

Summary

The information presented covers the current caseload of the Counter Fraud Team.

Cases being actively investigated by the Counter Fraud Team are listed in the [Open Cases](#) table.

Cases in which Counter Fraud Team have concluded their investigation but have third party involvement, such as ongoing internal investigation or investigation by professional body, are listed within the [Pending Cases](#) table. These cases remain open on the Counter Fraud Case Management system only for the purposes of recording these outcomes for intelligence purposes.

As cases are closed on the Counter Fraud Case Management system a separate table for [Closed Cases](#) will be presented to the Committee to allow review of final outcome of cases.

Case Status		
Cases Under Investigation	Cases Pending 3rd Party Outcome	Cases Closed 2021/22
6	8	1

Case Rates	
Referrals Received 2021/22	Cases Under Investigation for Over 12 Months
1	3

Sanctions/Outcomes		
Criminal Sanctions	Civil Sanctions (Inc. Financial Recovery)	Disciplinary Sanctions
0	0	0

Item 8.3 Appendix 1

Open Cases			
Reference Number	Date Opened	Allegation	Status
WARO/19/00050	25/04/2019	Alleged false representations made in respect of the completion and presentation of prescriptions	File of evidence is being prepared for submission to CPS for consideration for prosecution.
WARO/20/00032	24/01/2020	Alleged theft of petty cash/False representation of employment history and qualifications	<p>Initial allegation of theft of petty cash was investigated by South Wales Police who deemed insufficient evidence to proceed with any criminal action.</p> <p>An internal investigation was ongoing relating to disciplinary matters. Further information came to light relating to false representations relating to employment application including potential falsification of employment history and qualifications.</p> <p>This investigation has grown considerably during the last reporting period. The subject was arrested by Dyfed Powys Police and home address searched as part of joint operation with LCFS. A large amount of property was seized by Police which has been reviewed by the LCFS with exhibits taken for evidence.</p> <p>Enquiries are ongoing across the NHS including previous employment areas involving cross border NHS organisations and external organisations.</p>

Item 8.3 Appendix 1

Open Cases			
Reference Number	Date Opened	Allegation	Status
WARO/20/00084	11/09/2020	Alleged overpayment of salary	Overpayment of £8879.31. Financial Investigative support has resulted in money being unable to be located in bank accounts. Interview under caution to be arranged.
WARO/21/00045	30/03/2021	Overpayment of Salary	Subject resigned from employment and continued to be paid for a period of 5 months resulting in total Net overpayment of £6611.08. Enquiries ongoing to assess requirements for progression of case.
INV/21/00041	12/04/2021	Overpayment of Salary	After termination date was entered incorrectly by inputting 2020 instead of 2019 resulting in error in inputting termination information on the system. The subject continued to be paid for 12 months as a result with overpayment totalling Net £8336.70. Enquiries ongoing to assess requirements for progression of case.

Item 8.3 Appendix 1

Open Cases			
Reference Number	Date Opened	Allegation	Status
TBC – Likely to be logged as Local Proactive Exercise (LPE) rather than criminal case	20/01/2021	Prescription Fraud	<p>Subject registered at multiple GP practices with intent to seek prescription drugs. The subject attended GP practices across South Wales and sought controlled drugs known to have recreational uses successfully obtaining multiple scripts which were dispensed.</p> <p>Criminal case is being dealt with by South Wales Police who have issued a caution and subsequently rearrested the subject following continuation of offending following the caution.</p> <p>The Counter Fraud Team are assessing the situation based around risk to GP registrations and the exposure to fraud. Once this work is complete a full update will be given to Committee on position.</p>

Item 8.3 Appendix 1

Pending Closure			
Reference Number	Date Opened	Allegation	Status
WARO/17/00114	08/06/2017	Alleged submission of false or misleading overtime claims	<p>Criminal investigations into this matter concluded in August 2019. The CPS concluded that there was insufficient evidence of the required standard to progress to prosecution.</p> <p>The subject was dismissed from employment with the Health Board following internal process.</p> <p>NMC investigations remain ongoing. The LCFS continue to support this process as required.</p> <p>This case will remain open until the NMC investigation has been concluded.</p>
WARO/17/00162	19/10/2017	Alleged to be undertaking alternative employment whilst on sick leave without appropriate authority	<p>Criminal investigations into this matter concluded in November 2019. There was insufficient evidence of the required standard to progress to prosecution.</p> <p>Following a Nursing & Midwifery Council Fitness to Practice Committee meeting, the subject's Interim Suspension Order remains in place. A full hearing is to be undertaken by the NMC in relation to this matter.</p> <p>The LCFS continue to support this process as required.</p>

Item 8.3 Appendix 1

Pending Closure			
Reference Number	Date Opened	Allegation	Status
WARO/18/00055	06/12/2017	Alleged false representations made in respect of the completion and presentation of prescriptions	<p>Criminal investigations into this matter concluded in February 2020, whereupon the subject entered a guilty plea to a charge of fraud by abuse of position and received a suspended sentence and unpaid work order.</p> <p>All financial losses to the Health Board have been recovered.</p> <p>GMC investigations remain ongoing. Interim conditions have been put in place. The LCFS continue to support this process as required.</p>
WARO/19/00090	24/07/2019	Alleged submission of false or misleading information on a job application form	<p>Investigation concluded. Due to the subject's mental health issues and the lack of available evidence for continuity purposes CPS deemed the case not fit for prosecution and advised civil recovery only. Invoice raised recovery of salary obtained by use of false documentation during application process. Gross £2442.21, Net £2015.60 to be recovered. The loss to the NHS was identified as being to Powys Teaching Health Board. Powys THB are reviewing the matter in line with Debtors Policy.</p>
WARO/19/00091	16/05/2019	Alleged submission of false or misleading information in respect of hospital travel cost claims	<p>Enquiries have established that the provable loss is £105. Police National Computer checks showed warning markers for subject of suffering mental health issues including suicidal. Assessed as not in public interest to proceed with criminal case and loss to be pursued as civil recovery only. Process of recovery underway.</p>

Item 8.3 Appendix 1

Pending Closure			
Reference Number	Date Opened	Allegation	Status
WARO/19/00138	23/10/2019	Alleged false representations made in respect of the completion and presentation of prescriptions	<p>Facts of case relate to 2 subjects alleged to have stolen blank prescriptions and patient details during a consultation and subsequently presenting false scripts to access drugs. 1 subject has pleaded guilty presenting scripts and received sanction of 150 hours community service, £310 court costs and £90 victim surcharge. Information from Police was that theft was to be charged and dealt with at Court in February 2021 – it transpired that this had actually been dealt with at the earlier hearing and a subjects convicted of theft and fraud offences at that time.</p> <p>Counter Fraud records will be updated and closure report prepared for this case.</p>
WARO/19/00093	12/08/2019	Alleged theft of a salary overpayment	<p>Criminal investigations into this matter concluded in November 2019. There was insufficient evidence of the required standard to progress to prosecution, or to be considered for disciplinary action.</p> <p>The above notwithstanding, overpayments have been identified in respect of salary received after termination.</p> <p>Finance Department colleagues are currently liaising with the subject in order to agree a repayment plan. This has been complicated by an issue of repayment to Cardiff and Vale UHB with subject raising affordability concerns. Negotiations are ongoing around repayments to both Health Boards.</p> <p>This case will remain open until the above recoveries have been completed.</p>

Item 8.3 Appendix 1

Pending Closure			
Reference Number	Date Opened	Allegation	Status
WARO/20/00033	02/10/2019	Alleged to be undertaking alternative employment whilst on sick leave without appropriate authority	Investigations found insufficient evidence of the required standard to pursue criminal action in respect of this matter. Intended that overpaid amount to be pursued on civil basis. The LCFS has had difficulty in obtaining an overpayment calculation from Payroll with enquiries, including escalation, proving fruitless since June 2020. Calculation required to raise invoice for matter to proceed to recovery.

Item 8.3 Appendix 1

Closed Cases			
Reference Number	Date Opened	Allegation	Outcome
WARO/20/00082	02/09/2020	Alleged overpayment of salary	<p>Overpayment related to continuation of payment for full time hours when contracted hours reduced. Interview under caution has been undertaken. Subject stated that overpayment commenced at time when pay award was given which gave subject an uplift in pay. Subject produced evidence that they had taken efforts to seek to rectify matter when the overpayment was pointed out by manager but has spent the overpayment.</p> <p>Evidentially theft offence was proven but case assessed as lacking dishonest element due to lack of clarity on subject's part relating to overpayment commencing at time of salary uplift.</p> <p>Voluntary repayment of amount has been received from subject.</p>