessary, check the financial information
- ensuring that all decisions on financial controls and policies are accurately minuted
- allowing sufficient time to discuss finance reports and related decisions on financial controls

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- providing training for new and existing trustees on how to understand the College’s accounts and financial reports
- carrying out regular budget comparisons with previous years for benchmarking purposes
- producing statutory accounts as soon as possible after the financial year-end, as this could highlight any deviations in income and expenditure - an early analysis may highlight any unusual and potentially fraudulent activity
- encouraging open discussion and questioning - if something doesn’t look or seem right to the trustees then it should be properly investigated.

**9. Gathering evidence**

9.1 Should fraud be suspected the following actions will take place:

- Firstly, the police will be contacted to seek their advice on whether they intend to investigate. If so, the College might need to defer its own internal investigation
- Should the fraud be connected with the NHS then NHS Counter Fraud will be referred to
- A framework will be set out for the conduct of any internal investigations
- The timetable and framework for carrying out witness interviews will be considered (with legal advice where necessary)
- Assumptions will be kept in check, bearing in mind that any incorrect accusations could be disastrous for the College and have a serious impact on the individual(s)
- Professional advice will be sought from the College’s auditor or independent examiner as to whether an audit or specific review should be carried out immediately
- Where necessary, copy cheques and bank statements will be obtained from the bank, checking for evidence of fraud or mismanagement (such as forged signatures or failure to comply with mandate) and reconciling payments with invoices etc
- Computerised accounting information will be packed up and emails or data that may be needed as evidence, preserved. Legal advice will be sought before accessing the computer of an individual suspected of fraud because it might compromise any action the College decides to take
- A simple system for recording suspected or confirmed instances of fraud will be maintained. This will help a College to identify areas of risk, spot emerging patterns, and build an evidence base if fraud is confirmed as having occurred.

**10. Sanctions**

10.1 The following sanctions are available to the College in response to a proven case of fraud, over and above any sanction the criminal justice system may apply:

- Membership terminated with debt recovery if finance is involved

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- Referral to Main employer and NHS Counter fraud services if NHS is involved
- Referral, by Chief Executive or Chair, to HCPC, if a registered paramedic, for fitness to practice.

10.2 Lesser sanctions are available at the discretion of the Board of Trustees if, for example, it is first offence and is not judged to be gross misconduct:

- Letter of sanction with temporary suspension of membership for a period of between 6 months to 2 years
- Letter of sanction with continued membership but no right to apply for any position in the College and voting rights suspended for a period of between 1-5 years
- Letter of sanction with continued membership.

## End of document

Policy approved by the Board of Trustees, via email, 30th September 2018

Appendix 1: Terms of Reference for case number XXX-201X

Appendix 2: Investigation plan for case number XXX-201X

Appendix 3: A quick guide to planning interviews in fraud investigations

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**Appendix 1 - Terms of Reference for case number XXX-201X**

**1. Background**

*(Use this section to explain the context of the investigation, for example the directorate, the department, how the potential fraud case was discovered, any other relevant information)*

**2. Summary of allegations received/evidence to date**

*(Use this section to explain the allegations received and any evidence that has been collected to date)*

**3. Scope of investigation**

*(Use this section to outline the scope of the investigation, for example to investigate the allegations outlined at section 2, across the time period from X to Y. It is important to also consider what is not to be included in the scope of the investigation. If the scope of the investigation needs to be changed during the investigation, this needs to be agreed with the investigation panel)*

**4. Objectives of investigation**

*(These objectives provide a detailed focus for the investigation. Some examples are included below as guidance)*

1.	<i>e.g. Determine whether process and procedures were followed in office X in relation to this transaction</i>
2.	<i>e.g. Determine whether documentation was altered in support of these transactions</i>
3.	<i>e.g. To determine whether this issue occurred more broadly during the time period included in the scope</i>
4.	<i>e.g. Provide recommendations for improvements to controls to avoid reoccurrence</i>

**5. Limitations and Risks**

*(Use this section to outline any identified limitations to the investigation e.g. time constraints, key staff to interview out of office and any risks to the successful completion of the investigation e.g. destruction of key documentation, inability of staff to access remote locations, only have a week to conduct investigation)*

**6. Investigation Panel Members**

*(Outline here those staff overseeing the investigation in a decision making capacity, not those carrying out the investigation – some examples are included below. Please note that the seniority of these staff members will depend on the severity of the case)*

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- I. ....
- II. ....
- III. ....

**7. Investigation Team Members**

*(Individuals appointed to carry out the investigation. The investigation team should comprise at least two investigators and also identify who will be the lead investigator from these staff)*

- I. ....
- II. ....
- III. ....

**8. Key Deliverables**

*(Identify the key outputs from the investigation: this should include an investigation report as a minimum which also identifies recommendations for improvements to systems and controls required to mitigate against recurrence of similar frauds)*

**9. Timelines and Resources**

*(Outline timeline for completion of the investigation and delivery of the report. Also provide details of any additional resources needed such as transport or additional staff required to interpret for example)*

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## Appendix 2 - Investigation plan for case number XXX-201X

*Note: The Investigation Plan is intended to be used in conjunction with the Terms of Reference for the Investigation. Whilst the Terms of Reference are a static document to be agreed by the Investigation Panel, the Investigation Plan is a dynamic document that can be adapted and updated by the Lead Investigator and team as the investigation develops.*

**1. Summary of allegations received/evidence to date**

*(Extract from Terms of Reference)*

**2. Scope of Investigation**

*(Extract from Terms of Reference – ensure that the tasks included below are within this scope)*

**3. Objectives of Investigation**

*(Extract from Terms of Reference – ensure that the tasks below are in line with these objectives)*

**4. Investigation Plan**

*(To be completed with the tasks required for the specific investigation – the table below includes an example of suggested activities)*

Date to be carried out	Task	Task assigned to	Resources required
[Date]	<i>E.g. Risk assessment</i>	<i>Investigation Panel Members in conjunction with Lead Investigator</i>	<i>Confidential room</i>
[Date]	<i>E.g. Gather relevant original documentation and make copies/scan</i>	<i>Investigator 1</i>	<i>Scanner</i>
[Date]	<i>E.g. Compare documentation to policies and procedures in place</i>	<i>Investigator 2</i>	<i>Secure location to review documentation</i>
[Date]	<i>E.g. Visit third party vendors to confirm existence</i>	<i>Investigators 1 and 2</i>	<i>Vehicle, safety and security information</i>
[Date]	<i>E.g. Interview witnesses</i>	<i>Investigators 1 and 2</i>	<i>Confidential secure location</i>
[Date]	<i>E.g. Interview subject of investigation</i>	<i>Investigators 1 and 2</i>	<i>Confidential secure location</i>
[Date]	<i>E.g. Analysis of evidence</i>	<i>Investigators 1 and 2</i>	<i>Secure location to review documentation</i>
[Date]	<i>E.g. Draft final report</i>	<i>Investigators 1 and 2</i>	<i>Secure location to review documentation</i>

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## Appendix 3 - A quick guide to planning interviews in fraud investigations

### Why do I need an Interview Plan?

The Interview Plan is a document that should be used as a guide for planning and conducting your interviews with a witness or suspect as part of a fraud investigation. Your Interview Plan should outline the key areas you want to cover with a specific individual and should guide you through your interview. The Interview Plan is not a script but should ensure that you do not miss any key areas of questioning. The Interview Plan should not be an inflexible list of questions but should allow you to ensure that you achieve the objectives of your interview. The most important skill in interviews is listening to your interviewee.

### A few ground rules

- Interviews should be conducted by a minimum of two people, never conduct an interview alone
- Interviews should be conducted in a location where confidentiality can be maintained and where the individual being interviewed feels comfortable
- Interviews within a fraud investigation are fact-finding interviews – they are not interrogations to accuse the interviewees of any misconduct nor are they disciplinary hearings
- A contemporaneous record of the interview should be made – please consult with the external HR consultant to determine what form such records should take
- Team work is important: decide on the roles of the interviewers, who will be the lead and who will be the second interviewer/note-taker. The second interviewer should also support the lead by ensuring that no questions are missed.
- The interviewee is entitled to bring a friend or staff representative with them and should be given adequate notice of the interview time.

### A model for successful interviewing

A commonly used model for conducting interviews is the PEACE model, which takes you through the interview from beginning to end. The stages covered in PEACE are outlined below. The model is designed to help you get the most out of your investigative interview:

- Planning and Preparation

This step takes place before you enter the interview room, ensuring that you are well-prepared for the interview with the right documentation and clear roles of the interview team.

- Engage and Explain

This is the stage where you build rapport with your interviewee and address any concerns they may have about the interview.

- Account Clarification and Challenge

This refers to the main part of the interview. Invite your interviewee to provide an account of what happened using open questions to encourage them to talk freely. Follow this up by more precise

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questions (closed questions) to clarify what they have said and also to challenge any inconsistencies or inaccuracies.

- Closure

The final stage of the interview itself. Here you should explain to the interviewee what will happen now and invite them to read, agree and sign the interview notes or witness statement.

- Evaluation

Once the interview has concluded you should evaluate the information you have gained during the interview, evaluating the information you did obtain as well as identifying any outstanding points.

### The questions

During the interview you should use different types of questions depending on the kind of response you are seeking. The two main types of questions are open and closed questions.

Open questions invite the interviewee to provide a narrative response and often begin with phrases such as “Please explain...” or “Can you tell me...” or question words such as “Why...?” or “How...?” or “What did you do?”. Open questions would be used in the Engage and Explain stage of the PEACE model and also when seeking an Account of what happened (at A of the PEACE model).

Closed questions require only a short specific answer, which is often yes/no or true/false. Closed questions are used when seeking confirmation of facts or seeking to Clarify or Challenge previous statements (at A of the PEACE model). Examples of closed questions would be “Did you sign this document?” “Is it true that you were the only person in the office at the weekend?”

The Interview Plan itself should follow the structure outlined in the PEACE model and should identify key areas to be addressed in the interview, as well as questions to be asked within each area. The questions should serve as a guide only. It does not matter if you ask additional questions, or do not ask all the questions in your plan if you deem them to be no longer relevant. It is important to be flexible. The example below sets out a suggested structure for an interview.

#### Introductions

- Introduced yourself, your colleagues and ask the interviewee to introduce themselves. Explain how the interview will be conducted (including note-taking, length of time required etc)
- Inform the individual that they can ask for a break if they need one at any time
- Ask everyone to turn off phones to avoid any disruptions
- Remind everyone of the importance of keeping the interview confidential

#### Background

Ask the individual to explain briefly their background and work at the College of Paramedics (the College). The purpose of this area is to build rapport with the interviewee and put them at ease. It is important to use open questions at this stage to encourage the interviewee to talk freely. Some questions could include the following:

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- How long have you worked at the College?
- What is your role?
- Who else is in your team?

### *Vendor selection processes*

The purpose of this next section is to find out more detail of the specific area where the fraud has occurred. General information gathered here can be used to challenge any conflicting information given later in regard to the specific situation. Some questions could be the following:

- What are your responsibilities in relation to the selection of vendors?
- Who is in charge of the records to do with this process?

### *Specific transactions*

After encouraging the interviewee to talk freely as above, you could now move on to asking detailed questions about the specific transaction of concern. If relevant and appropriate, then provide the individual with copies of documentation for their comment. Some suggested questions could be:

- Do you remember the transaction of XX date?
- Who was responsible for receiving these goods?
- Why did you sign this document?
- You previously said that you were responsible for X, but here you did not do this, can you explain why?

### *Closing the interview*

Once you have covered all the necessary areas of the interview you should draw the interview to a close. Explain to the interviewee what will happen next and ask if they have any questions. Ask them to agree, sign and date the interview notes if required and remind them of the requirement to keep the interview and its contents confidential.

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