

Circular

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Who should read	Local Counter Fraud Specialists Directors of Finance Local Security Management Specialists Security Management Directors
Action	For information only
Relevant documents and standards	n/a

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Summary

This circular provides an update on NHS Protect following the information circulated to you in February 2016 (C/G/13/2015-16) and October 2016 (C/G/07/2016-17).

Background

As you will be aware, since November 2014 NHS Protect has been subject to a review of its functions and services by the Department of Health (DH), the conclusions of which were communicated to you in February 2016. As a result of the review outcome and the impact of the comprehensive spending review, NHS Protect was required to change the way in which its services would be delivered in the future. Part of this review work at DH has been to secure a future for our organisation and one of the options considered by DH and other key stakeholders was for it to become an independent body.

New special health authority

It has been agreed in principle by DH that NHS Protect becomes a special health authority to take forward counter fraud work for the NHS. NHS Protect staff are now being consulted over this proposal and further information will be provided as soon as possible with regards to this position. This new authority would be charged with the prevention, detection and investigation of fraud, bribery and corruption across the NHS.

The recent review and restructure of NHS Protect has prepared the organisation to be transferred as a whole to the new authority.

Implications for current NHS Protect services

More information on the new authority will be circulated in due course. However, the information provided below may be helpful to you in addressing some queries you may have.

It is anticipated that the new authority will:

- develop its national intelligence function leading on counter fraud matters across the NHS. To deliver a focus on targeting areas of fraud that represent the greatest financial loss or fraud risk to the health group, we will expand intelligence and analysis functions to support all intelligence-led fraud reduction work and economic fraud investigation. Through the enhanced intelligence and analysis function, the authority will form the evidence base upon which standards and a compliance regime can be developed to identify where crime reduction action is most needed to drive improvements locally. The Intelligence Unit will take on the FIRST case management functions for

the receipt, allocation and closure of Information Reports (fraud referrals) and investigation cases; this includes cases requiring submission to the Tactical Tasking and Coordination Group for consideration of investigation by the authority.

- ensure NHS boards take full responsibility for local counter fraud risk, and that this work is monitored and improvements delivered. As a result, Local Support and Development functions as they exist currently will be discontinued from 1 April 2017. Although local Area Anti-fraud support and advice services will no longer be provided, a Crime Reduction Unit is being established to design fraud prevention solutions and develop guidance for local specialists and NHS organisations on countering fraud. This will be available via an enhanced website and extranet, including the development of an online library of resources. A dedicated email inbox will also be set up for anyone with questions or requiring guidance and information.
- continue to retain its National Investigation Service (NIS), including its financial investigation and forensic computing capability. NIS will retain functions that support the pursuit of sanctions against those who commit fraud against the NHS. Criminal proceedings will still be progressed through the Specialist Fraud Division of the Crown Prosecution Service (CPS). NHS Protect has in place a memorandum of understanding with CPS for the prosecution of NHS fraud. This will continue as part of the authority. NIS will check local prosecution files to ensure that necessary documents are in place in accordance with CPS's national file standards before onward transmission via FIRST. A dedicated email inbox will also be set up in due course for the submission of CFS13 forms.
- enable the delivery of the work above via its Business Support function which includes the development of bespoke IT support systems; information technology services; and organisational development, media and engagement functions.
- no longer deliver the Accredited Security Management Specialist (ASMS) training course. Standard 1.3 in both commissioner and provider standards requires that 'The organisation employs or contracts a qualified, accredited and nominated security specialist(s) to oversee and undertake the delivery of the full range of security management work.' NHS Protect has passed its training material and the delivery of the course to the private sector who are currently preparing for delivery from April 2017 onwards. Currently listed applicants for the course held by NHS Protect will be offered the chance to complete the on-line learning part of the course through NHS Protect until 31 March 2017 and the opportunity to have their contact details passed to the Professional Accreditation Board who hold records of accredited providers. Thereafter this will no longer be available to new applicants, who should seek

to gain accreditation through the providers directly. Contact details for these providers will be shared with you in due course.

- not be tasked with the security management remit. From 1 April, as previously advised, NHS Protect will no longer provide Local Support and Development Services, the primary responsibility for security management work remaining with the boards of local NHS organisations. As the detailed work to progress the creation of a special health authority is undertaken, discussions about national oversight for security management will be ongoing. Further information will be provided in due course when this becomes available. A dedicated email inbox will be set up for anyone with questions or requiring guidance and information.

Contact details

If you have any queries about the content of this circular, please email transition@nhsprotect.gsi.gov.uk