



**Northern Ireland
Fire & Rescue Service**

NIFRS FRAUD POLICY & FRAUD RESPONSE PLAN

14 March 2022

Ref – PPG/POL03

*Safer
Together*

Version Control

Version	Date AR&GC Approved	Date Board Approved	Date Implemented	Review Date
3	10 March 2021	23 March 2021	14 March 2022	14 March 2025

Contents

1	Introduction	5
2	Scope	6
3	Definitions	7
4	Policy Statement	10
5	Roles & Responsibilities	12
6	What should be reported?	13
7	Training & Awareness	16
8	Monitoring & Reporting	17
9	Freedom of Information & Data Protection	18
10	Equality	19
11	Review & Revision	20
12	Approval	21
13	Further Information & Guidance	22
	Appendix A – Fraud Response Plan	23
	Appendix B – NIFRS Anti-Bribery & Corruption Policy Statement	31
	Appendix C – Roles & Responsibilities	32
	Appendix D – Contact Details for NIFRS Fraud Liaison Officer (FLO) & Counter Fraud Services (CFS)	36
	Appendix E – Examples of Common Methods & Types of Fraud	37
	Appendix F – Examples of Good Management Practices which may assist in combating Fraud	38
	Appendix G – Preliminary Enquiry Direction	40
	Appendix H – Declaration of Interests – Preliminary Enquiry	42
	Appendix I – Confidentiality Agreement – Preliminary Enquiry	45
	Appendix J – Preliminary Enquiry Report	46
	Appendix K – NIFRS Fraud Reporting Map	50

Linked Policy, Procedure & Guidance

NIFRS Policy

This NIFRS Fraud Policy & Fraud Response Plan should be read in conjunction with, but not limited to, the following NIFRS documents:

- Raising Concerns Policy and Procedure;
- Code of Conduct;
- Code of Conduct and Code of Accountability for NIFRS Board Members; and
- Discipline Policy & Procedure.

The above documents can be accessed via the Staff Portal.

Relevant Legislation

- Fraud Act (2006);
- Theft (Northern Ireland) Order 1978;
- Theft (Northern Ireland) Act 1969;
- Bribery Act (2010);
- Police and Criminal Evidence (PACE) (Order) 1989;
- Criminal Procedure and Investigations (CIPA) Act 1996; and
- Human Rights Act 1998.

1 Introduction

- 1.1 The majority of people who work in the Northern Ireland Fire & Rescue Service (NIFRS) 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 employees.
- 1.2 Fraud may occur internally or externally and may be perpetrated by employees, suppliers, contractors or development partners, individually or in collusion with others.
- 1.3 NIFRS is committed to the highest possible standards of openness, probity and accountability in the exercise of its duties.
- 1.4 This policy is intended to provide advice to all NIFRS employees on their responsibilities to prevent and detect fraud and to report all cases of actual, suspected or potential fraud. The purpose of this document is to set out NIFRS' position on fraud and thereby set the context for the ongoing efforts to reduce fraud to the lowest possible level.
- 1.5 To this end NIFRS is committed to maintaining an anti-fraud culture in the organisation and takes all cases very seriously, adopting a zero-tolerance approach to fraud. It is also NIFRS 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 Fraud Response Plan.
- 1.6 In addition, NIFRS works closely with the Business Services Organisation's Counter Fraud Service with regard to all of these matters.

2 Scope

- 2.1 This policy is for the attention of all employees within the organisation, particularly line managers, who need to be aware of their responsibilities in, not only minimising fraud, but also ensuring that all incidents of suspected or actual fraud is reported to the NIFRS Fraud Liaison Officer (FLO), for onward reporting to Counter Fraud Services (CFS).
- 2.2 This document should be read in conjunction with the Anti-Bribery & Corruption Statement (See Appendix B) and the NIFRS Raising Concerns Policy.

3 Definitions

3.1 Fraud

The Fraud Act (2006) was introduced on 15 January 2007 and under this Act, fraud is now a specific offence in law. The Fraud Act (2006) supplements other legislation, such as Theft Act (Northern Ireland) 1969 and the Theft (Northern Ireland) Order 1978. In addition, the Bribery Act (2010) clarifies the law in relation to bribery and corruption.

3.2 The Fraud Act provides that a person found guilty of fraud is liable to a fine or imprisonment on summary conviction, or fine or imprisonment of up to ten years on conviction of indictment.

3.3 Within NIFRS 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. Bribery & Corruption are viewed by NIFRS as a form of Fraud and will be investigated under the auspices of the Fraud Policy & Response Plan.

3.4 The key legislation is the Fraud Act (2006) which refers to three main offences of fraud. An individual can be prosecuted under the Fraud Act (2006), if he/she makes a false representation, fails to disclose information or abuses his/her position.

Fraud by false representation, i.e. if he/she dishonestly make a false representation and intends by making the representation to make a gain for him/herself or another, or to cause loss to another or expose another to risk of loss. A representation is false if it is untrue or misleading, and the person making it knows that it is, or might be, untrue or misleading;

Fraud by failing to disclose information, i.e. if he/she dishonestly fails to disclose to another person information which he/she is under a legal duty to disclose and intends, by failing to disclose the information, to make a gain for him/herself or another, or to cause loss to another or expose another to risk or loss; and

Fraud by abuse of position, i.e. if he/she occupies a position in which he/she is expected to safeguard, or not to act against, the financial interests of another person, and he/she dishonestly abuses that position, and intends, by means of the abuse of that position, to make a gain for him/herself or another, or cause loss to another or to expose another to a risk of loss.

3.5 For practical purposes, the term “Fraud” is usually used to describe depriving someone of something by deceit, which might take the form of a straightforward theft, misuse of funds or other resources, or a more complicated crime, such as false accounting or the supply of false information.

3.6 A list of the most common types of fraud is included at Appendix E as an aid to recognising fraud in its various guises.

3.7 **Theft**

Theft is defined as dishonestly appropriating the property of another with the intention of permanently depriving them of it (Theft Act (Northern Ireland) 1969).

3.8 **False Accounting**

False Accounting refers to dishonestly destroying, defacing, concealing or falsifying any account, record or document required for any accounting purpose, with a view to personal gain or gain for another, or with intent to cause loss to another or furnishing information which is or may be misleading, false or deceptive (Theft Act (Northern Ireland) 1969).

3.9 **Bribery**

The Bribery Act 2010, which came into effect in 2011, defines bribery as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

3.10 **Collusion**

The term “collusion” in the context of reporting fraud is used to cover any case in which someone incites, instigates, aids and abets, conspires or attempts to commit any of the crimes listed above.

3.11 **Computer Fraud**

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 a fraud.

4 Policy Statement

- 4.1 NIFRS is committed to maintaining an anti-fraud culture in the organisation so that all NIFRS employees are aware of -
- the risk of fraud;
 - what constitutes a fraud; and
 - the procedures for reporting it.
- 4.2 NIFRS in adopting a zero-tolerance approach to fraud and will not accept any level of fraud within the organisation. Likewise NIFRS will also ensure that there will be a thorough investigation of all allegations or suspicions of fraud and robust action will be taken where fraud is proven.
- 4.3 The NIFRS Board wishes to encourage anyone having reasonable suspicions of fraud to report them. It is the policy of NIFRS, which will be rigorously enforced, 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 employees is contained in the NIFRS Raising Concerns Policy.
- 4.4 NIFRS will, however, take a serious view of allegations against employees that are malicious in nature and anyone making such an allegation may be subject to disciplinary action under the auspices of the Discipline Policy and Procedure.
- 4.5 After proper investigation of any allegation or suspicion of fraud, in line with the Fraud Response Plan, NIFRS will consider the most appropriate action(s) to take. Where fraud involving an employee is proven, NIFRS will –
- (i) Instigate disciplinary action against the employee (using the NIFRS Discipline Policy & Procedure) which may at its severest sanction result in dismissal; or

(ii) Instigate criminal or civil proceedings in conjunction with the CFS/ the Police Service of Northern Ireland (PSNI)/NIFRS Legal Advisors.

4.6 NIFRS will also seek to recover all losses resulting from the fraud, if necessary through civil court proceedings.

4.7 **Fraud Prevention and Detection**

4.7.1 NIFRS wholeheartedly supports the role of Counter Fraud Services (CFS) in respect of this area and will ensure that appropriate fraud prevention and detection measures are implemented in accordance with CFS guidance.

4.7.2 NIFRS has implemented a range of policies and procedures that are designed to ensure probity, business integrity and minimise the likelihood and impact of incidents of fraud arising.

4.7.3 NIFRS has a statutory duty to participate in the “National Fraud Initiative” which is coordinated through the Northern Ireland Audit Office (NIAO). As part of this initiative the NIAO conducts a biennial data matching exercise for the purposes of assisting in the prevention and detection of fraud. Data matching involves comparing sets of data, such as payroll, pension or benefits records of a body against other against other records held by the same or another body. This allows potentially fraudulent claims and payments to be identified. In the event of a positive match NIFRS will liaise with the NIAO and the appropriate Department/Agency on how to proceed investigating the positive match.

5 Roles & Responsibilities

- 5.1 The ultimate responsibility for ensuring awareness of this Policy rests with the Chief Fire & Rescue Officer as Accounting Officer.
- 5.2 It is mandatory that NIFRS reports all incidents of suspected or actual fraud to Counter Fraud Services (CFS).
- 5.3 The Fraud Liaison Officer (FLO) is responsible for supporting the promotion and development of an anti-fraud culture in the organisation; co-ordination of the Fraud Response Plan, where necessary and liaising with CFS in all matters relating to fraud within NIFRS.
- 5.4 Directors and Managers have responsibility for ensuring their employees are familiar with this Policy, and for adhering to the Fraud Response Plan in respect of allegations / suspicions of fraud reported.
- 5.5 All employees must also be aware of their responsibilities if they suspect fraud and know how to report any suspicions (Please refer to DoH Circular Reference HSC (F) 54-2015 Counter Fraud Responsibilities of all HSC & NIFRS Employees).
- 5.6 It is the responsibility of all NIFRS employees, including permanent, temporary and bank staff, staff in training, independent contractors engaged to provide services, volunteers and agency staff to adhere to this Policy and the Fraud Response Plan (See Appendix A).

6 What should be reported?

6.1 Concerns which should be reported include, but are not limited to, employees committing or attempting to commit –

- any dishonest or fraudulent act;
- forgery or alteration of documents or accounts;
- misappropriation of funds, supplies or other assets;
- impropriety in the handling or reporting of money or financial transactions;
- profiting from an official position;
- disclosure of official activities or information for advantage;
- accepting or seeking value from third parties by virtue of official position or duties; and
- theft or misuse of property, facilities or services.

6.2 In addition, types of external organisation actions which should be reported include but are not limited to –

- being offered a bribe or inducement by a supplier;
- receiving fraudulent (rather than erroneous) invoices from a supplier; and
- reported allegations of corruption or deception by a supplier.

These lists are not exhaustive. If you are in any doubt about the seriousness of your concern, advice and guidance can be obtained from the Director of Transformation, Performance & Governance.

6.3 Avenues for Reporting

6.3.1 There are a number of avenues through which employees can raise suspicions of fraud.

6.3.2 Ideally all concerns should be raised through the Fraud Liaison Officer (FLO) – contact details can be found at Appendix D.

6.3.3 Alternatively, in line with the Raising Concerns Policy & Procedure, employees can raise issues with their line manager who will log and report the employees concerns.

6.3.4 If an employee feels that they are unable to raise the issue with their Line Manager, for whatever reason, they can raise the matter with their Head of Function/Area Commander or alternatively they can write to the Director of Transformation, Performance & Governance at –

NIFRS Headquarters

1 Seymour Street

Lisburn

BT27 4SX

or via the following email address business.assurance@nifrs.org

6.3.5 They can also use the independent SafeCall Helpline by calling 0800 915 1571; or via BSOs Fraud Hotline by calling 0800 096 3396.

6.3.6 If these channels have been followed and concerns remain, or if the matter is so serious that you cannot discuss it with any of the above, then the employee can contact the Chief Fire & Rescue Officer at -

NIFRS Headquarters

1 Seymour Street

Lisburn

BT27 4SX

or via the following email address ChiefFire&RescueOfficer@nifrs.org

6.3.7 Where an employee has exhausted the process detailed in paragraphs 6.3.1 – 6.3.6 above and believes that the response does not represent a reasonable response, he or she may report the matter in writing to –

Department of Health
Public Safety Unit
Castle Buildings
Upper Newtownards Road
BELFAST
BT4 3TL
Telephone – 028 9052 3275
Email - publicsafetyunit@health-ni.gov.uk

OR

Comptroller & Auditor General
NIAO
106 University Street
BELFAST
BT7 1EU
Telephone - 028 9025 1062 or 028 9025 1000
Email - raisingconcerns@niauditoffice.gov.uk

who will arrange to have the matter investigated further.

7 Training & Awareness

- 7.1 NIFRS will ensure that appropriate staff will receive training on the Fraud Policy & Response Plan and the associated administrative procedures.
- 7.2 In addition, NIFRS will promote awareness of the Fraud Policy at induction.

8 Monitoring & Reporting

- 8.1 All fraud complaints records and outcomes will be formally collated and analysed by the Head of Planning, Performance and Governance.
- 8.2 The Executive Leadership Team and the Audit, Risk & Governance Committee will be provided with a quarterly report outlining details of all fraud complaints received and outcomes of investigations.
- 8.3 The FLO ensures the Policy for reporting fraud within NIFRS is reviewed and amended as necessary in light of any legislative changes or local decisions.
- 8.4 The FLO is responsible for recording reported cases of actual / suspected fraud on the REFRAIN System and, in conjunction with BSO Counter Fraud Services (CFS), regularly reviewing and monitoring the status of cases.
- 8.5 The FLO is responsible for providing a report to the NIFRS Audit, Risk & Governance Committee as a scrutiny of the management of cases reported under this policy.
- 8.6 The FLO has a lead role in monitoring cases under this policy for the purposes of completing the NIFRS Annual Fraud Return and Annual Whistleblowing Return (fraud related) to the Department of Health (DoH).
- 8.7 The Internal Audit team is actively involved in the review of the adequacy and effectiveness of control systems, thereby further deterring the commissioning of fraud. In addition, the Audit, Risk & Governance Committee is responsible for the oversight of all Audits giving further assurance in monitoring fraud.

9 Freedom of Information & Data Protection

- 9.1 Complaints about non-disclosure of information will be dealt with separately from this Procedure. Such requests should be considered under the Freedom of Information Act and Data Protection Act.

10 Equality

10.1 This Policy will be reviewed periodically in accordance best practice and also with regard to NIFRS statutory obligations to make NIFRS corporate publications and information accessible in alternative formats, where reasonable.

11 Review & Revision

11.1 This Policy will be reviewed one year from implementation and every three years thereafter, excepting for where there is a need for ad hoc changes due to legislative amendments etc.

12 Approval

12.1 In line with the NIFRS Governance Document Development Policy & Procedure, this Policy document and any subsequent significant changes thereof must be presented to the NIFRS Board or Standing Committee thereof for approval.

13 Further Information & Guidance

13.1 Further information and guidance about this Fraud Policy & Response Plan can be obtained from:

Fraud Liaison Officer

NIFRS

1 Seymour Street

Lisburn

BT27 4SX

Telephone – 028 9266 4221

Email – Fraud@nifrs.org

Appendix A – Fraud Response Plan

1 ACTION TO BE TAKEN WHEN FRAUD IS SUSPECTED

1.1 When an employee suspects that a fraud may have occurred, they must report their suspicion without delay. Confidentiality should be maintained at all times as there may be a reasonable explanation for the suspicion or the perpetrator(s) may be alerted.

1.2 Suspicions should normally be reported to line managers (who should then onward report to the Fraud Liaison Officer), however there may be occasions when it is not deemed appropriate to inform the line manager, in these matters the suspicion should be reported to any of the following:

- Director/Area Commander/Head of Service (who must onward report to the Fraud Liaison Officer);
- Fraud Liaison Officer directly;
- Director of Transformation, Performance & Governance (who must onward report to the Fraud Liaison Officer);
- The confidential Hotline provided by SafeCall 0800 915 1571
- The confidential HSC Fraud Hotline 0800 096 3396;
- Online reporting www.cfs.hscni.net
- In line with the NIFRS Raising Concerns Policy

1.3 NIFRS has a dedicated Fraud Liaison Officer (FLO). The role of the FLO is detailed at Appendix C. The details of NIFRS FLO and Counter Fraud Services (CFS) can be found at Appendix D.

1.4 Staff can also contact the Counter Fraud Services (CFS) at the Business Services Organisation (BSO) for help and advice in respect of HSC fraud at any time. CFS is the regional department tasked by the Department of Health (DoH) to investigate frauds in or against the HSC, in conjunction with the appropriate organisation.

2 ORGANISATION RESPONSE

- 2.1** NIFRS will undertake a preliminary review to determine if there is substance to the allegation. At this stage the FLO may be involved and they will support the most appropriate senior officer in undertaking initial discreet enquiries to determine whether or not there is a plausible explanation for the allegation.
- 2.2** This action must be undertaken on a timely basis as failure to act immediately could have implications for any subsequent investigation and an initial outcome should be produced within 5 working days.
- 2.3** Steps must also be taken to ensure that any action taken does not prejudice any future investigation or corrupt evidence.
- 2.4** The organisation should consider contacting CFS for advice and guidance when undertaking a preliminary review.
- 2.5** Where no satisfactory explanation can be found the allegation must be reported and where appropriate, referred for investigation by the FLO to CFS. This process is set out at Appendix K.
- 2.6** Under no circumstances should staff or line management contact the Police directly.

3 CFS RESPONSIBILITY

- 3.1** On receipt of a fraud report, CFS immediately forward the report to the Comptroller and Audit General (C&AG) at the Northern Ireland Audit Office (NIAO), the Accountability and Financial Management Division (AFMD) within the Department of Finance (DoF) and the Finance Policy, Accountability and Counter Fraud Unit (FPAU) at the Department of Health (DoH).
- 3.2** If a suspicion is reported to CFS directly via the HSC fraud hotline or website, the information will be forwarded to the FLO who will instigate the process as set out at Section 2 of this Fraud Response Plan.

4 MAKING A DECISION

4.1 Once the matter has been reported to CFS and depending on the nature of the allegation, the FLO and the most appropriate senior officer must decide the next steps. This may involve undertaking further internal enquiries. The CFS investigation team can advise organisations regarding the most appropriate action to take based on the particular circumstances of the matter. This advisory service also includes matters that may not be referred to CFS for formal investigation.

4.2 Due to the diversity of the HSC there cannot be one generic process that can be applied to all allegations. However, in every situation the full range of sanctions should be considered at the earliest opportunity. It should also be noted that in some matters it may be appropriate to pursue more than one sanction simultaneously. When the organisation's review is complete the most likely outcomes are as follows:

- No action necessary, a satisfactory explanation has been established. The FLO will update CFS and close the matter and there will be no need to refer the matter to CFS.
- Internal disciplinary investigation/referral to Regulatory Body (dependent on the circumstances of each matter, disciplinary and criminal investigations may run in parallel).
- The matter will be referred to CFS requesting that an investigation takes place.

4.3 The FLO in directing a senior officer to complete a preliminary enquiry will issue a Direction (Appendix G) along with a Conflicts of Interest Declaration (Appendix H) and Confidentiality Undertaking (Appendix I). Preliminary enquiries will normally be limited to 5 working days for the date of direction at which stage a Preliminary Enquiry Report (Appendix J) will be submitted to the FLO for consideration,

4.4 If the findings of the initial enquiry suggest that a fraud has been attempted or perpetrated, then the relevant Director must be advised to immediately take

steps to prevent the possible destruction of evidence and ensure that all original documentation is preserved in a safe place for further investigation. If the removal of documentation would impair the efficient operation of work, arrangements should be made to have copies available for continued use. The safe retention of original documents is essential for any potential future legal action.

- 4.5** Following advice and guidance from CFS, the decision as to how to progress a potential allegation may be reviewed at any time during the preliminary enquiry as new information comes to light.

5 DISCIPLINARY PROCESS

- 5.1** Where it is deemed that a disciplinary process should be instigated, this will be done in accordance with NIFRS Discipline Policy & Procedure.

6 FORMAL REFERRAL TO CFS

- 6.1** If it appears that a criminal offence may have been committed the matter will be formally referred to CFS for investigating. CFS deliver a specialist fraud investigation service across all of the HSC organisations. A team of specially trained investigators are employed to undertake this work.
- 6.2** All investigations are required to comply with a range of legal requirements, including those specified in the Police and Criminal Evidence (PACE) (Order) 1989, the Criminal Procedure and Investigations (CIPA) Act 1996 and the Human Rights Act 1998.
- 6.3** Once a referral has been made to CFS, it will be assessed against case acceptance criteria and where appropriate reviewed by a named Investigating Officer (IO) who will undertake an assessment to determine whether a full investigation by CFS is appropriate.

7 MANAGING THE CFS INVESTIGATION

7.1 The objective of any CFS investigation is to establish the facts. This is done by undertaking enquiries into all the circumstances of the case. This process may involve interviewing members of staff.

8 INTERVIEWING

8.1 Fraud investigation is a specialist area of expertise and staff tasked with carrying out an investigation should have appropriate experience and training. For the purposes of criminal proceedings, the admissibility of evidence is governed by the Police and Criminal Evidence (NI) Order 1989 (PACE).

8.2 Where criminality is suspected, interviewing of suspects must not be carried out by NIFRS staff but must be referred to CFS.

8.3 Where disciplinary action is being pursued, interviews are usually carried out by the appropriate line manager in conjunction with a representative from the Human Resources directorate. In these circumstances it is essential that specialist HR advice is sought regarding the appropriate disciplinary procedures before interviewing takes place.

8.4 It is the responsibility of the FLO to ensure appropriate co-ordination between NIFRS HR colleagues and CFS.

9 FINDINGS OF A CFS INVESTIGATION

9.1 On conclusion of the investigation by CFS a final report will be produced. This report will include information under the following headings:

- Introduction;
- Background to the Case;
- CFS actions;
- Findings; and
- Recommendations.

9.2 The CFS IO will make recommendation as to the most appropriate next steps based on the evidence gathered during the investigation which could be but are not limited to:

- Closure of the case with no further action

There is insufficient evidence to pursue the case further or the evidence gathered shows that there is no case to answer.

- Closure of the case with recovery of funds

There will be no further proceedings but agreement will be sought to recover the funds.

- Referral to PSNI for criminal prosecution

Where CFS suspect that there is criminality they will recommend that the case is referred to the Police Service of Northern Ireland (PSNI).

The decision will then be made by the Director of Transformation, Performance & Governance as to whether the case should be referred to the PSNI.

CFS will prepare the evidence pack on behalf of the organisation.

Under no circumstances should staff or line management contact the Police directly.

- Disciplinary proceedings

The CFS IO may recommend that it is more appropriate to consider disciplinary action. All disciplinary proceedings will be carried out in line with the organisation's disciplinary policy.

- Referral to professional body

Depending on the nature of the allegation the organisation may consider it necessary to report the individual to their professional body.

- Civil proceedings

Civil actions may be recommended but only after the organisation receives advice from their Legal Services Provider.

10 RECOVERY OF LOSS

10.1 Preventing further loss and recovery of any losses incurred are the key elements of any investigation. The Director of Finance shall ensure that in all fraud investigations, the amount of any loss shall be quantified. Every effort should be made to recover any losses incurred as a result of fraud.

10.2 Where the loss is substantial, legal advice should be obtained without delay and consideration should be given on the potential to freeze the suspect's assets through the court, pending conclusion of the investigation. Legal advice should also be obtained on the prospect for recovering losses through the civil court, should the suspect refuse to repay the loss.

10.3 The Director of Finance will ensure that any loss incurred as a result of the fraud is recorded in the organisation's register of losses in accordance with DoH guidance.

11 LESSONS LEARNED

11.1 The Director of Transformation, Performance & Governance shall discuss with the FLO and the IO the findings of the investigation and consider the recommendations made.

11.2 Action should be taken immediately where any system weakness has been identified by the investigation.

11.3 The Director of Transformation, Performance & Governance may also initiate a follow-up examination of the relevant areas to ensure that any revised procedures are operating effectively.

12 PUBLIC RELATIONS

12.1 In the case of criminal proceedings the FLO in conjunction with relevant senior officers within the organisation will work with CFS to produce a press release. The organisation should ensure that this complies with any Departmental direction.

12.2 The organisation will decide whether it is necessary to convey any other information regarding the investigation to other members of staff within the wider organisation.

Appendix B – NIFRS Anti-Bribery & Corruption Policy Statement

NIFRS ANTI-BRIBERY & CORRUPTION POLICY STATEMENT

NIFRS will not tolerate any form of bribery and corruption. Specifically:

- NIFRS and its employees will abide by the principle of ‘integrity in corporate conduct’ and will not engage in bribery or any form of unethical inducement or payment including facilitation payments and ‘kickbacks.’
- All employees are required to avoid any activities that might lead to, or suggest, a conflict of interest with the business of NIFRS.
- Employees must declare and keep a record of hospitality or gifts accepted or offered, which will be subject to managerial review.
- NIFRS must uphold laws relevant to countering bribery and corruption particularly laws that are directly relevant to specific business practices.

It is NIFRS’ policy that no company officer, employee, agent or partner may offer payments (or anything else of value) to a government or other official to make that official act in a manner that will assist NIFRS in obtaining or retaining business or securing any improper business advantage.

Every NIFRS officer, employee and agent is obligated to keep books, records and accounts that accurately and fairly reflect all NIFRS transactions and the use of NIFRS assets.

NIFRS takes bribery and corruption very seriously, and any employee found to be violating this policy may, after investigation under the Fraud Policy, be subject to disciplinary action (under the NIFRS Discipline Policy & Procedure) which may include termination.

Appendix C – Roles & Responsibilities

NIFRS BOARD

The Board has a key responsibility to establish the “tone from the top” through its attitudes, actions and communications. This tone defines the organisation’s culture and influences the behaviour of employees, customers, lenders, funders and other stakeholders. “Tone from the top” may be demonstrated by:

- Policy and procedure manuals: defining acceptable and unacceptable behaviour and the consequences thereof;
- Maintaining a system of internal controls: defining standard operating practices, which should include segregation of duties and appropriate review.
- Addressing concerns or allegations promptly: following up on complaints of wrong doing promptly.
- Identification of key fraud risks: identifying the areas where fraud could occur and establishing controls.
- Conflict of interest policy: define when a conflict is perceived to exist, and how the conflict will be resolved.

ACCOUNTING OFFICER

The Accounting Officer is responsible for establishing and maintaining a sound system of internal control that supports the achievement of NIFRS policies and outcomes. The system of internal control is designed to respond to and manage the whole range of risks faced by NIFRS. It is based on an ongoing process designed to identify the principal risks, to evaluate the nature and extent of those risks and to manage them effectively. Managing fraud risk will be seen in the context of the management of this wider range of risks.

DIRECTOR OF TRANSFORMATION, PERFORMANCE & GOVERNANCE

Responsibility for managing the day-to-day risk of fraud has been delegated to the Director of Transformation, Performance & Governance.

EXECUTIVE LEADERSHIP TEAM (ELT)

Each Director has an important part to play in the prevention and detection of fraud. This role includes -

- Undertaking regular fraud risk reviews in areas under their control;
- Regular policy/procedure review including spot-checks on policy/procedure application to ensure they are effective and preventing fraud;
- Supporting the investigation of any fraud allegations;
- Ensuring that instances of suspected and proven fraud are reported to the FLO on a timely basis; and
- Ensuring that Directorate employees attend regular fraud training and awareness sessions.

FRAUD LIASION OFFICER (FLO)

The FLO will -

- Act as liaison officer with CFS into all allegations of potential fraudulent activity;
- Report all incidents of suspected or actual fraud to CFS immediately;
- Support CFS in the conduct of investigations as required;
- Work with CFS to promote and develop an anti-fraud culture within NIFRS;
- Develop distribution network(s) within their organisation for receipt of information including fraud circulars from the Department of Health (DoH);
- Provide advice and guidance where required to mitigate the risk of fraud within NIFRS;
- Be involved in the development, production and updating of the NIFRS Fraud Response Plan;
- Be involved in the planning, organising and delivering of Fraud Awareness training within the organisation;
- Ensure the NIFRS Audit, Risk & Governance Committee is kept apprised of fraud developments and the status of cases under investigation;
- In all cases of suspected fraud, work with the lead officer for the case to ensure that appropriate actions are followed;

- Participate in discussions and training sessions with other Fraud Liaison Officers and CFS on the development and revision of operational protocols through the sharing of information and knowledge;
- Ensure compliance within the organisation in respect of fraud reporting requirements as currently set out in Departmental Circular HSC (F) 37-2017 both in terms of reporting and providing updates;
- Be the key point of contact in the process of referring cases to CFS for investigation
- Co-ordinate as required, participation in CFS initiatives such as the National Fraud Initiative and provide reports on outcomes to CFS and/or NIAO.

ALL NIFRS EMPLOYEES

NIFRS employees must have, and be seen to have, the highest ethical and personal standards and be honest and objective in their work. Every employee is responsible for -

- Acting with propriety in the use of official resources;
- Conducting themselves in accordance with the seven principles of public life set out in the first report of the Nolan Committee “Standards in Public Life”;
- Being alert to the possibility that unusual events or transactions could be indicators of fraud and alerting management where they believe the opportunity for fraud exists – Appendix E provides examples of fraud indicators. In addition, Appendix F provides examples of good management practice;
- Reporting known or suspected frauds;
- Assisting in the investigation of suspected fraud; and
- Co-operating with PSNI and/or BSO Counter Fraud Services, where necessary.

Employees have a duty under the NIFRS Code of Conduct to come forward and give information where they honestly believe someone may have committed or be about to commit an act of fraud. This should be done without delay.

The Public Interest Disclosure (NI) Order 1998 protects the rights of employees who report wrongdoing. Section 5 of the Criminal Law Act (NI) 1967 (Withholding Information) also places an onus on individuals to report/pass evidence to the police.

A formal internal Raising Concerns Policy has been established to provide a framework for providing information and to afford protection to employees who supply information.

All employees are advised to consider their personal and business activities and whether these may be considered to conflict with their duty to the Service. Any potential conflict of interest should be reported in line with the NIFRS Conflicts of Interest Procedure.

Appendix D – Contact Details for NIFRS Fraud Liaison Officer (FLO) & Counter Fraud Services (CFS)

CONTACT DETAILS FOR NIFRS FRAUD LIAISON OFFICER (FLO)

Name: Deborah Reynolds

Title/FLO: Head of Planning, Performance & Governance

Email: fraud@nifrs.org

Telephone: 028 9266 4221

CONTACT DETAILS FOR COUNTER FRAUD SERVICES (CFS)

Telephone: Regional HSC Fraud Hotline: 0800 096 33 96

Website/Reporting Tool:

www.cfps.hscni.net or www.reporthealthfraud.hscni.net

Email: cfs@hscni.net

Appendix E – Examples of Common Methods & Types of Fraud

- Payment for work not performed
- Forged endorsements
- Altering amounts and details on documents
- Collusive bidding
- Overcharging
- Writing off recoverable assets or debts
- Unauthorised transactions
- Selling information
- Altering stock records
- Altering sales records
- Cheques made out to false persons
- False persons on payroll
- Theft of official purchasing authorities such as order books
- Unrecorded transactions
- Transactions (expenditure/receipts/deposits) recorded for incorrect sums
- Cash stolen
- Supplies not recorded at all
- False official identification used
- Damaging or destroying documentation
- Using copies of records and receipts
- Using imaging and desktop publishing technology to produce apparent original invoices
- Charging incorrect amounts with amounts stolen
- Delayed terminations from payroll
- Bribes
- Over claiming expenses
- Skimming odd pence and rounding
- Running a private business with official assets
- False compensation and insurance claims
- Stealing of discounts
- Selling waste and scrap

Appendix F – Examples of Good Management Practices which may assist in combating Fraud

EXAMPLES OF GOOD MANAGEMENT PRACTICES WHICH MAY ASSIST IN COMBATING FRAUD

- All income is promptly entered in the accounting records with the immediate endorsement of all cheques.
- Regulations governing contracts and the supply of goods and services are properly enforced.
- Accounting records provide a reliable basis for the preparation of financial statements.
- Controls operate which ensure that errors and irregularities become apparent during the processing of accounting information.
- A strong internal audit presence.
- Management encourages sound working practices.
- All assets are properly recorded and provision is made known or expected losses.
- Accounting instructions and financial regulations are available to all employees and are kept up to date.
- Effective segregation of duties exists, particularly in financial accounting and cash/securities handling areas.
- Close relatives do not work together, particularly in financial, accounting and cash/securities handling areas.
- Creation of a climate to promote ethical behaviour.
- Act immediately on internal/external auditor's report to rectify control weaknesses.
- Review, where possible, the financial risks of employees.
- Issue accounts payable promptly and follow-up any non-payments.
- Set standards of conduct for suppliers and contractors.
- Maintain effective security of physical assets; accountable documents (such as cheque books, order books); information, payment and purchasing systems.

- Review large and unusual payments.
- On a case by case basis, perpetrators may be suspended from duties pending investigation.
- Proven perpetrators should be dismissed without reference and prosecuted.
- Query mutilation of cheque book stubs or cancelled cheques.
- Store cheque stubs in numerical order.
- Undertake test checks and institute confirmation procedures.
- Develop well defined procedures for reporting fraud and dealing with perpetrators.
- Maintain good physical security of all premises.
- Randomly change security locks and rotate shifts at times (if feasible and economical).
- Conduct regular employee appraisals.
- Review work practices open to collusion or manipulation.
- Develop and routinely review and reset data processing controls.
- Regularly review accounting and administrative controls.
- Set achievable targets and budgets, and stringently review results.
- Ensure employees take regular leave.
- Rotate employees.
- Ensure all expenditure is authorised.
- Conduct periodic analytical reviews to highlight variations to norms.
- Take swift and decisive action on all fraud situations.
- Ensure employees are fully aware of their rights and obligations in all matters concerned with fraud.

Appendix G – Preliminary Enquiry Direction

MEMO

Preliminary Enquiry Ref:

To:	Ref:
From:	Date:

RE: PRELIMINARY ENQUIRY

1. **BACKGROUND**

<<Summary of matter (including any relevant letter etc)>>

2. **PURPOSE**

The purpose of the preliminary enquiry is to establish, in line with the Fraud Policy & Fraud Response Process and advice or guidance provided by Counter Fraud Services (CFS), if -

- 6.4 A satisfactory explanation has been established and no further action is necessary;
- 6.5 Internal disciplinary investigation/referral to Regulatory Body required; or
- 6.6 Matter to be referred to CFS requesting that an investigation takes place.

3. **SCOPE**

The scope of the preliminary enquiry is to establish sufficient facts/information to reach a preliminary conclusion.

4. **SENIOR OFFICER/TEAM**

The preliminary enquiry will be undertaken by <<insert name(s)>>.

Prior to undertaking the preliminary enquiry you must complete a conflict of interest declaration and confidentiality agreement.

5. REQUIREMENTS

The senior officer/team will require access to all relevant records, assets, personnel, premises and such information and explanations as considered necessary to fulfil its responsibilities.

6. REPORTING

The senior officer/team should submit a preliminary enquiry report to Ms Deborah Reynolds, Fraud Liaison Officer (FLO) cc'd to fraud@nifrs.org by <<insert date>> for consideration. Should this timeframe not be achievable, please advise the FLO accordingly providing the rationale for any delay.

You must provide an original copy of the report and all documentation, including correspondence and hand written notes, for central filing within the secure SharePoint site.

Please contact me should you wish to discuss these terms of reference.

Yours sincerely

Deborah Reynolds

Fraud Liaison Officer (FLO)

Appendix H – Declaration of Interests – Preliminary Enquiry

Declaration OF INTERESTS – preliminary enquiry

Name	
Service Number	

(PLEASE REVIEW RELEVANT INTERESTS DEFINITION PRIOR TO COMPLETING)

Option 1

“I do not have any interest that could potentially impact or be perceived to potentially impact upon my full and unprejudiced participation in this preliminary enquiry. I also declare that I will inform NIFRS immediately should my circumstances change in any way that affects this declaration.”

Signature

Date

Option 2

“I **do have** an interest that may or may be perceived to prevent my full and unprejudiced participation in this preliminary enquiry. The nature of all conflicts of interest is described below:

--

“I also declare that I will inform NIFRS as soon as is practicable should my

I also declare that I will inform NIFRS as soon as practicable should my circumstances change in any way that affects this declaration.”

Signature

Date

RESPONSE INSTRUCTIONS

Please ensure that your responses are legible and that any declared interests are clearly explained. It is important that the above form is filled in correctly.

Completed Declarations should be marked confidential and passed to Ms Deborah Reynolds, Fraud Liaison Officer via the following email address fraud@nifrs.org

For FLO Use

I can confirm I have reviewed the above declaration of interests and I can confirm;

(a) There are no interests that could potentially impact or be perceived to potentially impact upon the individual’s full and unprejudiced participation in this preliminary enquiry.

(b) The individual has provided detail of potential interests, however, following consideration these can be mitigated and the named employee can participate in this preliminary enquiry.

(c) There are interests that could potentially impact or be perceived to potentially impact upon the individual’s full and unprejudiced participation in this investigation and therefore the named employee cannot participate in the this preliminary enquiry.

(Please tick the appropriate option – if **option B or C** is selected please provide the details/rationale below).

Signature: _____

Date: _____

What interests are relevant?

For the purpose of this process an interest shall be deemed to exist between an employee and the person who is the subject of the preliminary enquiry if he or she is a husband, wife or partner, including civil partner, or if the person is the:

- parent
- son or daughter
- brother or sister
- uncle or aunt
- nephew or niece
- grandparent
- grandson or grand-daughter
- first cousin*
- Other relevant personal relationship*
- of the senior officer undertaking the preliminary enquiry.

* This will be relevant where the relationship between the two is close and where there is regular contact.

Appendix I – Confidentiality Agreement – Preliminary Enquiry

Confidentiality Agreement – Preliminary enquiry

Name	
Service Number	

I understand that I have been asked to conduct this preliminary enquiry in line with the Direction issued by the FLO, and agree:

- To treat all information** and documents*** under conditions of strict confidentiality;
- Not to disclose, make copies of, or discuss any received information with any person who is not directly involved in the preliminary enquiry; and
- Any facts/information collated must be retained and submitted with the report.

This undertaking shall not apply to any document or information that becomes public knowledge otherwise than as a result of a breach of any of the above undertakings.

I confirm that:

Signature: _____

Date: _____

*including any meetings, associated discussions, meeting preparation and follow-up or any other related activity.

**facts, data and other matters of which I acquire knowledge, either directly or indirectly, as a result of my activities as part of the preliminary enquiry.

***means all draft, preparatory information, documents and any other material in either paper or electronic form, together with any information contained therein, to which I have access, either directly or indirectly, as a result of my participation the preliminary enquiry. Furthermore, any records or notes made by me relating to information or documents shall be treated as Confidential Documents.

Appendix J – Preliminary Enquiry Report

Preliminary Enquiry Report

Senior Officer(s): Rank, Name, Staff No, Date

CONTENTS

1.0	Introduction
2.0	Timeline
3.0	Preliminary Enquiry Process
4.0	Findings
5.0	Conclusion

Control Log	
	Date
Date submitted to FLO	
Request from FLO to panel for further work (if needed)	
Version 2 submitted to FLO (if applicable)	
Report accepted by FLO	

Distribution List	
Name & Job Title	
Name & Job Title	
Name & Job Title	

1.0 INTRODUCTION

I was directed by XX to carry out an preliminary enquiry under the following Direction:

Detail the detail of the Direction

2.0 TIMELINE OF CASE

Date	

3.0 PRELIMINARY ENQUIRY PROCESS

<p>The preliminary enquiry process: [including how preliminary enquiry was authorised]</p>
<p>Summary of facts/Information collected:</p>

4.0 FINDINGS.

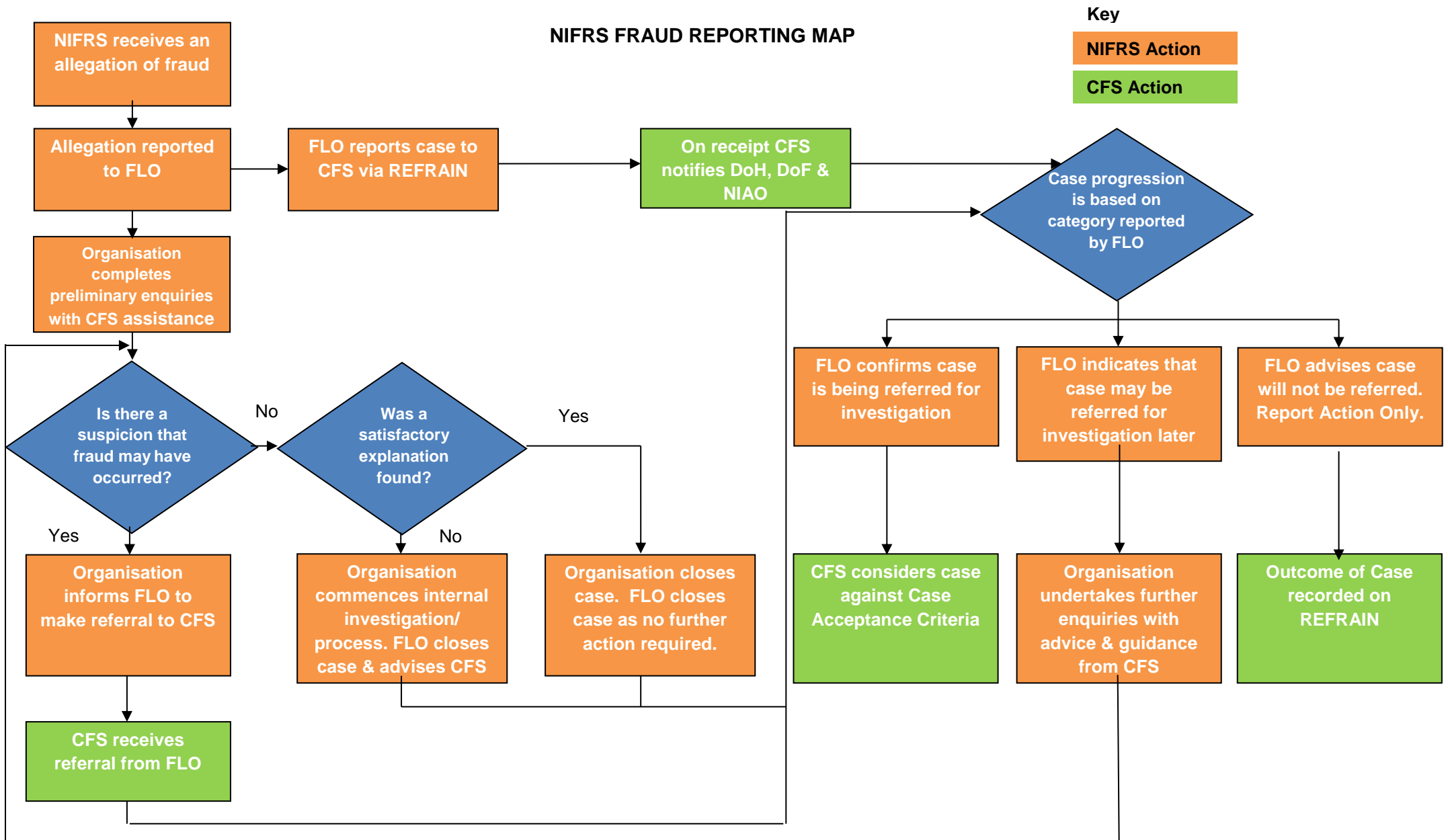
4.1 Detail what the findings were against each of points within the terms of reference. Include;

- Facts established
- Facts that could not be established
- Other relevant information

5.0 CONCLUSION

Conclusion [if required]	Preliminary Enquiry Outcome 6.7 A satisfactory explanation has been established and no further action is necessary; 6.8 Internal disciplinary investigation/referral to Regulatory Body required; or 6.9 Matter to be referred to CFS requesting that an investigation takes place. <<Delete as appropriate>>
	Signature:
	Date:

Appendix K – NIFRS Fraud Reporting Map



Connect with us



028 9266 4221



Business.Assurance@nifrs.org



www.nifrs.org



[@NIFRSOFFICIAL](https://twitter.com/NIFRSOFFICIAL)



[@NIFRSOFFICIAL](https://www.facebook.com/NIFRSOFFICIAL)

*Safer
Together*