

Document History

Document Owner The owner of this document is: David McCallum (Director of Corporate Services)**

Document Location This document is only valid on the day it was printed and the electronic version is located Z: Drive - Policies/ Fraud.

Document Status The current status for this document is Final

Revision History Date of next revision: June 2017

Version number	Revision date	Previous revision date	Summary of changes	Changes marked
1.0	04-06-10		Inclusion of Annex D	Change accepted
1.1	06-03-11		Inclusion of reference to DAHG	Changes accepted
2.0	16-06-11		To comply with DCAL Policy	
2.1	27-06-11		To take account of comments from Audit & Risk Committee	
3.0	24-04-13		Contact Details	
4.0	20-08-13		What not to do in reporting a fraud	**
5.0	23-04-14		Addresses and name updates	
6.0	02-12-15		New SLA	In red

Approvals This document requires approvals to be signed off and filed in project files

Name	Signature	Responsibility	Date of issue	Version
DCAL Governance Support Unit (GSU)	N/A	N/A	04-06-10	1.1
Hazel Campbell		CEO	02-09-10	1.1
Policy Sub Committee				
Board			12-06-14	4.0
Board			10/12/15	5.0

Distribution This document has been distributed as follows

Name	Responsibility	Date of issue	Version
DCAL Governance Support Unit (GSU)	C. Martin	03-06-10	1.0
Ulster-Scots Agency Executive	C. Martin	03-06-10	1.0
Ulster-Scots Agency Board	C. Martin	22-06-10	1.1
Audit and Risk Committee	CEO	16.06.11	2.0
Agency Board	CEO	27-06-11	2.1
All USA Staff	DOCS	13-06-14	4.0
Agency Board	DOCS	10-12-15	5.0
Agency Staff	DOCS	03-02-16	5.0

--	--	--	--

Introduction

1. The Agency has prepared this Fraud Response Plan to act as a procedural guide and provide a checklist of the required actions, which **must** be followed, in the event of a fraud, or attempted fraud, being suspected.
2. Adherence to this plan will ensure that timely and effective action is taken to prevent further losses, maximise the recovery and minimise recurrence of losses, identify the fraudsters and maximise the probability of success if any disciplinary/legal action taken.
3. This document relates to fraud and loss within the Agency, Groups to whom it gives grants and its core funded bodies and applies to all monies for which the Agency is accountable.
4. The Agency requires all staff, at all times, to act honestly and with integrity, and to safeguard the public resources for which they are responsible. Fraud is an ever-present threat to these resources and must be a concern to all members of staff. The Agency takes a **zero tolerance** approach and will not therefore tolerate any level of fraud or corruption; consequently, Agency policy is to thoroughly investigate all suspected frauds and allegations (anonymous or otherwise) and where appropriate, refer to Central Investigations Services at the earliest juncture and seek recovery of all losses, if necessary through civil action. The Agency is also committed to ensuring that opportunities for fraud and corruption are reduced to the lowest possible level of risk.

DEFINITION OF FRAUD

5. Fraud is when someone obtains financial advantage or causes loss by implicit or explicit deception.
6. Fraud is not a victimless crime and is generally used to describe such acts as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion.
7. Computer fraud is where information technology (IT) equipment has been used to manipulate computer programs or data dishonestly (for example by altering or substituting records, destroying or suppressing records, duplicating or creating spurious records), or where the existence of an IT system was a material factor in the perpetration of fraud (i.e. where the fraud was unlikely to have occurred if there had been no IT system). Theft or fraudulent use of computer facilities, computer programs and the Internet is included in this definition. The suspicion that any of these acts have taken place should be regarded as potentially fraudulent.

The Fraud Act 2006 came into effect on 15th January 2007. The Act states that a person is guilty of fraud if someone is in breach of any of the following:

7. **Fraud by false representation**, i.e. if someone dishonestly makes a false representation and intends by making the representation to make a gain for himself or another, or to cause loss to another or expose another to risk of loss;
8. **Fraud by failing to disclose information**, i.e. if someone dishonestly fails to disclose to another person information which he is under a legal duty to disclose and intends, by means of abuse of that position, to make a gain for himself or another, or to cause loss to another or expose another to risk of loss; and
9. **Fraud by abuse of position**, ie if someone occupies a position in which he is expected to safeguard, or not to act against, the financial interests of another person, and he dishonestly abuses that position, and intends, by means of the abuse of that position, to make a gain for himself or another, or to cause loss to another or to expose another to a risk of loss.
10. The Agency's Accounting Officer is responsible for establishing and maintaining a sound system of internal control that supports the achievement of departmental policies, aims and objectives. The system of internal control is designed to respond to and manage the whole range of risks that faces the Agency. The system of internal control is based on an on-going process designed to identify the principal risks, to evaluate the nature and extent of those risks and to manage them effectively. Managing fraud risk will be seen in the context of the management of this wider range of risks.
11. Overall responsibility for managing the risk of fraud has been delegated to the **Director of Corporate Services**.

Responsibilities include:

- (a) Establishing an effective anti-fraud policy and fraud response plan, commensurate to the level of fraud risk.
- (b) Designing an effective control environment to prevent fraud.
- (c) Establishing appropriate mechanisms for:
 - Reporting fraud risk issues;
 - Reporting significant incidents of fraud to the Accounting Officer;

- Staff to report all instances of suspected or actual fraud to Internal Audit, and the Sponsor Departments;
- Reporting externally to Northern Ireland Audit Office (NIAO)
- Coordinating assurances about the effectiveness of the anti-fraud policy and fraud response plan to support the Statement on Internal Control;

(f) Making sure that all staff are aware of the organisation's anti-fraud policy and know what their responsibilities are in relation to combating fraud.

- (g) Ensuring that appropriate action is taken to minimise the risk of similar frauds occurring in future.
- (h) Appropriate pre-employment screening measures are undertaken;
- (i) Anti-fraud awareness training is provided as appropriate and, if necessary, more specific anti-fraud training and development is provided to relevant staff.
- (j) vigorous and prompt investigations are carried out if fraud occurs, is attempted or is suspected.
- (k) Where appropriate, legal and/or disciplinary action is taken against perpetrators of fraud.
- (l) Where appropriate, disciplinary action is taken against supervisors where supervisory failures have contributed to the commission of fraud.
- (f) Where appropriate, disciplinary action is taken against staffs who fail to report fraud.
- (g) Appropriate action is taken to recover assets and losses.

The overarching theme of this plan is ***'IF IN DOUBT, ASK FOR ADVICE'***. This applies at any point in an investigation. Details of contacts are provided at Annex A.

11. The Agency's Northern Sponsor Agency, DCAL; is subject to a Service Level Agreement (SLA) in place with the **Group Internal Audit and Fraud Investigation Service** which was set up 1 April 2015. The Agency will work with **Group Internal Audit and Fraud Investigation Service** to ensure the completion of investigations in accordance with the requirements of the Police and Criminal Evidence (Northern Ireland) Order 1989. The SLA is attached at Annex B. Full details of roles and responsibilities are contained in the document.
12. DCAL has also agreed a Memorandum of Understanding (MoU) with the Police Service of Northern Ireland (PSNI) Fraud Unit, Strandtown for the Public Sector. The MoU provides a basic framework for the working relationships between the NI Public Sector and the PSNI in respect of the investigation and prosecution of suspected fraud cases. ***The Agency's contact with the PSNI will be managed through CIS.***

Preliminary Stage

13. In the event of a fraud, attempted fraud or other illegal act being suspected, the officer should immediately report the matter to their line manager/ Director. ****The officer should in no circumstances attempt to investigate the fraud themselves.** If there is concern that line management may be involved, the matter should be reported to the next appropriate level. The Chief Executive should be informed and the Sponsor Departments notified. Where confidentiality is sought, staff may report their suspicions direct to **the Group Internal Audit and Fraud Investigation Service** through the Hotline, **(Public Concern at Work Hotline 02077 4046609 raisingconcerns@dcalni.gov.uk)**. The Hotline operates 24/7 and all information received is treated in strictest confidence.
14. Whether allegations are made directly to line management or via DARD CIS (eg fraud hotline or anonymous letters), it is for line management to undertake an initial fact-finding exercise. This discreet preliminary enquiry should be carried out as speedily as possible and certainly initiated within 24 hours of the suspicion being raised.
15. The purpose of the initial fact-finding exercise is to determine the factors that gave rise to suspicion and to clarify whether a genuine mistake has been made or if it is likely that a fraud has been

attempted or occurred. This may involve discreet enquiries with staff or the examination of documents. **It is imperative that such enquiries should not prejudice subsequent investigations or corrupt evidence, therefore, IF IN DOUBT, ASK FOR ADVICE.** The Head of CIS or deputy can be contacted for advice on how to correctly proceed at the preliminary enquiry stage and on what further enquiries are necessary. Annex A provides contact details.

16. If the preliminary enquiry confirms that a fraud has not been attempted nor perpetrated, but, internal controls are deficient, management should review their control systems with a view to ensuring they are adequate and effective, and where relevant the Risk Management Framework should be updated and, where appropriate, the Agency Risk Register. Internal Audit is available to offer advice and assistance on matters relating to internal control, if required and subject to CEO approval.

Formal Reporting Stage

17. If the preliminary enquiry

- confirms the suspicion that a fraud has been attempted or perpetrated;
- or
- does not provide sufficient evidence but fraud is still suspected

then management must ensure that all original documentation is preserved in a safe place for further investigation. This is to prevent the loss of evidence, which may be essential to support subsequent disciplinary action or prosecution.

18. The fraud report pro-forma (Annex C) should be completed as soon as possible by the Director of Corporate Services, and copied to the A&RSC, Internal Audit and the Sponsor Agencies. The Agency Board will also be informed.
19. The Agency will formally notify:
 - The NIAO of the suspected fraud and keep them updated as the case progresses;
 - The Head of CIS of the suspected fraud and seek advice as to how the investigation of the suspected fraud investigation should proceed.

The Sponsor Agencies will notify their respective Agencies of Finance as necessary.

20. An urgent meeting of the Agency's Fraud Investigation Oversight Group (FIOG) should be convened to determine and record the action to be taken. This comprises of Chair of the Audit & Risk Committee, Head of Internal Audit, Head of CIS, the Agency CEO and the Director of Corporate Services. DCAL's Head of Governance, Head of Sponsoring Branch, representative from DAHG and the line management of the business area concerned may be invited to attend if appropriate.
21. If the Head of CIS advises that the investigation has criminal implications then he will attend the FIOG and lead on the investigation.
22. The Agency must provide at least a fortnightly update on the progress of the case to the Sponsor Agency's— with more frequent updates depending on the significance of the case.
23. To remove any threat of further fraud or loss, management should ***immediately*** change/ strengthen procedures and if appropriate, suspend any further payments pending full investigation.
24. The FIOG will decide on the appropriate course of action including the full formal investigation arrangements. The scope of the investigation should be determined by the Head of CIS, in line with the terms of SLA. Should the Head of CIS advise that further expertise is required, eg Solicitors, Forensic Accountants/Engineers, the Agency will engage the appropriate assistance.
25. The FIOG should agree the Terms of Reference for the investigation with the Head of CIS and an oversight/checkpoint plan for the various stages of the investigation. The level of detail relayed to the A&RSC on the progress of an investigation will be such as not to compromise or prejudice the outcome. The Terms of Reference will include appropriate and realistic timelines and progress against these will be monitored by the A&RSC.
26. The FIOG should ensure the following best practice guidance is applied during the investigation:
 - Details of all meetings held to progress an investigation, whether formal or informal, should be recorded. This is separate to the specific requirement to appropriately document and record interview for evidentiary purpose.
 - An investigation log will be maintained by the Director of Corporate Services in order to record progress and significant occurrences.

- All aspects of the suspected officer's work should be considered for investigation, not just the area where the fraud was discovered. Sample or full testing of this work may be required – consideration of use of Internal Audit should be given.
- The investigation will obviously cover the period the officer was responsible for the processes under investigation but consideration should also be given to **investigating earlier periods of employment**.
- Potential evidence, including computer files and record of amendments relevant to the case **should be retained securely** and not disposed of per the normal routine procedures for disposal.
- Control weaknesses discovered in procedures during the investigation should be **strengthened immediately**.
- The extent, if any, of **supervisory failures** should be examined.
- Consideration should be given to the audit of internal processes and procedures by Internal Audit, and the Agency Audit Plan updated accordingly.

Liaison with the Police Service of Northern Ireland

27. The FIOG should ensure that legal and/ or police advice is sought where necessary based on the advice of DARD CIS. DARD CIS, on behalf of the Agency will lead on liaisons with the Police Service of Northern Ireland Organised Crime, based at Knocknagoney PSNI Station, Belfast in line with the agreed terms contained in the MOU. PSNI is available to give advice and/or guidance in cases where fraud is suspected. Where actual or attempted fraud is confirmed and is of a large or complex nature, the PSNI Organised Crime Branch is capable of carrying out investigations. Smaller cases may be referred to the local police.

Post Event Action

28. Where a fraud, or attempted fraud, has occurred, management must make any necessary changes to systems and procedures to ensure that similar frauds or attempted frauds will not recur. Additionally, if an Agency employee is suspected of involvement, the A&RSC/Agency Board will consider the appropriate course of action. This may range from close monitoring/ supervision to precautionary suspension, however, it should be noted that suspension does not in any way imply guilt. Paragraphs 25-28 of the Agency's Fraud Prevention Policy also refer.

29. Where appropriate a lessons learned report will be compiled by the Director of Corporate Services, agreed by the FIOG copied to A&RSC and placed on file and circulated to staff as appropriate.
30. Internal Audit is available to offer advice and assistance on matters relating to internal control, if considered appropriate. Requests for support from Internal Auditors should be made to the Director of Corporate Services and approved by the Chief Executive.

Communication

31. The following communications should be observed in all cases:
- The Agency's A&RSC should be kept informed of developments during the investigation;
 - A lessons-learned document should be circulated throughout the Agency and shared with both Sponsor Agencies (North and South), if appropriate;
 - This Fraud Response Plan should be reviewed to determine whether it needs to be updated and if so, changes should be circulated throughout the organisation;
 - Internal Audit should be kept up to date with any investigations.

Conclusion

32. Any queries in connection with this response plan should be made to the Director of Corporate Services.
33. Advice and assistance on risk management/ internal control issues can be sought from the Agency's Internal Audit, requests for assistance should be made through the Director of Corporate Services and approved by the Chief Executive.
34. Current contact details for officers referred to above are provided in Annex A.

ANNEX A**CONTACT DETAILS**

Name	Designation	Contact
Ian Crozier	Chief Executive Ulster-Scots Agency	028 90 261980
David McCallum	Director of Corporate Services	028 90 891789
Tom Scott	Chairperson Ulster-Scots Agency	t.scott@ntlworld.com
David Carson	DCAL Director of Finance	028 9051 5174
Denis McMahon	Accounting Officer DCAL	
Stephen Shimmon	DCAL Sponsor Branch	02890 515050
Michelle Anderson	Group Head of Internal Audit and Fraud Investigation Services	028 91858249 Michelle.anderson@dfpni.gov.uk

SERVICE LEVEL AGREEMENT

FOR THE PROVISION OF

FRAUD INVESTIGATION SERVICES

TO THE DEPARTMENT OF CULTURE, ARTS AND LEISURE

1 April 2015 - 31 March 2018

1. INTRODUCTION

1.1 The purpose of this Agreement is to set out the basis on which the Service Provider (NICS Group Internal Audit and Fraud Investigation Services – “the Group”) will deliver the service to the Client. It specifies the nature of, quality of, required outputs and monitoring arrangements for the service to be provided and the basis of costs. It also outlines the responsibilities of the Client with regard to the provision of information, compliance with procedures etc. in order for the Service Provider to deliver an efficient service. Although this Agreement has no legal effect, the Client and Service Provider will act in accordance with the Agreement.

1.2 This Agreement reflects the establishment of the Group model for the provision of Fraud Investigation Services for NICS departments, their agencies and relevant Arm’s Length Bodies (ALBs) who are part of it. A list of the Department’s sponsored bodies covered by this Agreement is included at Schedule 1.

1.3 Under the Group model qualified fraud investigation staff are employed within the Group Service’s central resources, located in DFP. These staff are line managed by the Group Head of Internal Audit and Fraud Investigation Service – “the Group Head”.

1.4 Although located in DFP, neither the Group Head nor Fraud Investigation staff have any reporting responsibility back to DFP on individual investigations they undertake. In all cases, Group Service Fraud Investigation staff carry out their activities, reporting and being accountable to the relevant departmental Accounting Officer or other organisational Accounting Officer who has engaged them to undertake the investigation.

1.5 In line with Managing Public Money (NI) the relevant Accounting Officer remains at all times responsible for determining when investigations should be undertaken and for key management decisions taken in respect of individual cases. Group Service staff will conduct fraud investigations where required and will provide advice to the Client as to the recommended course of action. Such decisions are the responsibility of the relevant Client.

2. OBJECTIVES

2.1 The objectives of this Agreement are to formalise the operational requirements, to define the obligations of the parties to it, and to promote a flexible, co-operative arrangement.

3. CLIENT AND SERVICE PROVIDER DETAILS

3.1 The Client is the Department of Culture, Arts and Leisure. The Client Manager is David Carson (Finance Director).

3.2 The Service Provider is the NICS Group Internal Audit and Fraud Investigation Service. The Service Manager is Michelle Anderson, the Group Head.

4. PERIOD AND REVIEW OF THE AGREEMENT

4.1 This Agreement covers an initial period of three years ending on 30 March 2018.

4.2 The Agreement can be reviewed at any stage during this period by the Client or Service Provider. A formal review will be carried out by the parties prior to the expiry of the three year period.

4.3 Termination arrangements, if required, are set out at section 13.

5. SERVICE PROVIDER AND CLIENT RESPONSIBILITIES

5.1 Under this Agreement the Service Provider is required to provide the Client with a professional fraud investigation service.

Service Provider's responsibilities

5.2 The Service Provider is responsible for providing departments¹ with a professional fraud investigation service which complies with the necessary legislative framework (e.g. PACE/CPIA etc), professional standards and recognised best practice.

¹ DSD do not obtain fraud investigations services from the NICS Group Service.

5.3 This includes:

- attending case conferences with the Client to discuss initial information/ allegations/concerns;
- assisting the Client in assessing the need for a preliminary/full investigation to be undertaken;
- developing the Terms of Reference and investigation plan for individual cases being investigated in line with the scope agreed with the Client/department;
- carrying out required investigatory work;
- reporting at key points to the relevant Client on progress and findings;
- providing advice/recommendations to the Client on the appropriate actions to be taken e.g. referral to police, recovery options etc ;
- liaising with PSNI, PPS, Forensic Science and other specialists as required;
- producing evidence packs for PSNI investigation or the preparation of prosecution files for PPS direction;
- attendance at court/tribunal hearings etc;
- where required, working with departmental Internal Audit teams and other specialists in the investigation of fraud cases;
- maintaining a professionally qualified investigatory team of staff to undertake investigations;
- liaising with Clients in respect of any PR/media issues;
 - providing feedback on lessons learned from investigations e.g. procedural/ legislative weaknesses;
- liaison with HR in respect of cases involving employees; and
- subject to availability of resources, the provision of fraud awareness seminars.

A more detailed description of each Service is provided at Schedule 2.

The Client's responsibilities are:-

5.4 The Client retains responsibility for ensuring that appropriate actions are taken to manage the risk of fraud within their organisations as set out in Managing Public Money NI and relevant DFP

guidance. As part of this the Client is responsible for updating their own anti-fraud policy and response plans, whistleblowing arrangements etc and for reporting relevant actual, attempted and suspected cases to Accountability and Fraud Management Division (AFMD) DFP and NIAO as is required by Managing Public Money NI.

5.5 In respect of investigations the Client is responsible for:-

- **identifying the expected required level of fraud investigation resources required;**
- **making sufficient resources available to fund this requirement from the Group Service;**
- **liaising at any early juncture with the Group Service on suspected cases;**
- **providing access to all records, assets, personnel and premises, and with the authority to obtain such information and explanations as are considered necessary to fulfil fraud investigation responsibilities;**
- **liaising with Group Fraud Investigators to determine the need for an investigation and the required scope of such investigations;**
- **approving the Terms of Reference and Investigation Plan produced by the Fraud Investigation Unit;**
- **where appropriate establishing a Fraud Investigation Oversight Groups or other Client oversight mechanisms;**
- **co-ordinating meetings of Fraud Investigation Oversight Group, and producing accurate and timely minutes of meetings;**
- **at a corporate level overseeing the fraud investigation being undertaken within their organisation by Group staff;**
- **taking key management decisions in fraud investigation cases, based on advice/recommendations from Group staff e.g. on police referral, recovery options;**
- **fully engaging with the Group staff throughout investigations, including providing free and unfettered direct access to the Accounting Officer, Audit Committee Chair and other senior managers where required;**
- **where required, supporting the utilisation of Internal Audit staff to assist Group Fraud Investigation staff undertaking investigations;**
- **taking appropriate corrective action to address weaknesses or lessons learned as highlighted by investigations; and.**

- continuing to provide departmental representation at the NICS Fraud Forum.

7. PERFORMANCE MONITORING

7.1 The level and standard of service to be provided by the Service Provider shall be in accordance with that specified in *Schedule 2*.

7.2 As part of the Group Fraud Investigation Service the Group Head will report to Permanent Secretaries Group (PSG) on the overall performance of the Group Service. This will include Fraud Investigation activity levels undertaken.

8. COSTS

8.1 Funding for the first year of operation of the central Fraud Investigation Unit (2015/16) will be provided by DFP. The 2015/16 year will be used to determine the baseline for departments' investigation requirements with charging being applied for the use of services in subsequent years. This will be done on the basis of full cost recovery.

8.2 Where in the course of a specific investigation specialist skills e.g. forensic services, forensic accounting is required which cannot be provided by the Group Service such activities will be commissioned by the relevant department and costs billed to them directly.

9. RESOLUTION OF COMPLAINTS OR DISPUTES

9.1 Should the Client have cause to complain about deficient quality, quantity or standards of service or other customer care issues such as courtesy of staff, the matter shall be resolved by informal discussions between the appropriate managers.

9.2 Any major or persistent problems should be reported by the Client Manager, or other representative, in writing to the Group Head no later than 5 working days after identification of the complaint. In all cases, the Group Head will investigate, take appropriate corrective action, and report to the Client Manager or other representative within 5 working days of the complaint being notified. A

record of all complaints and references to how they were resolved must be kept by Client Manager and Group Head.

9.3 Any dispute, difference or question arising that cannot be satisfactorily resolved, shall be considered jointly by the relevant Accounting Officer and the Group Head.

9.4 Neither the Client nor the Service Provider will be liable for delay or failure to perform any obligation under this Agreement if the performance of such an obligation is prevented by a cause, which is beyond the control of either party.

10. VARIATIONS TO THE AGREEMENT

10.1 All aspects of this Agreement may be reviewed by the Client, Service Provider or Group Head to take account of changing requirements.

10.2 Any additions or variations to the service required by the Client and agreed by the Service Provider shall be identified and appended to this Agreement.

11. SUB-CONTRACTING

11.1 The Provider shall not “sub-contract” any of the services covered by this Agreement as defined in *Schedule 1* without the prior consent of the Client.

11.2 In the event of the Client consenting to services being “sub-contracted” the “sub-contract” shall be a contract established by the Group Head in line with the Northern Ireland Public Procurement Policy.

11.3 The Client reserves the right to withdraw its consent to any sub-contractor or sub-contract arrangement where it has reasonable grounds to do so e.g. where a potential/actual conflict of interest may exist.

11.4 Where specialist expertise/assistance is required on particular cases and existing contracts do not sufficiently cover the services required then the Group Service and/or the relevant organisation will establish a contract for such services in line with NI Public Procurement Policy requirements. The Service Provider and Client will determine who is the appropriate contracting body for such contracts on a case by case basis.

12. REQUESTS FOR INFORMATION

12.1 All data and information provided to the Group Fraud Investigation Service will be held by the Service Provider in line with the Client's requirements. All reports, working papers, documents and other data (including electronic data) or generated by the Service Provider as a result of audit activity shall be the property of the Client but will be held on the Provider's file management system. They will not be disclosed to any party out with this Agreement, unless with the permission of the Client.

12.2 Where disclosure of information is required by law e.g. under Freedom of Information Act, disclosure of such information will be considered in conjunction with the Client. Where necessary, legal advice will be sought.

12.3 Each party acknowledges that the other party may be obliged to disclose information held by it in order to comply with legislative requirements.

13. TERMINATION

13.1 The notice period for terminating this Agreement prior to the end of the agreed term shall be 12 months. Instigation of the 12 month notice period should be made formally in writing to the Group Head.

13.2 Where another organisation is taking over the provision on Fraud Investigation Services at the expiry or termination of this Agreement the Service Provider shall co-operate in this transfer in order to minimise the level of disruption of the Client.

14. CONTACTS

14.1 All communications between the Client and the Service Provider in respect of the Agreement must be conducted through the agreed representatives and deputies, who shall be:

<i>Client (1)</i>	
Name:	Denis McMahon
Title/Grade:	Accounting Officer
Division/Location:	Causeway Exchange, Belfast
<i>Client (2)</i>	
Name:	David Carson
Title/Grade:	Finance Director
Division/Location:	Causeway Exchange, Belfast

<i>Service Provider</i>	
Name:	Michelle Anderson
Title/Grade:	Group Head of Internal Audit and Fraud Investigation Services
Division/Location:	Annex C, Dundonald House

15. JOINT AGREEMENT

15.1 All parties signify below their acceptance of the Agreement on the terms and conditions set out.

1. Signed on behalf of the *Department / ALB*



Accounting Officer

Date: 12 November 2015

2. Signed on behalf of the Group Internal Audit
and Fraud Investigation Services, DFP

Group Head of Internal Audit and Fraud
Investigation Services

Date:

Schedule 1

DEPARTMENTAL BODIES COVERED BY THIS AGREEMENT

The following departmental bodies are covered by this Agreement:-

Body	Key contact details
National Museums NI	Chief Executive Cultra, Holywood
NI Museums Council	Director 153 Bangor Road Holywood
NI Screen	Chief Executive 21 Alfred Street Belfast
Libraries NI	Chief Executive Lisburn City Library 23 Linenhall Street Lisburn

Sport NI	Chief Executive House of Sport 2a Upper Malone Road Belfast
Arts Council NI	Chief Executive 1 The Sidings Antrim Road Lisburn
Armagh Observatory	Director College Hill Armagh
Armagh Planetarium	Accounting Officer College Hill Armagh
Waterways Ireland	Chief Executive 2 Sligo Road Enniskillen
Foras na Gaeilge	Chief Executive 7 Merrion Square Dublin

Ulster-Scots Agency	Chief Executive The Corn Exchange 31 Gordon Street Belfast
----------------------------	-------------------------------------------------------------------------------------------------

Where a department's ALBs are not covered by this Agreement the Departmental Accounting Officer may utilise the Group Fraud Investigation Service to investigate actual, attempted or suspected cases within the department's ALBs where the departmental Accounting Officer wishes to do so.

Schedule 2

SERVICE LEVEL REQUIREMENT

Service	Description
Provision of advice to clients when initial concerns/allegations raised	Provide client with preliminary advice on course of action considered appropriate given the circumstances of the case outlined within two days of contact by client.
Attendance at Fraud Investigation Oversight Group (FIOG)/meetings requested by Client	Attend all FIOGs/meetings as arranged and requested by client.
Development of Terms of Reference(TOR) and investigation plan	Provide client with a draft TOR and proposed investigation plan for their approval within 5 days of an investigation being commissioned.
Conduct of investigatory work	Carry out investigation in line with agreed TOR and investigation plan, and in line with legislative and investigation best practice guidance.
Production of evidence pack/referral to PSNI	Where relevant liaise with the PSNI/PPS producing sufficiently detailed evidence packs / prosecution files for the relevant authorities to consider.
Attendance at court/tribunal hearings	Attend/provide input to all criminal, disciplinary, tribunal hearings required as a result of investigation work undertaken as required.
Investigation reporting	Provide clients with a monthly update on any ongoing cases. Provide a written report within no more than 4 weeks of the

conclusion of investigation work.

Where required provide summary reports of investigation activity undertaken on behalf of the client.

Production of lessons learned **Provide the client with a report on lessons learned/weaknesses identified as part of the investigation process no later than 4 weeks after completion of the investigation.**

Interim reports to be provided to the client where required.

Media handling **Liaise with relevant Press Offices to respond appropriately to media enquires.**

Assist Press Offices in drafting of relevant press releases/statements.

Fraud Awareness **Subject to resource availability**

GROUP FRAUD INVESTIGATION SERVICE

CASE REFERRAL DOCUMENT

Department / Organisation making referral: _____

Contact point for initial enquiries:

Name: _____

Telephone: _____

Email Address: _____

1. Details of allegation / issue / concern which requires investigation (Attach separate report if necessary)

Nature of the case referred:	
Period of alleged incident (if known):	
Approximate value (if known):	
Date detected:	
Details of any investigation already undertaken:	

2. Details of person(s) considered to be involved

<u>Name</u>	<u>Position</u>	<u>Address</u>

3. Please list all the supporting documentation relevant to the case referral and supplied here.

1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

Details of Referring Officer (usually Finance Director or equivalent)

Name:

Organisation:

Position:

Telephone Number:

Email Address:

Signed:

GROUP FRAUD INVESTIGATION SERVICE USE ONLY

HEAD OF GROUP SERVICE COMMENTS

Date: _____

GFIS ADMIN

Date Received by GFIS:

GFIS Ref No: _____

Date Case Registered on TRIM: _____

Registered by: _____

SCHEDULE V – DCAL FRAUD RESPONSE PLAN**Initial Fraud Notification of Frauds to DFP & NIAO**

The information below is required if known at the date of reporting. If bodies wish to use a different format for notifications, it should provide the same relevant details.

1.	Departmental fraud reference number (unique identifier)	<i>e.g. 2016/17 – DFP1.</i>
2.	Reporting Department	<i>e.g. DFP</i>
3.	Reporting ALB	
4..	Name of body (eg specific Board, Trust, NDPB, Agency etc) with suspected fraud/theft.	<i>e.g. XX - Agency</i>
5.	Is this body a charitable organisation? i.e. listed on the Charities Commission NI website	<i>Yes / No</i>
6	Is the body a community and voluntary group? i.e is it recorded on the DSD Government Funded database – Provide GFD Unique Reference Number (URN)	See guidance in note 6
7	Are details of funding on the GFD?	<i>Yes / No</i>
8.	Specific location of fraud (eg name of school, name of depot etc)	
9.	Date fraud or suspected fraud discovered	
10.	Is the case being reported as actual, suspected or attempted fraud?	<i>Actual, Suspected or Attempted</i>
11.	Type of fraud?	<i>State as per options listed in note 1</i>
12.	What was the cause of the fraud?	<i>State as per options listed in note 2</i>
13.	Brief outline of case	
14.	Amount of lost or estimated value?	
15.	How was the fraud discovered?	<i>State as per options listed in note 3</i>
16	Who perpetrated the fraud?	<i>State as per options listed in note 4</i>
17.	Has PSNI been notified?	<i>Yes / No</i>
18	Any other action taken so far?	<i>State as per options listed in note 5</i>

19.	Please give contact details for this fraud in case follow-up is required and for contact details reporting on the Government Funding Database	Name: Telephone: Email:
-----	-----------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------

Notes**1. Types of fraud**

Grant related

Theft of assets (please state type of asset eg cash, laptop, oil, tools, camera)

Payment process related

Income related

Pay or pay related allowances

Travel and subsistence

Pension fraud

Contractor fraud

Procurement fraud

False representation

Failure to disclose information

Abuse of position

Other (please specify)

2. Causes of fraud

Absence of proper controls

Failure to observe existing controls

Opportunistic

Unknown

3. Means of discovery of fraud

Normal operation of control procedures

Whistleblowing (internal or external)

Internal Audit

External

Computer analysis/National Fraud Initiative

Other means (please specify)

4. Perpetrators of Fraud

Internal staff member

Contractor

Funded body/grant applicant

Other third party (please specify)

Collusion between internal and external parties

Too early to determine

Unknown

5. Other actions taken

Controls improved

Control improvements being considered

Too early to determine
No action possible
Disciplinary action
Prosecution

6. What is a voluntary and community group?

Common Features of a VC Group include:

- furthers the recreational, educational and/or social welfare of its community
 - open to any resident or group in its area
 - non-profit making
 - delivers not-for-profit services
 - independent of central and local government
 - Usually they have been set up by local individuals and/or groups that already existed to pursue community interests
 - include campaigning bodies and self-help groups
 - they may be project-focussed and short-lived
 - may also be based on a specific geographical area or hold a shared special interest over a wider area
- benefit from a meaningful degree of philanthropy such as gifts in kind or of time, including volunteers and non-paid trustees/committee member