



Counter fraud, bribery and corruption summary

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Introduction

Fraud and corruption are ever present risks to all organisations, be they public, private or not-for-profit. Fraud and corruption can have a significant negative impact on organisations through disruption to the services provided or undermining the achievement of objectives.

At the Care Inspectorate we want to protect against, detect and respond to fraud and corruption in order to protect the interests of people who use care services, their carers, service providers, employees and other stakeholders while maintaining a high ethical standing.

We take our responsibilities to protect the public purse very seriously and we are committed to the highest standards of openness and accountability in order to ensure the proper use and protection of public funds and assets. We will not, therefore, tolerate fraud, bribery or corruption in any area of our activity and we will take all reasonable steps to prevent fraud (where possible), investigate fraud where it is detected or reported and pursue appropriate formal action against those involved in fraudulent or corrupt activities.

What to do if you suspect fraud, bribery or corruption

We would like your help in preventing and detecting dishonest, fraudulent or corrupt behaviour by you reporting any suspicions you may have.

If you are an employee of the Care Inspectorate please follow our [internal procedures for reporting concerns](#).

If you are not an employee of the Care Inspectorate and you believe that there is fraudulent activity taking place, please report this using the details below or you may wish to report your concerns directly to the police.

You can contact the Care Inspectorate directly:

Jackie Mackenzie
Executive Director Corporate and Customer Services
(Fraud Champion)
Jacqueline.Mackenzie@careinspectorate.gov.scot

Kenny Dick
Head of Finance and Corporate Governance
(Fraud Liaison Officer)
Kenny.Dick@careinspectorate.gov.scot

Or you can write to Jackie or Kenny at the address below:

**Care Inspectorate
Compass House
11 Riverside drive
Dundee
DD1 4NY**

You can if you prefer, report your concerns to [Audit Scotland](#).

Our counter fraud approach

Our approach to this is based on 3 key themes:

PREVENT	DETECT	INVESTIGATE
Preventing and detecting fraud	Acknowledging and understanding fraud and fraud risks	Being stronger in punishing fraud and recovering losses
<ul style="list-style-type: none"> • Making better use of information technology • Enhancing fraud controls and processes • Developing a more effective anti-fraud culture 	<ul style="list-style-type: none"> • Assessing and understanding fraud risks • Committing support and resources to tackling fraud • Maintaining a robust anti-fraud response 	<ul style="list-style-type: none"> • Prioritising fraud recovery and the use of civil sanctions • Developing capability and capacity to punish fraudsters • Effective collaboration across the public sector and with law enforcement

Our partners

Our Counter Fraud, Bribery and Corruption Strategy is informed by the Scottish Government and NHS Scotland Strategy. We work in partnership with NHS National Shared Services Counter Fraud Services (CFS) to implement, maintain and develop the Strategy and associated Financial Crime Action Plan. The Audit and Risk Committee is responsible for overseeing and monitoring the effectiveness of our counter fraud, bribery and corruption arrangements.

Counter fraud principles

The Care Inspectorate and our partner CFS aligns to the five internationally recognised counter fraud principles:

1. **There is always going to be fraud** - It is a fact that some individuals will look to make gains where there is opportunity, and organisations need robust processes in place to prevent, detect and respond to fraud and corruption.

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2. **Finding fraud is a good thing** - If you don't find fraud you can't fight it. This requires a change in perspective, so the identification of fraud is viewed as a positive and proactive achievement.
3. **There is no one solution** - Addressing fraud needs a holistic response incorporating detection, prevention, enforcement and redress, underpinned by a strong understanding of risk. It also requires cooperation between organisations under a spirit of collaboration.
4. **Fraud and corruption are ever changing** - Fraud, and counter fraud practices, evolve very quickly and organisations must be agile and change their approach to deal with these evolutions.
5. **Prevention is the most effective way to address fraud and corruption** - Preventing fraud through effective counter fraud practices reduces the loss and reputational damage. It also requires less resources than an approach focused on detection and recovery.

Our expectations

Our Counter Fraud, Bribery and Corruption Framework sets out our stance on fraud, bribery corruption or other dishonest acts and our intent to reinforce an open and honest culture. We are committed to the highest possible standards of openness, probity and accountability. We expect that Board members and officers at all levels will protect the Care Inspectorate (CI) and its resources and lead by example, ensuring high standards of personal conduct and adherence to our policies, procedures and rules.

We expect the same level of honesty from our partners, agents, contractors, suppliers and the public in all interactions.

Our formal action policy

1. Policy statement

- 1.1 After any investigation, sanctions should be applied where fraud, bribery or corruption has been found to have been committed. We will pursue criminal and civil action in a robust, consistent and proportionate manner wherever this is in the public interest.
- 1.2 The Care Inspectorate will pursue a range of options, as appropriate to each case, including:
 - pursuit of civil or criminal sanctions through the courts (in conjunction with CFS and as determined by the Counter Fraud, Bribery and Corruption Strategy)

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- internal disciplinary action against any employee committing fraudulent or corrupt acts using the Care Inspectorate's Disciplinary Policy
- recovery of losses by recovering assets owned by an employee or third party found guilty of committing fraudulent or corrupt acts through the Proceeds of Crime (Scotland) Act 1995 and POCA (Proceeds of Crime Act) legislation
- applying for sequestration where an individual has a poor history of paying
- recovery from any current salaries or by way of an earnings arrestment
- referral of any detected fraudulent or corrupt acts through to the relevant professional bodies as appropriate.

- 1.3 The Care Inspectorate condemns any breaches and abuses of its financial systems and procedures and is committed to deterring all such intentional breaches and abuses. In all cases where it is in the public interest, criminal or civil action will be taken by the Care Inspectorate in collaboration with the CFS as appropriate. Any cases where prosecutions are successful will be published in order to act as a further fraud and corruption deterrent.
- 1.4 We will, if satisfied that we have suitable grounds for doing so, seek to recover from any person or member of staff who has abused its financial systems and procedures, any losses incurred to the public purse.