

1. Policy Statement

NHSBT and the people who work with and for us, collaborate closely with other organisations, delivering high quality care for our patients. These partnerships have many benefits and should help ensure that public money is spent efficiently and wisely. However, there is a risk that conflicts of interest may arise.

The organisation and individuals have a duty to ensure that all our dealings are conducted to the highest standards of integrity and that money is used wisely.

NHSBT is committed to the prevention, deterrence and detection of fraud, bribery and corruption and maintaining an honest, open and well-intentioned culture. We have zero tolerance of any such acts and we expect those organisations we work with to do the same. We are committed to its elimination and the rigorous investigation of cases and ensuring that appropriate sanctions for redress are pursued. This includes the use of criminal and civil law to fully recover any losses and the publication of cases. Doing business in this way enables us to reassure our donors, employees and stakeholders, that public funds are properly safeguarded.

When using this policy, you should also refer to the supporting FAQ's.

This policy applies to:

- all employees including executive and non- executive directors
- agency workers
- volunteers
- suppliers
- members of the public
- contractors
- all prospective employees
- committee, sub-committee and advisory group members (who may not be directly employed or engaged by NHSBT).

All the above are required to declare any potential conflicts of interest.

The policy sets out how to report concerns; how a case is investigated and how we manage cases proven on the balance of probability.

2. The Process

Bribery and Corruption

Bribery is considered to be a criminal offence under current legislation. We do not, and will not, pay or accept bribes to offer or receive inducements to anyone for any purpose.

Bribery offences include:

- bribery of another person
- accepting a bribe
- bribing a foreign official
- failing to report or prevent bribery

If we believe an individual has acted for personal gain, this will be investigated under the Disciplinary policy (including consideration of suspension from duty) and, if appropriate, may be referred to the police for criminal investigation and prosecution.

If you suspect Bribery and/or Corruption

Should you become aware of or have a suspicion of bribery, you should talk to your manager or manager's manager, or if this is not possible, contact [HR Direct](#).

You may also follow the process contained within the [Whistleblowing Policy](#).

The matter will be reported to the Finance Director, and fully investigated with the support, if appropriate, of the Local Counter Fraud Specialist. Any investigation will be conducted using the Disciplinary Policy. The Finance Director will ultimately decide if the matter should be reported to the police for criminal investigation and advise the Chief People Officer and Governance Assurance Committee, of any investigation.

If you are suspected of Bribery and/or Corruption

Depending on the severity of the case, this will normally be fully investigated by an independent manager not previously associated with the case and may be supported by the Local Counter Fraud Specialist, or, national NHS Counter Fraud Specialists, and by a nominated HR Consultant. This will be in line with the Disciplinary Policy. If there is any bribery and/or corruption identified, this normally will be referred to the police and any criminal investigation will run alongside any internal disciplinary process.

If proven, this may result in criminal prosecution, with the potential outcome of imprisonment. We will also take the necessary steps to recover any losses we may have incurred, through criminal or civil courts.

NHSBT may report any allegation or case proven on the balance of probability to any appropriate professional body, though this will always be considered in accordance with the code of practice of that body.

In addition, we may refer any case proven on the balance of probability to the Secretary of State for Health and Social Care, who may revoke as a whole or in part any NHS pension benefits.

Fraud

Public funds must be used properly, so it is important that we are all aware of the fraud risks and how we minimise them.

To prevent fraud, we have strong systems of internal control which are reviewed by internal audit and NHS Protect; we continuously assess the risk of fraud, which is managed through the annual Counter Fraud plan.

We all have a responsibility to report suspected fraud; we will investigate cases and robustly manage proven cases.

Common types of fraud can be and include*:

- Travelling and Subsistence Allowances
- Pay Related
- Procurement Process

- Payment process
- Personnel Management
- Income related
- Data related

*This list is not exhaustive

If you suspect Fraud

If you believe you have good reason to suspect an employee, donor, patient or other person of fraud or an offence involving NHSBT, you can contact one of the following:

- NHSBT's Local Counter Fraud Specialist – 0113 820 5937
- NHS Counter Fraud Authority - 0800 028 40 60 or cfa.nhs.uk/reportfraud
- HR Direct 0117 322 7700 or click here: [HR Direct](#)

It is important that no employee suffers or is disadvantaged as a result of their suspicions. Victimisation or deterring employees from reporting their concerns (or the raising of malicious/false allegations) will be investigated and managed under the Disciplinary Policy.

If you are suspected of Fraud

Depending on the severity of the case this will normally be fully investigated by the local counter fraud specialist, or, national NHS counter fraud specialists, supported by a nominated HR Consultant. This will be in line with the Disciplinary Policy. If there is any fraud identified, this normally will be referred to the police for any criminal investigation (external). An internal and external investigation may take place as a single or as a dual process: the interrelation of the two processes may be dictated by the counter fraud specialist or by the police.

If proven, this may result in criminal prosecution, with the potential outcome of imprisonment. We will also take the necessary steps to recover any losses we may have incurred, through criminal or civil courts.

NHSBT may report any allegation or case proven on the balance of probability to an appropriate professional body, though this will always be considered in accordance with the code of practice of that body.

In addition, we may refer any case proven on the balance of probability to the Secretary of State for Health and Social care, who may revoke as a whole or in part any NHS pension benefits.

Identification and declaration of interests (including gifts and hospitality)

Any of the groups mentioned in section 1 should identify and declare material interests (see FAQ's for examples and further information) at the earliest opportunity (and in any event within 28 days). If you are in any doubt as to whether an interest is material then you should declare it, so that it can be considered. Declarations should be made:

- On appointment with the organisation.
- When you move to a new role or your responsibilities change significantly.
- At the beginning of a new project/piece of work.
- As soon as circumstances change and new interests arise (for instance, in a meeting when interests you hold are relevant to the matters in discussion).

Declaring Information

You should declare information as soon as you become aware. In addition, we will regularly prompt our employees to ensure that information is being shared with us. When declaring any information required you should complete a [Declaration of Interests](#) form accessed by logging in to [MyESR](#) (information can be found on [People First](#)), which will ask you to complete all relevant sections. This information is held confidentially with Finance and will be made available for inspection on request.

After expiry, an interest will remain on our register for a minimum of 6 months and a private record of historic interests will be retained for a minimum of 6 years.

You should make your manager aware of any material interests you declare.

If you suspect a breach

If you believe you have good reason to suspect an employee of a breach of this policy you can contact one of the following:

Corporate Financial Accountant – 0113 820 5951

- NHSBT's Local Counter Fraud Specialist – 0113 820 5937
- NHS Counter Fraud Authority - 0800 028 40 60 or cfa.nhs.uk/reportfraud
- [HR Direct](#) (0117 322 7700)

It is important that no employee suffers or is disadvantaged because of their suspicions. Victimisation or deterring employees from reporting their concerns (or the raising of malicious allegations) will be investigated and managed under the Disciplinary Policy.

If you are suspected of a breach

Depending on the severity of the case this will normally be fully investigated by an independent manager not previously associated with the case and may be supported by the Local Counter Fraud Specialist, or, National NHS Counter Fraud Specialists, and by a nominated HR Consultant. This will be in line with the Disciplinary Policy.

If an interest is declared but there is no risk of a conflict arising, then no action is warranted. However, if a material interest is declared then the general management actions that could be applied include:

- restricting the employee's involvement in associated discussions and excluding them from decision making
- removing them from the whole decision-making process
- removing their responsibility for an entire area of work
- removing them from their role altogether if they are unable to operate effectively in it because the conflict is so significant

Each case will be different and we will always clarify the circumstances and issues with you. Managers should maintain a written audit trail of information considered and actions taken.

We will learn from your concern

The focus of any investigation will be on improving the service we provide to donors and patients. Where an investigation takes place, a report with recommendations will be produced. Where it identifies improvements that can be made, these will be owned by the appropriate Director and will be tracked to ensure necessary changes are made, and are working effectively. They will provide regular updates to the board as to how any recommendations are being implemented. Lessons will be shared with teams across the organisation, or more widely if appropriate.

The Board and Governance Assurance Committee (GAC) will be given high level information about all breaches raised through this policy and what we are doing to address any problems. An annual report containing information on all breaches including for example investigation approach, outcome and recommendations will be produced for the board and GAC.

3. Policy Approval and Review

Policy version	UCD/People/Anti-Fraud/032v3.0
Title	Anti-Fraud, Bribery and Corruption Policy
Approved by SPC	18 th May 2023
EIA completed	10 th July 2023
Counter Fraud check	24 th May 2023
This document replaces	UCD/People/Anti-Fraud/032v2.0
Effective Release Date	May 2023
Review Date	May 2027
Author	Matt Selwood/Maxine Spivey
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