



Item 4.1

Counter Fraud Investigations Update Report

28 April 2022

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**

6

**Cases Pending 3rd
Party Outcome**

3

Cases Closed 2021/22

20

Case Rates

**Referrals Received
2021/22**

17

**Cases Under Investigation for
Over 12 Months**

1

Sanctions/Outcomes

Criminal Sanctions

1

**Civil Sanctions (Inc.
Financial Recovery)**

6

Disciplinary Sanctions

0

Open Cases

Reference Number	Date Opened	Allegation	Status
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. A disciplinary hearing has been arranged.</p> <p>A meeting was held with CPS for advice. An action plan has been agreed with full committal file now being produced for consideration.</p>
INV/21/00041	12/04/2021	Overpayment of Salary	<p>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.</p> <p>Subject has been invited for interview under caution. Subject was assessed as unfit for interview at that time due to complications relating to pregnancy.</p> <p>Subject has denied receiving payments but this has been confirmed via FI intelligence. A further assessment of fitness for interview is being undertaken.</p>

Open Cases

Reference Number	Date Opened	Allegation	Status
INV/21/00312	01/11/2021	Overpayment of Salary	<p>Student Nurse Case.</p> <p>The subject has been overpaid almost £15,000 in error after leaving the Health Board, referral to be investigated by the Health Board LCFS with early consultation with FI at CFS Wales.</p>
INV/21/00313	01/11/2021	Overpayment of Salary	<p>The subject has been paid £8397.39 in error after leaving their post at the Health Board and has made no effort to contact the Health Board, issue to be investigated by LCFS with early consultation with FI at CFS Wales.</p>
INV/21/00449	23/12/2021	Computer Misuse	<p>Allegation that a staff member has downloaded TOR software onto Health Board laptop. TOR is used to access 'dark web' sites. Cyber Security have dealt with immediate risk. Investigation centred around Computer Misuse Act offences.</p> <p>An invite to interview letter was hand delivered to the subject and arrangements are being made to undertake interview.</p>
INV/22/00056	13/01/2022	Working Whilst Sick	<p>Allegation that staff member working privately whilst on sick leave. Enquiries ongoing to establish extent of work and assess requirement for interview.</p>

Pending Closure

Reference Number	Date Opened	Allegation	Status
INV/21/00231	20/09/2021	<p>Allegation of inappropriate use of donations made to a Ward by one of the Ward Managers.</p> <p>Investigation has gathered evidence of financial records linked to the Charitable Funds and donations made to the Ward.</p> <p>Assessment of records resulted in no criminal concerns of personal use of charitable funds. Evidence was established of failure to follow any procedure in use of funds however and this has been referred to Managers for consideration.</p>	<p>No evidence to support a criminal investigation established.</p> <p>Findings fed back to Managers to consider any potential disciplinary action.</p>
WARO/17/00114	08/06/2017	<p>Alleged submission of false or misleading overtime claims</p>	<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>

Pending Closure

Reference Number	Date Opened	Allegation	Status
WARO/20/00084	11/09/2020	Alleged overpayment of salary	<p>Overpayment of salary of £8879.31. Financial Investigative support has resulted in money being unable to be located in bank accounts. A file of evidence was sent to CPS for consideration for prosecution. A conditional caution was authorised by CPS, this was conditional on repayment of the overpayment.</p> <p>Repayment has been received from the subject and subject attended a Victim Awareness Course organised by South Wales Police.</p> <p>Case closure to be sought.</p>

Closed Cases

Reference Number	Date Opened	Allegation	Outcome
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. Case closure agreed by CFS Wales to enable clearance of cases before closure of old case management system.</p>
WARO/19/00050	25/04/2019	Alleged false representations made in respect of the completion and presentation of prescriptions	<p>Following review of a MG3 investigators report the case was assessed as lacking in evidence of a criminal standard to proceed. This relates to continuity concerns of evidence seized during Police warrant searches.</p>
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.</p>

INV/21/00232	20/09/2021	Prescription Fraud	<p>Allegation that a former Consultant and current Registrar involved in the collusion of prescription fraud relating to prescribing to the Consultant.</p> <p>Investigation with input from the Health Board's Clinical Governance Lead established that there was 1 instance of concern relating to a single prescription which was not dispensed. The Registrar was found to have not broken any prescribing rules or guidance. The subject Consultant left the Health Board due to retirement and has relinquished registration with the GMC. Case assessed as not having public interest to proceed.</p>
INV/21/00311	31/10/2021	Overpayment of Salary	<p>Student Nurse Case.</p> <p>The subject has been paid a salary in error of £16,000 gross after leaving the Health Board. Investigations established that the subject had made contact with the Health Board to report overpayment therefore lacking any dishonesty.</p>
INV/21/00321	03/11/2021	Overpayment of Salary	<p>The subject has been overpaid in error for several months after reducing their hours from 24 hours to 12 hours per week. Investigations established that the subject had made contact with the Health Board to report overpayment therefore lacking any dishonesty.</p>
INV/21/00337	08/11/2021	Overpayment of Salary	<p>Student Nurse Case.</p> <p>The subject has been overpaid around £14,000 after leaving their employment at the Health Board. Investigations established that the subject had made contact with the Health Board to report overpayment therefore lacking any dishonesty.</p>

INV/21/00339	09/11/2021	Overpayment of Salary	<p>Student Nurse Case.</p> <p>The subject has been paid a salary for a period of several months after leaving a fixed term NHS contract. Investigations established that the subject had made contact with the Health Board to report overpayment therefore lacking any dishonesty.</p>
INV/21/00371	25/11/2021	Working Whilst Sick	<p>Allegation that staff member working privately whilst on sick leave. Enquiries established that whilst work had been completed across a number of NHS Organisations via agency no work had been completed whilst absent due to sickness.</p>
INV/21/00420	14/12/2021	Working Whilst Sick	<p>Subject alleged to have been working whilst on sick leave. The LCFS was unable to identify the business that the subject was alleged to have worked at however and could not pursue further enquiries.</p>
INV/22/00010	05/01/2022	Working Whilst Sick	<p>Allegation that staff member working for own business whilst on sick leave. Investigations were unable to establish evidence of any work being completed whilst absent due to sickness.</p>