

Protecting
your NHS



NHS Counter Fraud Service (Wales)

Good Practice in Investigations

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NHS CFS Wales



Cheryl Hill

**Deputy Operational Fraud Manager
&
Counter Fraud Specialist/Financial Investigator
NHS Counter Fraud Service (Wales)**

Content

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- Current structure, remit and strategy
- NHS CFS Wales resources
- Types of fraud in NHS Wales
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Background

- Welsh Government – committed to the reduction of fraud in all public services
- Delegated responsibility for NHS Wales via Annual Agreement with NHS Counter Fraud Authority (NHSCFA)
- Welsh Minister Directions 2001 & 2005

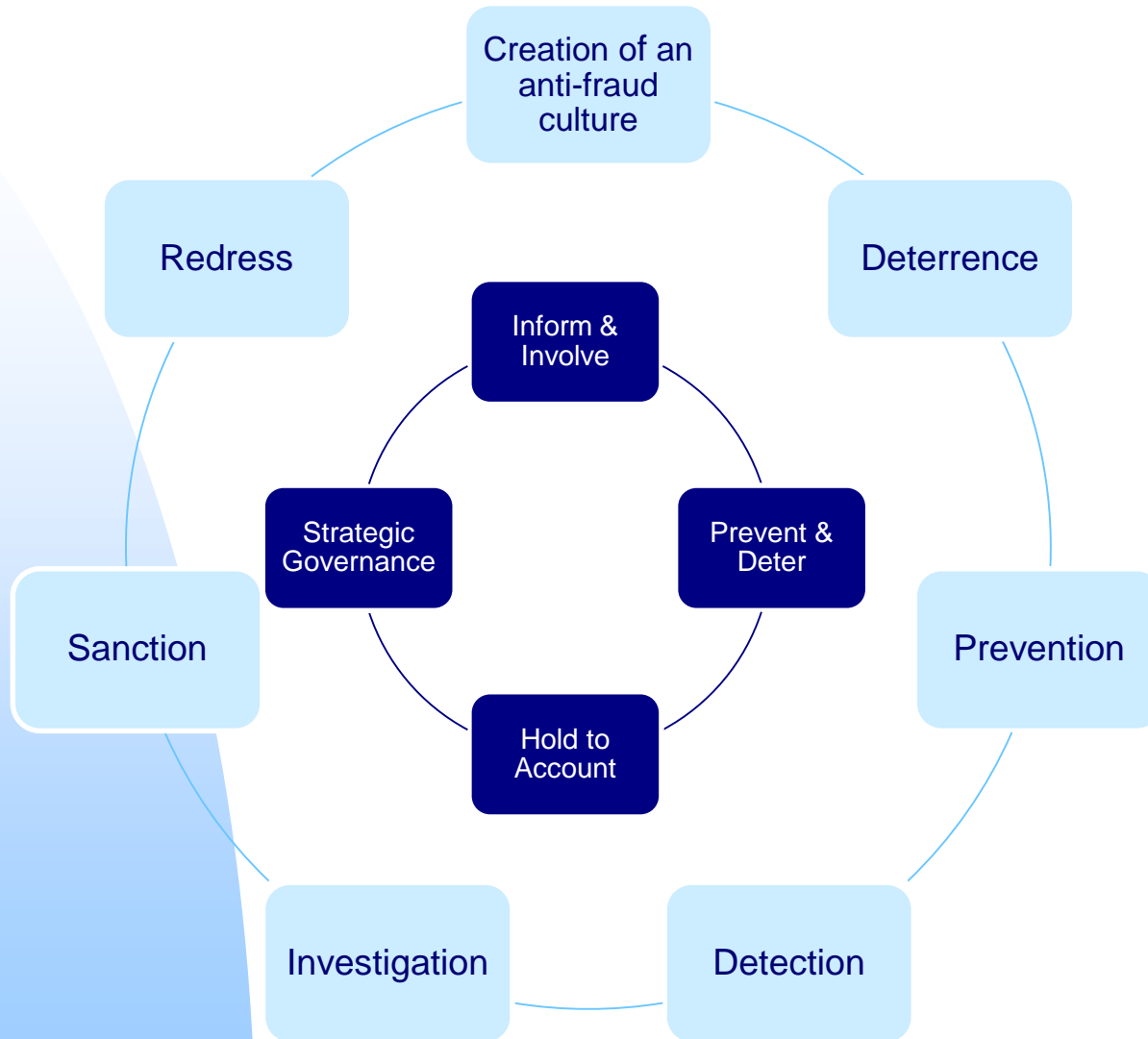
Three Layer Service

- **NHSCFA** – specialist support services eg FCU, Dental Advisor, Training, Intelligence etc
- **CFS Wales** – large scale complex economic crimes, multiple health bodies, cross border or require FI powers (POCA 2002). Provide support to the LCFS network
- **LCFS** – generally lower value, less complex cases, key proactive role – NHS Wales model differs from NHS England

Resources

- **NHSCFA** – Welsh Government pay for specialist operational support services.
- **CFS Wales** – 7 person team – all experienced investigators, two accredited Financial investigators – NWSSP – Funded via WG.
- **LCFS** – 20 LCFS who are all employed by NHS Wales, majority are experienced investigators - continue to maintain & improve standards

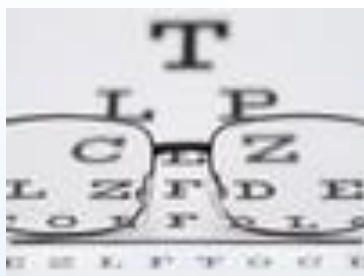
Counter Fraud Strategy



Investigative Tools

- **Mandatory Counter Fraud Accreditation**
- **FIRST - Case Management System**
- **All Wales LCFS Conferences**
- **Fraud & Corruption Reporting Line (FCRL)**
- **Inter Agency Working (Police, DWP, CPS etc)**

Types of NHS Fraud



- **Opticians** – bogus replacement claims for second pairs, tinted lenses, visits to residential homes.



- **Dentists** – over inflated or bogus claims for services to patients (UDAs)



- **Consultants** – treatment of Private Patients using NHS Resources, working privately during core NHS hours, setting up own companies to supply the NHS

Types of NHS Fraud



- **Pharmacists** – substituting cheap drugs for expensive drugs, falsely claiming emergency opening fees or additional dispensing fees



- **GPs** – Inflated QOF submissions, false prescriptions, relatives falsely included as practice staff, GP Practice Managers defrauding their own practice

Types of NHS Fraud

- **Patients** – False exemption from NHS charges, bogus travel expenses, multiple and false identities, alter genuine prescriptions, theft of GP prescription forms, health tourism



- **NHS Staff** – Working while on sick leave, false timesheets, false travel expenses, false details on job applications, bursary frauds





Case Examples

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NEWS

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Wales Wales Politics Wales Business North West North East Mid South West

NHS managers 'used names of U2 members in £700,000 fraud'

9 October 2018

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WALES NEWS SERVICE

Mark Evill, Robert Howells and Michael Cope are accused of defrauding Powys Teaching Health Board

Three men defrauded the NHS of £700,000 by awarding contracts to fake people in the names of U2 band members, a court has heard.

Mark Evill, 47, and Robert Howells, 65, of Chepstow, and Michael Cope, 42, of Merthyr Tydfil, all deny fraud.

The three were employed as managers with Powys Teaching Health Board.

Merthyr Tydfil Crown Court heard they awarded contracts worth more than £700,000 for work at hospitals between February 2014 and August 2015.

Procurement Fraud

- **Mark Evill agency project manager at Powys LHB, set up George Morgan Ltd**
- **Used his position at Powys LHB to obtain NHS contracts worth £822k for GM Ltd**
- **Used names from U2 – his favourite band, to provide fake quotes on the projects**
- **Corrupted NHS Estates managers Howells and Cope who managed the contracts**
- **Three men jailed at Merthyr Crown Court in Nov 2018 for a total of 14 years**
- **Loss to NHS £1.2 Million, their assets are currently being recovered under POCA**

Cardiff fraud doctor Anthony Madu jailed over £70k NHS fraud

13 June 2017 | South East Wales



A disgraced doctor who failed to pay back more than £70,000 he swindled from the NHS has been jailed for two years.

Gynaecologist Dr Anthony Madu, 46, secretly carried out locum work at hospitals while firstly suspended and later on paid sick leave from Cardiff and Vale University Health Board.

Working whilst on Sick Leave

- Working whilst on sick leave
- £48k paid for sick leave (C&V UHB)
- Earned over £60k elsewhere across UK
- Found guilty of 6 fraud offences by a jury after a 3 week trial at Cardiff Crown Court
- 2 years imprisonment suspended for 2 years, 150 hrs community service
- £73k confiscation order under Proceeds of Crime Act (POCA) with 6 months to pay.
- Failed to pay – Sentenced to 2 years imprisonment.
- GMC struck off Medical Register

20 December 2013 Last updated at 17:18



Llandrindod Wells dentist jailed for £48,000 fraud



Venter had been "highly thought of" in Llandrindod Wells

A dentist "driven by greed" who falsely claimed almost £48,000 for work on NHS patients has been jailed for 18 months.

Jochemus Hermanus Venter, 55, charged for £300 crowns when all he did was fillings and also put in bills for non-existent work.

Venter made more than 200 overpriced claims for both dental and orthodontic treatment at his practice in Llandrindod Wells, Powys.

He had admitted eight counts of false accounting at Cardiff Crown Court.

The claims totalling £47,947.43 were made between April 2006 and July 2010.

Dentist

- **Llandrindod wells Dentist submitted false claims for treatment**
- **Split courses of treatment and claimed two fees rather than one**
- **Claimed for Orthodontic treatment but supplied only a gum shield**
- **Claimed for treating patients who did not attend their scheduled appointment**
- **£48,000 defrauded**
- **Jailed for 18 months**
- **£78,000 recovered including costs**
- **GDC struck off**

NHS manager 'showjumped on sick leave'

Frances Gibb, Jonathan Amos

A manager at an NHS laboratory illegally claimed months of sick pay while competing in equestrian events, a court has been told.

Elise David, 33, allegedly said that her back hurt too much to work but rode in four competitions, including jumping, in South Wales and Wiltshire in 2016.

She had started work in January the previous year as a quality manager at the Surgical Materials Testing Laboratory (SMTL) at the Princess of Wales Hospital in Bridgend, earning £49,000.

Nigel Fryer, for the prosecution, told Newport crown court that Ms David did not arrive for work after falling off a horse on June 5, 2016. She contacted her employers to say that she had "injured her back and was struggling to walk", he said.

"David was off work for the next four months but at that time she was taking part in dressage, cross-country and showjumping competitions," Mr Fryer said. "She called in on September 6 that year and stated she was still having difficulty walking and could not drive."

The jury was told that she underwent occupational health examinations to determine her fitness to work days after competing at events. Witnesses said that Ms David appeared to shuffle, "her gait was timid" and that she walked with a stick at the checks.

The court was told that she did not reveal that she had taken part in the equestrian events before a phased return to work in October 2016. She resigned four months later and left in April 2017. Three months later her former colleague Jess Bodman, an IT analyst at the laboratory, discovered Ms David's name on the British Eventing website, the jury was told.

Mr Fryer said that the website displayed results from the time that Ms David was off sick, showing that she had taken part in events in Chepstow, Monmouthshire, and Calmsden, Wiltshire, in July 2016 on Caereau

Freeway, her 16.2hh gelding, then aged seven. The website also revealed that she then competed in Monmouth and Trowbridge, Wiltshire, that September, at the same time that she was getting sick pay, the court was told.

Ms Bodman reported her findings to Gavin Hughes, the laboratory's technical manager, the jury was told. The findings were referred to the fraud team at Abertawe Bro Morgannwg University Health Board.

The NHS investigators uncovered registration for several events during her sick leave under the name Anne Davies, with details matching Ms David's home and email addresses.

During an interview with the investigators, Ms David insisted that the registration under that name was not her and was instead the name of a "good friend". She later admitted that the registration under Anne Davies was in fact her, the court was told.

When she was shown photographs that investigators believed to be of her at the events in Chepstow and Calmsden, Ms David refused to confirm that she was the rider pictured, the jury was told. She said: "To be honest, these days people photoshop everything. I can't be sure."

She initially denied owning Caereau Freeway but later acknowledged inadvertently that the horse belonged to her, it is alleged.

Anna Thomas, Ms David's GP, confirmed that it was her professional opinion that the manager had been unfit for work or horse riding.

"If I told her to get back on her horse it would have been a comment for the future because she was not fit enough at that point," Dr Thomas said. "I gave her a sick note because she was not fit to return to work."

The SMTL carries out checks on medical equipment for the Welsh NHS, testing products such as dressing and syringes before their purchase.

Ms David, of Nottage, Bridgend, denies committing fraud between July and October 2016. The trial continues.



Elise David during the period that she is alleged to have fraudulently claimed sick pay. She claimed that the pictures may have been faked, but the court was told they were not.

Sick Leave Fraud

- A quality manager in the NHS Surgical Materials Laboratory in Bridgend
- Annual salary over £50,000 pa
- Left February 2017 – Requested removal of her personal details
- Internet Search conducted - Link to DAVID'S horse jumping and eventing results - summer 2016
- Covered a sick period – Bad Back
- Enquiries with British Eventing & Official photographs
- Pleaded not guilty – Trial
- Guilty

NHS CFS Wales

Operational Statistics

- **Total referrals** **2126**

- **Sanctions:**
 - ◆ **Criminal Convictions** **201**
 - ◆ **Civil** **403**
 - ◆ **Disciplinary** **390**

- **Total Recovered for NHS Wales: £7.9m**

- **Deterrent Factor?**

Thank You – Questions ?

Cheryl Hill

NHS CFS Wales

Tel: 01495 334104

Email: cheryl.hill@cfsms.gsi.gov.uk

FCRL 0800 028 4060 or www.cfa.nhs.uk