Document Control Sheet

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<tr>
<td>Document Author(s):</td>
<td>Baker Tilly,</td>
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<td>Local Counter Fraud Specialist</td>
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<tr>
<td>0.1</td>
<td>June 2013</td>
<td>Laura Weaver</td>
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<td>1.0</td>
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<td>Julie Andrews</td>
<td>Quality Assurance</td>
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<td>November 2014</td>
<td>Sarah Feal</td>
<td>Review and Update</td>
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<td>Governance and Audit Committee</td>
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<td>February 2015</td>
<td>Sarah Feal</td>
<td>Minor amendment following approval at Governance and Audit Committee</td>
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### Implementation Plan:

<table>
<thead>
<tr>
<th>Development and Consultation</th>
<th>Local Counter Fraud Specialist, Internal Audit, Chief Finance Officer, Director of Nursing &amp; Quality, Lay Member Governance and Audit, Governing Body Deputy Chair</th>
</tr>
</thead>
</table>
| Dissemination                | Staff can access this policy via the Intranet and will be notified of new / revised versions via the staff briefing.  
This policy will be included in CCG’s Publication Scheme in compliance with the Freedom of Information Act 2000.  
Line Managers have responsibility to support their staff in implementing anti-fraud practice. |
| Training                     | The CCG will provide Anti-Fraud and Bribery training to all relevant employees on a regular basis to make them aware of our Anti-Fraud and Bribery Policy and guidelines, including possible types of bribery, the risks of engaging in bribery activity, and how employees may report suspicion of bribery. This will form part of the CCG’s Mandatory Training Programme. |
| Monitoring                   | Qualitative Assessments (QA’s) are a self-assessment tool developed by NHS Protect to measure the effectiveness of the Counter Fraud arrangements at the CCG. QA’s require NHS organisations to make a declaration of the counter fraud work they have completed during the financial year. The declaration focuses on the importance of demonstrating effectiveness and the correlation between work plan tasks, output and impact and innovative action. A copy of the self-assessment will be included in the LCFS Annual Report.  
As a result of reactive and proactive work completed throughout the financial year, closure reports are prepared and issued by the LCFS. System and procedural weaknesses are identified in each report and highlight suggested recommendations for improvement. The CCG, together with the LCFS will track the recommendations to ensure that they have been implemented. |
<table>
<thead>
<tr>
<th><strong>Review</strong></th>
<th>This policy will be reviewed bi-annually</th>
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| **Equality and Diversity** | 30/12/2014 - Equality Impact Assessment  
30/12/2014 - Privacy Impact Assessment |
| **Associated Documents** | The following documents can be located on the Intranet under the Policies, Strategies & Terms of Reference Section:  
- Raising Concerns at Work (Whistleblowing) Policy  
- Standards Of Business Conduct Policy  
- Disciplinary Policy and Procedure  
- Managing Conflicts of Interest Policy  
- Disclosure and Barring Service Policy  
- Equality and Diversity in Employment Policy |
| **References** |  
- Fraud Act 2006  
- Bribery Act 2010  
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1.0 **Introduction**

1.1 This document sets out the NHS East and North Hertfordshire Clinical Commissioning Group's (the CCG) policy and advice to employees in dealing with fraud or suspected fraud and bribery. This policy details the arrangements made in the CCG for such concerns to be raised by employees or members of the public.

1.2 The CCG does not tolerate fraud and bribery within the National Health Service (NHS). The intention is to eliminate all NHS fraud and bribery as far as possible. The aim of this policy and procedure is to protect the property and finances of the NHS and of patients in our care.

1.3 The CCG is committed to taking all necessary steps to counter fraud and bribery. To meet its objectives, it has adopted the seven-stage approach developed by NHS Protect:

1) The creation of an anti-fraud culture;
2) Maximum deterrence of fraud;
3) Successful prevention of fraud which cannot be deterred;
4) Prompt detection of fraud which cannot be prevented;
5) Professional investigation of detected fraud;
6) Effective sanctions, including appropriate legal action against people committing fraud and bribery, and
7) Effective methods of seeking redress in respect of money defrauded.

1.4 The CCG will take all necessary steps to counter fraud and bribery in accordance with this policy, the NHS Counter Fraud and Bribery Manual, the policy statement ‘Applying Appropriate Sanctions Consistently’ published by NHS Protect and any other relevant guidance or advice issued by NHS Protect.

1.5 This document sets out the CCG’s policy for dealing with detected or suspected fraud and bribery, incorporated in the Secretary of State for Health’s Directions to NHS Bodies on Counter Fraud Measures that were issued in November 2004.

1.6 The CCG has additional procedures in place that reduce the likelihood of fraud occurring. These include Standing Orders, Detailed Financial Policies, documented procedures, a System of Internal Control (including Internal and External Audit) and a system of risk management. In addition, the CCG seeks to ensure that a comprehensive anti-fraud and bribery culture exists throughout the CCG via the appointment of a dedicated Local Counter Fraud Specialist, in accordance with the Directions to NHS Bodies on Counter Fraud Measures.
1.7 It is expected that the Governing Body / Lay Members and staff at all levels will lead by example in acting with the utmost integrity and ensuring adherence to all relevant regulations, policies and procedures.

2.0 Scope

2.1 This policy applies to all employees of the CCG, regardless of position held, as well as consultants, vendors, contractors, and / or any other parties who have a business relationship with the CCG. It will be brought to the attention of all employees and form part of the induction process for new staff. It is incumbent on all of the above to report any concerns they may have concerning fraud and bribery.

2.2 This policy relates to all forms of fraud and bribery and is intended to provide direction and help to employees who may identify suspected fraud. It provides a framework for responding to suspicions of fraud, advice and information on various aspects of fraud and implications of an investigation. It is not intended to provide a comprehensive approach to preventing and detecting fraud and bribery. The overall aims of this policy are to:

- improve the knowledge and understanding of everyone in the CCG, irrespective of their position, about the risk of fraud and bribery within the organisation and its unacceptability;
- assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly;
- set out the CCG’s responsibilities in terms of the deterrence, prevention, detection and investigation of fraud and bribery;
- ensure the appropriate sanctions are considered following an investigation, which may include any or all of the following:
  - criminal prosecution
  - civil prosecution
  - internal / external disciplinary action (including professional / regulatory bodies)

2.3 Equality and Diversity

In implementing this policy, all Line Managers must ensure that all staff are treated fairly and within the provisions and spirit of the CCG’s Equality and Diversity in Employment Policy. Special attention should be paid to ensuring the policy is understood where there may be barriers to understanding caused by the individual’s circumstances, where the individual’s literacy or use of English is weak, or where the individual has little experience of working life.

2.4 Counter Fraud Charters are in place between NHS Protect and key stakeholders such as professional associations and patient groups, setting out their commitment to work together to tackle fraud. Counter Fraud Charters have been agreed with:
Professional Associations:
- Association of Optometrist
- British Medical Association
- Federation of Ophthalmic and Dispensing Opticians
- Pharmaceutical Services Negotiating Committee

Patient Groups:
- Long Term Medical Conditions Alliance
- Royal National Institute for the Blind

The Royal College of Nursing
The Association of British Dispensing Opticians
Unison

Regulatory Bodies:
- General Medical Council
- Dental Council
- General Optical Council
- Royal Pharmaceutical Society of Great Britain

Protocol with Health Professional Council

3.0 Policy

3.1 All employees have a personal responsibility to protect the assets of the CCG, including all buildings, equipment and monies from fraud, theft, or bribery.

3.2 The CCG is absolutely committed to fulfilling its objectives. It is also committed to the elimination of fraud within the CCG, to the rigorous investigation of any such allegations and to taking appropriate action against wrong doers, including possible criminal prosecution, as well as undertaking steps to recover any assets lost as a result of fraud.

3.3 Any abuse or non-compliance with this policy or procedures will be subject to a full investigation and appropriate disciplinary action taken in accordance with the CCG’s Disciplinary Policy and Procedure.

3.4 The CCG wishes to encourage anyone having reasonable suspicions of fraud to report them. The CCG’s policy, which will be rigorously enforced, is that no individual will suffer any detrimental treatment as a result of reporting reasonably held suspicions. The Public Interest Disclosure Act 1998 came into force in July 1999 and gives statutory protection, within defined parameters, to staff who make disclosures about a range of subjects, including fraud and bribery, which they believe to be happening within the CCG. Within this context, ‘reasonably held’ means suspicions other than those which are raised maliciously and are subsequently found to be groundless.
3.5 Any unfounded or malicious allegations will be subject to a full investigation and appropriate disciplinary action.

3.6 The CCG expects anyone having reasonable suspicions of fraud to report them. It recognises that, while cases of theft are usually obvious, there may initially only be a suspicion regarding potential fraud and, thus, employees should report the matter to the Chief Finance Officer or Local Counter Fraud Specialist who will then ensure that procedures are followed.

3.7 Bribing anybody is absolutely prohibited. CCG employees will not pay a bribe to anybody. This means that you will not offer, promise, reward in any way or give a financial or other advantage to any person in order to induce that person to perform his / her function or activities improperly. It does not matter whether the other person is a UK or foreign public official, political candidate, party official, private individual, private or public sector employee or any other person (including creating the appearance of an effort to improperly influence another person).

3.8 Off-the-book accounts and false or deceptive booking entries are strictly prohibited. All gifts, payments or any other contribution made under the Standards of Business Conduct policy and these guidelines, whether in cash or in kind, shall be documented, regularly reviewed, and properly accounted for on the Hospitality Register of the CCG. Record retention and archival policy must be consistent with the CCG’s accounting standards, tax and other applicable laws and regulations.

3.9 The CCG procures goods and services ethically and transparently with the quality, price and value for money determining the successful supplier / contractor, not by receiving (or offering) improper benefits. The CCG will not engage in any form of bribery, neither in the UK nor abroad. The CCG and all employees, independent of their grade and position, shall at all times comply with the Bribery Act 2010 and with this policy.

3.10 The CCG may, in certain circumstances, be held responsible for acts of bribery committed by intermediaries acting on its behalf such as subsidiaries, clients, business partners, contractors, suppliers, agents, advisors, consultants or other third parties. The use of intermediaries for the purpose of committing acts of bribery is prohibited.

3.11 All intermediaries shall be selected with care, and all agreements with intermediaries shall be concluded under terms that are in line with this policy. The CCG will contractually require its agents and other intermediaries to comply with the Anti-Fraud and Bribery Policy and to keep proper books and records available for inspection by the CCG, auditors or investigating authorities. Agreements with agents and other intermediaries shall at all times provide for the necessary contractual mechanisms to enforce compliance with the anti-bribery regime.
The CCG will monitor performance and, in case of non-compliance, require the correction of deficiencies, apply sanctions, or eventually terminate the agreement even if this may result in a loss of business.

3.12 Where the CCG is engaged in commercial activity (irrespective as to what happens to the profit) it could be considered guilty of a corporate bribery offence if an employee, agent, subsidiary or any other person acting on its behalf bribes another person intending to obtain or retain business or an advantage in the conduct of business for the CCG and it cannot demonstrate that it has adequate procedures in place to prevent such. The CCG does not tolerate any bribery on its behalf, even if this might result in a loss of business for it. Criminal liability must be prevented at all times.

3.13 Recovery of any losses will always be sought.

3.14 Facilitation payments are prohibited under the Bribery Act 2010 like any other form of bribe. They shall not be given by the CCG or by the CCG’s employees in the UK or any other country.

3.15 **Gifts and Hospitality**
   Courtesy gifts and hospitality must not be given or received in return for services provided or to obtain or retain business but shall be handled openly and unconditionally as a gesture of esteem and goodwill only. Gifts and hospitality shall always be of symbolic value, appropriate and proportionate in the circumstances, and consistent with local customs and practices. They shall not be made in cash. Please refer to the CCG’s Standards of Business Conduct Policy for more guidance.

3.16 **Political and Charitable Contributions**
   The CCG does not make any contributions to politicians, political parties or election campaigns.

3.17 As a responsible member of society, the CCG may make charitable donations. However, these payments shall not be provided to any organisation upon suggestion of any person of the public or private sector in order to induce that person to perform improperly the function or activities which he or she is expected to perform in good faith, impartially or in a position of trust or to reward that person for the improper performance of such function or activities.

3.18 Any donations and contributions must be ethical and transparent. The recipient’s identity and planned use of the donation must be clear, and the reason and purpose for the donation must be justifiable and documented. All charitable donations will be publicly disclosed.

3.19 Donations to individuals and for-profit organisations and donations paid to private accounts are incompatible with the CCG’s ethical standards and are prohibited.
3.20 **Sponsoring**

All sponsoring contributions must be transparent, pursuant to a written agreement, for legitimate business purposes and proportionate to the consideration offered by the event host. They may not be made towards events organised by individuals or organisations that have goals incompatible with the CCG’s ethical standards or that would damage the CCG’s reputation. All sponsorships will be publicly disclosed.

3.21 Where commercial sponsorship is used to fund the CCG’s training events, training materials and general meetings, the sponsorship must be transparent, pursuant to a written agreement, for legitimate business purposes and proportionate to the occasion.

3.22 Where meetings are sponsored by external sources, that fact must be disclosed in the papers relating to the meeting and in any published minutes / proceedings.

3.23 Where sponsorship links to the development of guidelines and advice, this should be carried out in consultation with the Chief Finance Officer in conjunction with the appropriate CCG working group independent of the sponsors. While it is recognised that consultation with the industry may be necessary when developing a guideline, the overall decision on what is included should lie with the CCG working group.

3.24 **Public Service Values**

High standards of corporate and personal conduct, based on the recognition that patients come first, have been a requirement throughout the NHS since its inception. There are three crucial public service values which underpin the work of the health service:

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<th>Public Service Values</th>
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<tr>
<td><strong>Accountability</strong></td>
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<tr>
<td><strong>Probity</strong></td>
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<tr>
<td><strong>Openness</strong></td>
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3.25 **The Seven Principles of Public Life**
The principles of public life apply to anyone who works as a public office-holder. All those who work for or are in contract with the CCG should exercise the following when undertaking their duties:

<table>
<thead>
<tr>
<th>The Seven Principles of Public Life</th>
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<tr>
<td><strong>Selflessness</strong></td>
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<tr>
<td>Holders of public office should act solely in terms of the public interest.</td>
</tr>
<tr>
<td><strong>Integrity</strong></td>
</tr>
<tr>
<td>Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.</td>
</tr>
<tr>
<td><strong>Objectivity</strong></td>
</tr>
<tr>
<td>Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.</td>
</tr>
<tr>
<td><strong>Accountability</strong></td>
</tr>
<tr>
<td>Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.</td>
</tr>
<tr>
<td><strong>Openness</strong></td>
</tr>
<tr>
<td>Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.</td>
</tr>
<tr>
<td><strong>Honesty</strong></td>
</tr>
<tr>
<td>Holders of public office should be truthful.</td>
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<tr>
<td><strong>Leadership</strong></td>
</tr>
<tr>
<td>Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.</td>
</tr>
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4.0 **Definitions**

4.1 **Fraud**
Any person who dishonestly makes a false representation to make a gain for himself or another, or dishonestly fails to disclose to another person, information which he is under a legal duty to disclose, or commits fraud by abuse of position, including any offence as defined in the Fraud Act 2006.

**Appendix B** is a summary of the Fraud Act 2006.
4.2 **Bribery**

“Inducement for an action, which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages”.

Bribery can be broadly defined as the offering or acceptance of inducements, gifts, favours, payment or benefit-in-kind which may influence the action of any person. Bribery does not always result in a loss. The corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another. It is a common law offence of bribery to bribe the holder of a public office and it is similarly an offence for the office holder to accept a bribe. Bribery prosecutions tend to be most commonly brought using specific pieces of legislation dealing with bribery, i.e. under the following:

- the Public Bodies Corrupt Practices Act 1889
- the Prevention of Bribery Acts 1889 – 1916
- the Anti-Terrorism, Crime and Security Act 2001

**Appendix C** is a summary of the Bribery Act 2010.

4.3 **Facilitation Payments**

Facilitation payments are small payments made to secure or expedite the performance of a routine action, typically by a government official or agency (e.g. issuing licenses or permits, installation of a telephone line, processing goods through customs, etc.) to which the payer (or the company) has legal or other entitlement.

4.4 **Sponsoring**

Sponsoring means any contribution in money or in kind by the CCG towards an event organised by a third party in return for the opportunity to raise the CCG’s profile.

5.0 **Role and Responsibilities**

5.1 **The Clinical Commissioning Group (CCG)**

The CCG has a duty to ensure that it provides a secure environment in which to work, and one where people are confident to raise concerns without worrying that it will reflect badly on them. This extends to ensuring that staff feel protected when carrying out their official duties and are not placed in a vulnerable position. If staff members have concerns about any procedures or processes that they are asked to be involved in, the CCG has a duty to ensure that those concerns are listened to and addressed.

5.2 **Internal and External Audit**

Any incident or suspicion that comes to Internal or External Audit’s attention will be passed immediately to the LCFS.
5.3 Chief Executive – Accountable Officer

The CCG’s Chief Executive is liable to be called to account for specific failures in the CCG’s system of internal controls. However, responsibility for the operation and maintenance of controls falls directly to line managers and requires the involvement of all of the CCG employees. The CCG therefore has a duty to ensure employees who are involved in or who are managing internal control systems receive adequate training and support in order to carry out their responsibilities. Therefore, the Chief Executive and Chief Finance Officer will monitor and ensure compliance with this policy.

The Chief Finance Officer, in conjunction with the Chief Executive monitors and ensures compliance with Secretary of State Directions regarding fraud and bribery.

5.4 Chief Finance Officer

The Chief Finance Officer, in consultation with NHS Protect and the LCFS, will decide whether there is sufficient cause to conduct an investigation, and whether the Police and External Audit need to be informed.

The Chief Finance Officer or the LCFS will consult and take advice from HR if a member of staff is to be interviewed or disciplined. The Chief Finance Officer or LCFS will not conduct a disciplinary investigation, but the employee may be the subject of a separate investigation by HR.

The Chief Finance Officer will, depending on the outcome of investigations (whether on an interim/on-going or a concluding basis) and / or the potential significance of suspicions that have been raised, inform the Chair of the CCG and the Chair of the Governance and Audit Committee of cases, as may be deemed appropriate or necessary.

The Chief Finance Officer is also responsible for informing the Governance and Audit Committee of all categories of loss.

The CCG has appointed the Chief Finance Officer who will be responsible for ensuring the CCG is compliant with the requirements of the Bribery Act 2010, implementing anti-bribery guidelines and monitoring compliance. The Chief Finance Officer will review annually the suitability, adequacy and effectiveness of the CCG’s anti-bribery arrangements and implement improvements as and when appropriate.

The Chief Finance Officer directly reports to the Accountable Officer. Once a year, the Chief Finance Officer reports the results of the reviews to the Governance and Audit Committee. Any incident or suspicion that comes to the attention of the Chief Finance Officer will be passed immediately to the LCFS.

5.5 Company Secretary

Any incident or suspicion that comes to attention of the Company Secretary will be passed immediately to the LCFS.
5.6 Line Managers
Line managers at all levels have a responsibility to ensure that an adequate system of internal control exists within their areas of responsibility and that controls operate effectively. The responsibility for the prevention and detection of fraud and bribery therefore primarily rests with managers but requires the co-operation of all employees.

As part of that responsibility, line managers need to:

- Inform staff of the CCG’s expected standards with regard to business conduct, gifts and hospitality, declaration of interests and counter fraud and bribery policies as part of their induction process, paying particular attention to the need for accurate completion of personal records and forms.
- Ensure that all employees for whom they are accountable are made aware of the requirements of the policy.
- Assess the types of risk involved in the operations for which they are responsible.
- Ensure that adequate control measures are put in place to minimise the risks. This must include clear roles and responsibilities, supervisory checks, separation of duties wherever possible so that control of a key function is not invested in one individual and regular review, reconciliations and test checks to ensure that control measures continue to operate effectively.
- Be aware of the CCG’s Anti-Fraud and Bribery Policy and the rules and guidance covering the control of specific items of expenditure and receipts.
- Identify financially sensitive posts.
- Ensure that controls are being complied with.
- Contribute to their Director’s assessment of the risks and controls within their business area, which feeds into the CCG’s ‘s and the Department of Health Accounting Officer’s overall statements of accountability and internal control.

All instances of actual or suspected fraud or bribery, which come to the attention of a manager, must be reported immediately. It is appreciated that some employees will initially raise concerns with their manager, however, in such cases managers must not attempt to investigate the allegation themselves, and they have the clear responsibility to refer the concerns to the Chief Finance Officer or Local Counter Fraud Specialist as soon as possible.

Where staff have access to the Internet, managers need to ensure that any use is linked to the performance of their duties and any private use specifically agreed beforehand. Any instance of deliberate viewing of offensive material (e.g. pornography or hate material) must be reported immediately. See Section 6.1 below.
5.7 All Employees

For the purposes of this policy, ‘Employees’ includes the CCG staff, Governing Body, Executive and Lay Members (including Co-Opted Members) and Honorary Members to the Governing Body.

All employees should be aware that fraud and bribery (of finances of the NHS or of patients in our care) will normally, dependent upon the circumstances of the case, be regarded as gross misconduct thus warranting summary dismissal without previous warnings. However, no such action will be taken before a proper investigation and a disciplinary hearing have taken place. Such actions may be in addition to the possibility of criminal prosecution.

The CCG’s employees will not request or receive a bribe from anybody, nor imply that such an act might be considered. This means that you will not agree to receive or accept a financial or other advantage from a former, current or future client, business partner, contractor or supplier or any other person as an incentive or reward to perform improperly your function or activities.

Employees must act in accordance with the CCG’s Standards of Business Conduct and Managing Conflicts of Interest policies, which include guidance on the receipt of gifts or hospitality.

Employees also have a duty to protect the assets of the CCG including information, goodwill and reputation, as well as property.

Employees are expected to act in accordance with the standards laid down by their Professional Institute(s), where applicable.

The CCG’s Standing Orders and Detailed Financial Policies place an obligation on all staff and Governing Body Members to act in accordance with best practice. In addition, all CCG staff and Governing Body Members must declare and register any interests that might potentially conflict with those of the CCG or the wider NHS.

In addition, all employees have a responsibility to comply with all applicable laws and regulations relating to ethical business behaviour, procurement, personal expenses, conflicts of interest, confidentiality and the acceptance of gifts and hospitality. This means, in addition to maintaining the normal standards of personal honesty and integrity, all employees should always:

- act with honesty, integrity and in an ethical manner.
- behave in a way that would not give cause for others to doubt that ENHCCG’s ‘s employees deal fairly and impartially with official matters.
- be alert to the possibility that others might be attempting to deceive.
All employees have a duty to ensure that public funds are safeguarded, whether or not they are involved with cash or payment systems, receipts or dealing with contractors or suppliers.

When an employee suspects that there has been fraud or bribery, they must report the matter to the nominated Local Counter Fraud Specialist.

5.8 Local Counter Fraud Specialist (LCFS)
The Directions to NHS Bodies on Counter Fraud Measures 2004 require ENHCCG to appoint and nominate an LCFS. The LCFS’s role is to ensure that all cases of actual or suspected fraud and bribery are notified to the Chief Finance Officer and reported accordingly.

Investigation of the majority cases of alleged fraud within ENHCCG will be the responsibility of ENHCCG’s Local Counter Fraud Specialist (LCFS). NHS Protect will only investigate cases which should not be dealt with by ENHCCG. Following receipt of all referrals, NHS Protect will add any known information or intelligence and based on this case acceptance criteria determine if a case should be investigated by NHS Protect. This list is not exhaustive.

Cases which:
- have a strategic or national significance or are deemed to be of suitable national public interest;
- from intelligence or information have been identified as being part of a suspected criminal trend or an area which is suspected of being targeted by organised crime and which requires a centrally coordinated investigation;
- form part of a series of linked cases already being investigated or about to be by NHS Protect;
- are known or likely to have a high degree of complexity either in the nature of the fraud or the investigation required;
- will require a significant investigation which could include the involvement of other agencies such as OFT, FCA, or Serious Fraud Office (not day to day involvement of agencies on lower level cases);
- have any factors, which would determine that the case should be investigated outside of the NHS body, for example very senior management involvement, the need to use directed surveillance, obtain communications data or use powers provided to NHS Protect in the NHS Act 2006;
- extend beyond the geographical, financial or legal remit of the NHS body affected by the fraud; may be retained by NHS Protect.

The LCFS will regularly report to the Chief Finance Officer on the progress of the investigation and when / if referral to the police is required.
The LCFS and the Chief Finance Officer, in conjunction with NHS Protect, will decide who will conduct the investigation and when / if referral to the police is required. Cases, for instance, where more than £100,000 or where possible bribery is involved may be investigated by NHS Protect (though the LCFS may assist); otherwise the investigation will normally be undertaken by the CCG’s own LCFS directly.

The LCFS in consultation with the Chief Finance Officer will review the strategic objectives contained within the assurance framework to determine any potential fraud or bribery risks. Where risks are identified these will be included on the CCG’s risk register so the risk can be proactively addressed.

5.9 Human Resources
Human Resources will liaise closely with Managers and the LCFS, from the outset, where an employee is suspected of being involved in fraud in accordance with agreed liaison protocols. Human Resources are responsible for ensuring the appropriate use of the CCG’s Disciplinary Procedure. The Human Resources Department shall advise those involved in the investigation in matters of employment law and in other procedural matters, such as disciplinary and complaints procedures. Close liaison between the LCFS and HR will be essential to ensure that any parallel sanctions (i.e. criminal and disciplinary) are applied effectively and in a coordinated manner.

Human Resources will take steps at the recruitment stage to establish, as far as possible, the previous record of potential employees as well as the veracity of required qualifications and memberships of professional bodies, in terms of their propriety and integrity. In this regard, temporary and fixed term contract employees are treated in the same manner as permanent employees.

5.10 Information Management & Technology
The Chief Finance Officer (or nominated manager) will contact the LCFS immediately in all cases where there is suspicion that IT is being used for fraudulent purposes. This includes inappropriate Internet / Intranet, e-mail, telephone and PDA use. Human Resources will be informed if there is a suspicion that an employee is involved.

5.11 External Communications
Individuals (be they employees, agency staff, locums, contractors or suppliers) must not communicate with any member of the press, media or another third party about a suspected fraud as this may seriously damage the investigation and any subsequent actions to be taken. Anyone who wishes to raise such issues should discuss the matter with either the Chief Finance Officer or the Chief Executive.
6.0 Processes

6.1 Reporting Fraud, Bribery or Other Illegal Acts
This section outlines the action to be taken where fraud, bribery or other illegal acts involving dishonesty, inappropriate Internet use, or damage to property are discovered or suspected. For completeness, it also deals with the action to be taken where theft is discovered or suspected.

6.1.1 If any of the concerns mentioned in this document come to the attention of an employee, they must inform the Local Counter Fraud Specialist or the Chief Finance Officer immediately. Employees can also call the NHS Fraud Reporting Line on Freephone 0800 028 40 60. This provides an easily accessible route for the reporting of genuine suspicions of fraud within or affecting the NHS. It allows NHS staff members who are unsure of internal reporting procedures to report their concerns in the strictest confidence. All calls are dealt with by experienced caller handlers. Contact information for the above is listed in Appendix A.

6.1.2 The attached Appendix A is designed to be a reminder of the key “what to do” steps - as well as contact details - to be taken where fraud or other illegal acts are discovered or suspected.

6.1.3 Managers are encouraged to copy this to staff and to place it on staff notice boards in their department.

6.1.4 Anonymous letters, telephone calls etc. are received from time to time from individuals who wish to raise matters of concern, but not through official channels. While the allegations may be erroneous or unsubstantiated, they may also reflect a genuine cause for concern and should always be taken seriously.

6.1.5 Sufficient enquiries will be made by the LCFS to establish whether or not there is any foundation to the allegations. If the allegations are found to be malicious, they will also be considered for further investigation as to their source.

6.1.6 The CCG wants all employees to feel confident that they can expose any wrongdoing without any risk to themselves. In accordance with the provisions of the Public Interest Disclosure Act 1998, the CCG has produced a Whistleblowing Policy. This procedure is intended to complement the CCG’s Anti-Fraud and Bribery Policy and Standards of Business Conduct Policy and ensures there is full provision for staff to raise any concerns with others if they do not feel able to raise them with their line manager / management chain.
6.2 Disciplinary Action
6.2.1 The disciplinary procedures of the CCG must be followed where an employee is suspected of being involved in a fraudulent or other illegal act.

6.2.2 It should be noted, however, that the duty to follow disciplinary procedures will not override the need for legal action to be taken (e.g. consideration of criminal action). In the event of doubt, legal statute shall prevail.

6.3 Police Involvement
6.3.1 In accordance with the NHS Counter Fraud & Bribery Manual, the Chief Finance Officer, in conjunction with the LCFS and NHS Protect, will decide whether a case should be referred to the police. Human Resources and line managers will be involved as necessary. Any referral to the police will not prohibit action being taken under the CCG's disciplinary procedures.

6.4 Recovery of Losses Incurred by Fraud or Bribery
6.4.1 The seeking of financial redress or recovery of losses should always be considered in cases of fraud or bribery that are investigated by the LCFS or NHS Protect where a loss is identified. As a general rule, recovery of the loss caused by the perpetrator should always be sought. The decisions must be taken in the light of the particular circumstances of each case.

6.4.2 Redress allows resources that are lost to fraud and bribery to be returned to the NHS for use as intended, for provision of high-quality patient care and services.

6.4.3 Sections 10 and 11 of the NHS Counter Fraud and Manual provide in-depth details of how sanctions can be applied where fraud and bribery is proven and how redress can be sought. To summarise, local action can be taken to recover money by using the administrative procedures of ENHCCG or the civil law.

6.4.4 In cases of serious fraud and bribery, it is recommended that parallel sanctions are applied. For example: disciplinary action relating to the status of the employee in the NHS; use of civil law to recover lost funds; and use of criminal law to apply an appropriate criminal penalty upon the individual(s), and/or a possible referral of information and evidence to external bodies – for example, professional bodies – if appropriate.

6.4.5 NHS Protect can also apply to the courts to make a restraining order or confiscation order under the Proceeds of Crime Act 2002 (POCA). This means that a person’s money is taken away from them if it is believed that the person benefited from the crime. It could also include restraining assets during the course of the investigation.
6.4.6 Actions which may be taken when considering seeking redress include:
- no further action
- criminal investigation
- civil recovery
- disciplinary action
- confiscation order under POCA
- recovery sought from on-going salary payments or pensions.

6.4.7 In some cases (taking into consideration all the facts of a case), it may be that the CCG, under guidance from the LCFS and with the approval of the Chief Finance Officer, decides that no further recovery action is taken.

6.4.8 Criminal investigations are primarily used for dealing with any criminal activity. The main purpose is to determine if activity was undertaken with criminal intent. Following such an investigation, it may be necessary to bring this activity to the attention of the criminal courts (Magistrates’ Court and Crown Court). Depending on the extent of the loss and the proceedings in the case, it may be suitable for the recovery of losses to be considered under POCA.

6.4.9 The civil recovery route is also available to the CCG if this is cost-effective and desirable for deterrence purposes. This could involve a number of options such as applying through the Small Claims Court and/or recovery through debt collection agencies. Each case needs to be discussed with the Chief Finance Officer to determine the most appropriate action.

6.4.10 The appropriate senior manager, in conjunction with the HR department, will be responsible for initiating any necessary disciplinary action. Arrangements may be made to recover losses via payroll if the subject is still employed by the CCG. In all cases, current legislation must be complied with.

6.4.11 Action to recover losses should be commenced as soon as practicable after the loss has been identified. Given the various options open to the CCG, it may be necessary for various departments to liaise about the most appropriate option.

6.4.12 In order to provide assurance that policies were adhered to, the Chief Finance Officer will maintain a record highlighting when recovery action was required and issued and when the action taken. This will be reviewed and updated on a regular basis.
Appendix A – What to do

<table>
<thead>
<tr>
<th>This includes:</th>
<th>What to do:</th>
<th>DO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fraud</strong></td>
<td>If any of these concerns come to light you must immediately report your suspicions and what you have discovered to one of the following:</td>
<td>✓ Tell someone!</td>
</tr>
<tr>
<td></td>
<td>✓ The Local Counter Fraud Specialist: Laura Weaver - 07800 617178 <a href="mailto:Laura.Weaver@rsmtenon.com">Laura.Weaver@rsmtenon.com</a></td>
<td>Confidentiality will be respected.</td>
</tr>
<tr>
<td></td>
<td>✓ Chief Finance Officer Alan Pond</td>
<td>Any delay might cause the organisation to suffer further financial loss.</td>
</tr>
<tr>
<td></td>
<td>✓ The NHS Fraud Reporting Line 0800 0284060</td>
<td>✓ Make a note of your concerns!</td>
</tr>
<tr>
<td></td>
<td>Or online <a href="http://www.reportnhsfraud.nhs.uk">www.reportnhsfraud.nhs.uk</a></td>
<td>Note all relevant details, what was said, the date and names of all parties involved.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✓ Keep a record or copy any documentation that arouses your suspicion.</td>
</tr>
<tr>
<td><strong>Bribery</strong></td>
<td>Confidentiality will be maintained and all matters will be dealt with in accordance with the NHS Counter Fraud standards. You will not suffer any recriminations as a result of raising concerns – You have protection under The Public Interest Disclosure Act 1998.</td>
<td>✗ Confront the individual(s) with your suspicions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✗ Try to investigate the matter yourself.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✗ Contact the police directly.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✗ Convey your suspicions to anyone other than those with the proper authority as listed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✗ Do nothing!</td>
</tr>
</tbody>
</table>

- Any deliberate intention to make a gain for themselves or anyone else, or inflicting a loss (or a risk of loss) on another i.e. the NHS. This could be through the falsification of any records or documents or obtaining any service(s) and/or failing to disclose information.
- Where someone is influenced by bribery, payment of benefit-in-kind to unreasonably use their position to give some advantage to another.

**DO NOT**

- Confront the individual(s) with your suspicions.
- Try to investigate the matter yourself.
- Contact the police directly.
- Convey your suspicions to anyone other than those with the proper authority as listed.
- Do nothing!
Appendix B – The Fraud Act 2006

SUMMARY
Section 1 of The Fraud Act sets out provisions for a general offence of fraud. There are several new offences created the main three being sections 2, 3 and 4. The Act also creates new offences of obtaining services dishonestly and of possessing, making and supplying articles for use in fraud, as well as containing a new offence of fraudulent trading applicable to non-corporate traders.

Section 2: Fraud by False Representation
It is an offence to commit fraud by false representation. The representation must be made dishonestly. This test applies also to sections 3 and 4 below. The current definition of dishonesty was established in *R v Ghosh* [1982] Q.B.1053. That judgment sets a two-stage test. The first question is whether a defendant's behaviour would be regarded as dishonest by the ordinary standards of reasonable and honest people. If answered positively, the second question is whether the defendant was aware that his conduct was dishonest and would be regarded as dishonest by reasonable and honest people.

The person must make the representation with the intention of making a gain or causing loss or risk of loss to another. The gain or loss does not actually have to take place.

A representation is defined as false if it is untrue or misleading and the person making it knows that it is, or might be, untrue or misleading. A representation means any representation as to fact or law, including a representation as to a person’s state of mind.

A representation may be express or implied. It can be stated in words or communicated by conduct. There is no limitation on the way in which the representation must be expressed. It could be written or spoken or posted on a website.

A representation may also be implied by conduct. An example of a representation by conduct is where a person dishonestly misuses a credit card to pay for items. By tendering the card, he is falsely representing that he has the authority to use it for that transaction. It is immaterial whether the merchant accepting the card for payment is deceived by the representation.

This offence would also be committed by someone who engages in "phishing": i.e. where a person disseminates an email to large groups of people falsely representing that the email has been sent by a legitimate financial institution. The email prompts the reader to provide information such as credit card and bank account numbers so that the "phisher" can gain access to others' personal financial information.

A representation may be regarded as being made if it (or anything implying it) is submitted in any form to any system or device designed to receive, convey or respond to communications (with or without human intervention).
The main purpose of this provision is to ensure that fraud can be committed where a person makes a representation to a machine and a response can be produced without any need for human involvement. (An example is where a person enters a number into a "CHIP and PIN" machine.)

**Section 3: Fraud by Failing to Disclose Information**

Section 3 makes it an offence to commit fraud by failing to disclose information to another person where there is a legal duty to disclose the information. A legal duty to disclose information may include duties under oral contracts as well as written contracts.

For example, the failure of a solicitor to share vital information with a client within the context of their work relationship, in order to perpetrate a fraud upon that client, would be covered by this section. Similarly, an offence could be committed under this section if for example an NHS employee failed to disclose to the CCG that certain patients referred by him for private treatment are private patients, thereby avoiding a charge for the services provided by that NHS employee during NHS time.

**Section 4: Fraud by Abuse of Position**

Section 4 makes it an offence to commit a fraud by dishonestly abusing one’s position. It applies in situations where the defendant has been put in a privileged position, and by virtue of this position is expected to safeguard another's financial interests or not act against those interests.

The necessary relationship will be present between trustee and beneficiary, director and company, professional person and client, agent and principal, employee and employer, or between partners. It may arise otherwise, for example within a family, or in the context of voluntary work, or in any context where the parties are not at arm’s length.

The term "abuse" is not limited by a definition, because it is intended to cover a wide range of conduct. The offence can be committed by omission as well as by positive action. For example, an employee who fails to take up the chance of a crucial contract in order that an associate or rival company can take it up instead at the expense of the employer commits an offence under this section.

An employee of a software company who uses his position to clone software products with the intention of selling the products on would commit an offence under this section.

Another example covered by this section is where a person who is employed to care for an elderly or disabled person has access to that person's bank account and abuses his position by removing funds for his own personal use.

*Note: It is now no longer necessary to prove a person has been deceived in the above offences. The focus is now on the dishonest behaviour of the suspect and their intent to make a gain or cause a loss.*

**Section 5: (not relevant for the purposes of this document)**
Section 6: Possession etc. of Articles for Use in Frauds

Section 6 makes it an offence for a person to possess or have under his control any article for use in the course of or in connection with any fraud. This wording draws on that of the existing law in section 25 of the Theft Act 1968 (These provisions make it an offence for a person to "go equipped" to commit a burglary, theft or cheat, although they apply only when the offender is not at his place of abode.

Proof is required that the defendant had the article for the purpose or with the intention that it be used in the course of or in connection with the offence, and that a general intention to commit fraud will suffice.

Section 7: Making or Supplying Articles for Use in Frauds

Section 7 makes it an offence to make, adapt, supply or offer to supply any article knowing that it is designed or adapted for use in the course of or in connection with fraud, or intending it to be used to commit or facilitate fraud. For example, a person makes devices which when attached to electricity meters cause the meter to malfunction.

Section 8: "Article"

Section 8 extends the meaning of "article" for the purposes of sections 6 and 7 and certain other connected provisions so as to include any program or data held in electronic form. Examples of cases where electronic programs or data could be used in fraud are: a computer program can generate credit card numbers; computer templates can be used for producing blank utility bills; computer files can contain lists of other peoples' credit card details or draft letters in connection with 'advance fee' frauds.

Section 9: Participating in fraudulent business carried on by sole trader etc.

Section 9 makes it an offence for a person knowingly to be a party to the carrying on of fraudulent business where the business is not carried on by a company or (broadly speaking) a corporate body.

- A person commits the offence of fraudulent trading
- dishonesty is an essential ingredient of the offence;
- the mischief aimed at is fraudulent trading generally, and not just in so far as it affects creditors;
- the offence is aimed at carrying on a business but that can be constituted by a single transaction; and
- It can only be committed by persons who exercise some kind of controlling or managerial function within the company.

Section 10: (not relevant for the purposes of this document)
Section 11: Obtaining Services Dishonestly

Section 11 makes it an offence for any person, by any dishonest act, to obtain services for which payment is required, with intent to avoid payment. The person must know that the services are made available on the basis that they are chargeable, or that they might be. It is not possible to commit the offence by omission alone and it can be committed only where the dishonest act was done with the intent not to pay for the services as expected.

It requires the actual obtaining of the service. For example, data or software may be made available on the Internet to a certain category of person who has paid for access rights to that service. A person dishonestly using false credit card details or other false personal information to obtain the service would be committing an offence under this section. The section would also cover a situation where a person climbs over a wall and watches a football match without paying the entrance fee - such a person is not deceiving the provider of the service directly, but is obtaining a service which is provided on the basis that people will pay for it.

Section 11 also covers the situation where a person attaches a decoder to her television to enable viewing access to cable / satellite television channels for which they has no intention of paying for.

Section 12: Liability of Company Officers for Offences by Company

This section repeats the effect of section 18 of the Theft Act 1968. It provides that company officers who are party to the commission of an offence under the Bill by their body corporate will be liable to be charged for the offence as well as the company. It applies to directors, managers, secretaries and other similar officers of a company. If the body corporate charged with an offence is managed by its members the members involved in management can be prosecuted too.

The Fraud Act 2006 repeals the following Theft Act offences:

- Theft Act 1968
  - Section 15 (obtaining property by deception).
  - Section 15A (obtaining a money transfer by deception).
  - Section 15B (Section 15A: supplementary).
  - Section 16 (obtaining a pecuniary advantage by deception).
  - Section 20(2) (procuring the execution of a valuable security by deception).

- Theft Act 1978
  - Section 1 (Obtaining services by deception).
  - Section 2 (evasion of liability).

The Act came into force on 15th January 2007 and carries a maximum sentence of 10 years imprisonment with the exception of the 'going equipped offence' which is five years.
Appendix C – The Bribery Act 2010

The following business practices constitute criminal offences under the Bribery Act 2010 and are therefore prohibited:

Offences of bribing another person

Case 1 is where a the CCG employee offers, promises or gives a financial or other advantage to another person and intends the advantage (i) to induce that or another person to perform improperly a relevant function or activity, or (ii) to reward that or another person for the improper performance of such a function or activity.

Case 2 is where a the CCG employee offers, promises or gives a financial or other advantage to another person and knows or believes that the acceptance of the advantage would itself constitute the improper performance of a relevant function or activity by that person.

The bribery must relate to (i) a function of a public nature, (ii) an activity connected with a business, (iii) an activity performed in the course of a person's employment, or (iv) an activity performed by or on behalf of a body of persons (whether corporate or unincorporate). The person performing the function or activity must be expected to perform it in good faith, impartially or in a position of trust. It does not matter whether the function or activity is performed inside or outside the UK, whether the other person(s) involved is/are in the public or private sector and whether the advantage is offered, promised or given directly by a CCG employee or through a third party, e.g. an agent or other intermediary.

Offences relating to being bribed

Case 3 is where a CCG employee requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, a relevant function or activity should be performed improperly (whether by him-/herself or another person).

Case 4 is where a CCG employee requests, agrees to receive or accepts a financial or other advantage, and the request, agreement or acceptance itself constitutes the improper performance by him-/herself of a relevant function or activity.

Case 5 is where a CCG employee requests, agrees to receive or accepts a financial or other advantage as a reward for the improper performance (whether by him-/herself or another person) of a relevant function or activity.

Case 6 is where, in anticipation of or in consequence of a CCG employee requesting, agreeing to receive or accepting a financial or other advantage, a relevant function or activity is performed improperly (i) by that, or (ii) by another person at his/her request or with his/her assent or acquiescence.

Again, the bribery must relate to (i) a function of a public nature, (ii) an activity connected with a business, (iii) an activity performed in the course of a person's employment, or (iv) an activity performed by or on behalf of a body of persons (whether corporate or unincorporate). The person performing the function or activity must be expected to perform it in good faith, impartially or in a position of trust.
It does not matter whether the function or activity is performed inside or outside the UK, whether the other person(s) involved is/are in the public or private sector, whether a CCG employee requests, agrees to receive or accepts the advantage directly or through a third party, e.g. an agent or other intermediary, and whether the advantage is for the benefit of a CCG employee or another person.

In Cases 4 to 6, it does not matter whether a CCG employee knows or believes that the performance of the function or activity is improper.

**Bribery of foreign public officials**

Case 7 is where a CCG employee bribes a foreign public official and intends (i) to influence that official in his/her capacity as a foreign public official and (ii) to obtain or retain a business or an advantage in the conduct of business. A foreign public official is someone who holds a legislative, administrative or judicial position of any kind or exercises a public function of a country outside the UK, or is an official or agent of a public international organisation.

The following paragraph will apply if any part of the organisation is considered as a ‘commercial’ one.

**Failure of commercial organisations to prevent bribery**

A corporate or partnership is guilty of a corporate bribery offence if an employee, agent, subsidiary or any other person acting on its behalf bribes another person intending to obtain or retain business or an advantage in the conduct of business for the corporate or partnership. For a definition of bribery, please refer to Cases 1, 2 and 7 above.

It should be the policy of a corporate or partnership not to tolerate any bribery on its behalf, even if this might result in a loss of business for it. Criminal liability must be prevented at all times.
Appendix D
Equality Impact Assessment Stage 1 Screening

1. Policy

<table>
<thead>
<tr>
<th>Title:</th>
<th>EIA Completion Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] Proposed</td>
<td></td>
</tr>
<tr>
<td>[ ] Existing</td>
<td>Company Secretary</td>
</tr>
</tbody>
</table>

| Date of Completion: 30/12/14 |
| Review Date: 30/12/16 |

2. Details of the Policy. Who is likely to be affected by this policy?

- [ ] Staff
- [ ] Patients
- [ ] Public

3. Impact on Groups with Protected Characteristics

<table>
<thead>
<tr>
<th>Probable impact on group?</th>
<th>High, Medium or Low</th>
<th>Please explain your answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive</td>
<td>Adverse</td>
<td>None</td>
</tr>
</tbody>
</table>

- Age
- Being married or in a civil partnership
- Disability (inc. learning difficulties, physical disability, sensory impairment)
- Having just had a baby or being pregnant
- Race, (inc. ethnicity, nationality, language)
- Religion or belief
- Sex (inc. being a transsexual person)
- Sexual Orientation
- Other:
- No impact on any of the groups above.

It is not perceived that this policy will affect any protected characteristic of the Equality Act 2010.

4. Which equality legislative Act applies to the policy?

- [ ] Human Rights Act 1998
- [ ] Equality Act 2010
- [ ] Health & Safety Regulations
- [ ] Mental Health Act 1983
- [ ] Mental Capacity Act 2005

5. How could the identified adverse effects be minimised or eradicated?

N/A

6. How is the effect of the policy on different Impact Groups going to be monitored?

N/A
**Appendix E**

Privacy Impact Assessment Stage 1 Screening

<table>
<thead>
<tr>
<th>1. Policy</th>
<th>PIA Completion Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title: Proposed</td>
<td>Names &amp; Titles of staff involved in completing the PIA:</td>
</tr>
<tr>
<td>Existing</td>
<td>Company Secretary</td>
</tr>
<tr>
<td>Date of Completion: 30/12/14</td>
<td></td>
</tr>
<tr>
<td>Review Date: 30/12/16</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Details of the Policy. Who is likely to be affected by this policy?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Staff</td>
</tr>
<tr>
<td>☐ Public</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Technology</th>
<th>Yes</th>
<th>No</th>
<th>Please explain your answers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the policy apply new or additional information technologies that have the potential for privacy intrusion? (Example: use of smartcards)</td>
<td>☐</td>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Identity</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>By adhering to the policy content does it involve the use or re-use of existing identifiers, intrusive identification or authentication? (Example: digital signatures, presentation of identity documents, biometrics etc.)</td>
<td>☐</td>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Multiple Organisations</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the policy affect multiple organisations? (Example: joint working initiatives with other government departments or private sector organisations)</td>
<td>☑</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Data</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>By adhering to the policy is there likelihood that the data handling processes are changed? (Example: this would include a more intensive processing of data than that which was originally expected)</td>
<td>☑</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>

If Yes to any of the above have the risks been assessed, can they be evidenced, has the policy content and its implications been understood and approved by the department? Yes, all personal data and sensitive personal data required for investigation will be processed in accordance with the Data Protection Act 1998