

# Don't Let Fraud Drain Our Resources



## Strategy to Combat NHS Fraud in Scotland



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**Together we can stamp out fraud**

**Freephone Fraud Hotline**

**08000 15 16 28**

**Website**

**[www.cfs.scot.nhs.uk](http://www.cfs.scot.nhs.uk)**

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## Our Commitment

The Scottish Government is committed to sustaining and improving the health and wellbeing of the people of Scotland which will, in turn, help us to achieve another of our commitments – to enable businesses and people to increase their wealth and more people to share fairly in that wealth, for there is undoubtedly a direct link between a healthy population and economic wealth creation.

Maximising the use of resources is crucial to implementing these commitments. We are therefore determined to combat NHS fraud wherever it arises and, in this way, ensure as far as possible that healthcare funding is used for legitimate patient care.

To achieve this, we need a shared vision and a common sense of purpose i.e. of a Scottish Health Service where fraud is not allowed to flourish but is perceived as an infection which is contaminating the NHS and must be treated urgently, with a part for all of us in the healing process. We therefore intend to engage fully with all of those who value the NHS and have an interest in protecting its services and resources and further raise the profile of the detrimental impact of fraud.

## Universal Principles for Countering Fraud

Fraud is not unique to healthcare services. Unfortunately it can be found in almost any sphere of human activity, including financial services such as banking or insurance, running a company, VAT or tax returns or the claiming of benefits. Nor is there a typical fraudster since fraud can be carried out by anyone from criminals working for organised gangs to executives, white or blue collar workers or those who are not in work. There are however fundamental, core elements common to strategies which have been found to be successful in reducing most kinds of fraud and these can be found in the strategic approach adopted by many public and private sector organisations, agencies and companies which are actively involved in tackling fraud nationally and internationally. That approach could be described as “top-down/bottom-up”. “Top-down” since countering fraud should begin at the design stage of policies, systems and procedures before they are cascaded throughout and outwith the relevant organisation. “Bottom-up” because no counter fraud policy can succeed unless it brings on board those who work in, or for, or make use of the services or products of, that organisation.

**Core elements include:**

- changing perceptions and attitudes to fraud to make it unacceptable and motivate ethical conduct
- deterrence to stop fraud from happening in the first place
- prevention by implementing strong internal controls to counter fraud
- incorporating fraud proofing within policy design as far as possible
- the creation of effective links between policy and operational work
- detection at the earliest possible stage
- investigation which is objective and professional
- zero tolerance of NHS fraud
- triple tracking i.e. the application of sanctions by means of criminal and disciplinary proceedings in tandem with action to recover monies defrauded
- disruption of fraudsters' activities by identifying high risk areas pro-actively and addressing resulting weaknesses identified in procedures, guidance and controls
- dissemination and application of lessons learned from individual cases

All losses or risks of losses to fraud within all areas of NHS provision are important and we firmly believe that all appropriate actions should be taken to deal with them. The strategic actions outlined above will therefore be the essential components of our strategy for tackling NHS fraud in Scotland.

**Key Partners**

It is important that the Scottish Government and our NHS anti fraud unit, NHSScotland Counter Fraud Services (Counter Fraud Services), develop effective relationships with other organisations in order to deliver the overall strategy. To achieve maximum impact, both we and Counter Fraud Services have identified partners who are key in this area. Framework agreements which focus primarily on the practicalities of joint working have been, or are being, developed with many of these.

**Our key partners are:**

- NHS bodies
- Patient organisations
- Professional representative and regulatory bodies
- Other public sector counter fraud organisations
- Healthcare counter fraud bodies in the private sector
- Audit Scotland
- Association of Chief Police Officers of Scotland
- The Identity and Passport Service
- Border & Immigration Agency
- NHS counter fraud bodies in England, Wales and Northern Ireland
- Healthcare counter fraud bodies in Europe

**Working with our European Partners**

It is not only our own NHS which is at risk from fraud. Fraud can be found in healthcare systems further afield - in Europe and other parts of the world. It is therefore important that organisations combating fraud should come together wherever possible to fight this drain on healthcare resources by sharing experiences and knowledge which can help to inform the development of preventative policy initiatives in their own countries. It is for this reason that the Scottish Government and Counter Fraud Services have now become members of the European Healthcare Fraud & Corruption Network (EHFCN).

Established to coordinate and advance work to counter healthcare fraud and corruption across Europe, the EHFCN aims to improve European healthcare systems by reducing losses to fraud and corruption and therefore produce savings and social benefits through more cost effective delivery of patient care.

Our EHFCN membership will help to convey a clear message that Scotland is open to pan-European collaboration to protect our healthcare resources, and assist in protecting those of other member countries from fraud.

## Changing Perceptions and Attitudes to Fraud

To the end of March 2007, Counter Fraud Services acting either on its own or in partnership with others in the NHS has generated estimated fraud savings of almost £22 million gross, £14 million net.

These figures demonstrate clearly that fraud in the NHS is a reality but this fact is not always readily accepted or understood by those who work within or for the NHS nor by the general public. Our challenge is to change perceptions and attitudes to the detrimental impact that fraud has on the resources which should be devoted to legitimate patient care.

We will therefore act to change the culture and way of thinking within NHS bodies and in the public at large.

### Within NHS Bodies

Within NHS bodies, we will identify Counter Fraud Champions. These will be senior executives or non executive directors who will work with Counter Fraud Services to help change attitudes to fraud within their own organisation.

We believe that fraud awareness and the need for staff to accept individual responsibility for countering fraud should be a regular component of induction training and of the continuing training of NHS staff throughout their careers. While establishing Counter Fraud Champions will assist with this process, we believe that further action is required and will therefore ensure that staff within NHS bodies are encouraged to access awareness sessions and undertake awareness training at induction.

Counter Fraud Services are also working with NHS organisations to design induction materials which will allow every member of staff to be trained in fraud awareness. We recognise the importance of conveying the counter fraud message in a way which will capture and hold attention. The induction packages will therefore include an innovative e-learning tool which will be less formal than the more traditional materials and which employees may use at their own pace. It is an example of the flexible approach which we are now developing for communicating fraud awareness.

## Among the General Public

Members of the public must be persuaded that the NHS should be protected from fraud and that fraud is not a victimless crime – it affects us all. In recognition of this, Counter Fraud Services have therefore developed a media and communications programme to raise awareness of the impact of fraud on the NHS, encourage members of the public to report suspected cases of fraud and to publicise the penalties that will be applied to those who attempt to defraud the NHS in Scotland.

They are currently developing publicity around actions taken such as the successful prosecution of those who have defrauded the NHS to make people aware that there is little likelihood of NHS fraud succeeding undetected or unpunished. They are also preparing proactive awareness raising campaigns utilising a wide range of media which will promote the message that we should use but not abuse the NHS.

## Fraud Investigations

Counter Fraud Services have the responsibility for investigating all NHS fraud allegations and NHS bodies must seek advice from Counter Fraud Services at the earliest possible stage where these allegations may involve their own organisations.

Before investigations can be undertaken however, potential fraud must be identified and acted upon correctly. Detection of fraud at the earliest possible stage and successful investigation will be helped if all NHS managers are made aware of the types of employee behaviour which could be fraud-related. Consequently, to assist with proper identification, handling and reporting of cases, Counter Fraud Services, in collaboration with NHS bodies, will be producing training aids, including DVDs, to assist managers in recognising signs of fraud and understanding what to do when presented with these.

Counter Fraud Services are also in the process of initiating pilot projects within a number of NHS bodies whereby a local Counter Fraud Services presence will be established. The aim of these pilots is to enable NHS staff to familiarise themselves further with those who work for Counter Fraud Services, the work that they do and therefore give staff further confidence to make contact where they have concerns about a potential fraud. Investigators will undertake workshops and provide on the spot advice on fraud related issues. These visits will supplement the existing Counter Fraud Services website and free telephone hotline where frauds can be reported anonymously.

## Emerging types of fraud

The areas of fraud which usually come to mind when considering the NHS include evasion of NHS charges by patients who claim falsely that they are exempt from paying these or the submission of false or inflated payment claims by practitioners or by NHS staff. New types of fraud are however emerging or being identified as a problem for the first time. One of these is known as “health tourism” whereby overseas visitors receive NHS treatment or services in Scotland when they are not entitled to do so. There are others, such as internet and identity fraud, which are relevant not only to healthcare but to other areas such as finance or other public services.

Action on these areas is already being taken by Counter Fraud Services.

To assist NHS Boards in identifying eligibility for NHS treatment, the Scottish Government Health Directorates’ Patient Focus and International Issues Team has issued summary guidance explaining the categories of, and circumstances in which, overseas visitors may receive NHS services and treatment. This will help the NHS distinguish between overseas nationals who have come to work or study or are seeking to come to live in Scotland, who are our welcome guests and should receive NHS care on the same basis as residents while they are here, and the minority of overseas nationals who are trying to abuse our hospitality.

## Conclusion

It is clear that fraud threats are dynamic, they change as new opportunities arise and fraudsters constantly devise new techniques to exploit the easiest targets. We must therefore remain on guard since we are determined that the NHS should not be an easy target and we will continue to develop and exploit new technologies and to work with other organisations to remain in the front line in the fight against fraud. That is our aim and our promise.



**Nicola Sturgeon**  
**Cabinet Secretary for Health & Wellbeing**



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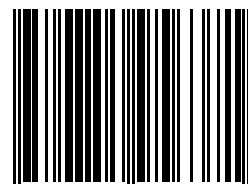
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