

National Fraud Initiative (NFI) – fair processing notice

This broader description forms part of the **fair processing notice** for individuals whose information is submitted to Audit Scotland for the purpose of the NFI in Scotland.

Introduction

Audit Scotland conducts a National Fraud Initiative (NFI) to assist in the prevention and detection of fraud. This is a data matching exercise and one of the ways in which Audit Scotland helps auditors to meet their responsibilities, including promoting economy, efficiency and effectiveness in the use of public money.

Data matching involves comparing sets of data, such as the payroll or benefits records of a body, against other records held by the same or another body. The data is usually personal information. The data matching allows potentially fraudulent claims and payments to be identified. Where a match is found it indicates that there is an inconsistency which requires further investigation. No assumption can be made as to whether there is fraud, error or other explanation until an investigation is carried out.

The processing of data for NFI in Scotland is carried out by the Audit Commission, on Audit Scotland's behalf, under the legal framework set out below. It does not require the consent of the individuals concerned under the Data Protection Act 1998.

All bodies participating in Audit Scotland's NFI exercises receive a report of matches that they should investigate, so as to detect instances of fraud, over or under-payments and other errors, to take remedial action and update their records accordingly.

Since 2000, Audit Scotland's National Fraud Initiative (NFI) has led to the detection of fraud and overpayments of around £37 million. Across the UK, since 1996, similar exercises undertaken by the Audit Commission have led to the detection of fraud and overpayments totalling in excess of £400million.

Legal framework

The NFI is conducted in Scotland as part of the statutory audits of public bodies. It is a condition of the statutory audit appointments for auditors to follow a Code of Audit Practice prepared by Audit Scotland. That Code and relevant auditing standards impose certain duties on auditors relating to the prevention and detection of fraud and the arrangements made by audited bodies. The Code of Audit Practice is available to download from Audit Scotland's web-site <http://www.audit-scotland.gov.uk/about/as/docs.php>

Data is required from bodies by auditors under section 100 of the Local Government (Scotland) Act 1973. Under section 100 a local authority auditor may obtain information from the audited body and 'any other person' provided that information appears to the auditor to be necessary for the purpose of auditing the accounts of a body governed by the 1973 Act. Auditors may therefore obtain information from non local authority bodies, for example, to help detect housing benefit fraud committed in councils by students and individuals employed elsewhere in the public sector.

It is a criminal offence for a person to wilfully or negligently fail to comply with a requirement of an auditor under section 100.

For NFI purposes, auditors are assisted by staff in Audit Scotland and the Audit Commission under arrangements permitted under section 53 of the Local Government in Scotland Act 2003.

The Audit Commission also has powers under paragraph 9 of Schedule 2A of the Audit Commission Act 1998 to provide advice and assistance to another public authority. The definition of a public authority includes Audit Scotland and appointed auditors of public bodies in Scotland.

The Audit Commission matches the data on behalf of Audit Scotland.

Audit Scotland will report the results of NFI exercises to the Accounts Commission and the Auditor General for Scotland, and may publish any such report. Audit Scotland expects that such reports will deter individuals from defrauding public bodies.

Bodies required to provide data for matching

Currently, Audit Scotland requires the following bodies to provide data for NFI in Scotland:

- Councils
- Police Authorities
- Fire and Rescue Authorities
- Strathclyde Partnership for Transport
- Health bodies
- Scottish Public Pensions Agency
- Student Awards Agency for Scotland

Audit Scotland also provides its own payroll data for NFI purposes.

Code of Data Matching Practice

Data matching by Audit Scotland is subject to a Code of Data Matching Practice which can be found on the same web-page as this document <http://www.audit-scotland.gov.uk/work/nfi.php>

The data that is matched and the reasons for matching it

For information describing the individual matches between datasets undertaken currently by Audit Scotland please refer to the relevant NFI Handbook (separate handbooks are available for each NFI cycle eg 2006/07 or 2008/09) again available on this web-page, and the NFI guidelines available at <http://www.audit-commission.gov.uk/nfi/guidance.asp> The purpose of each match is described in the NFI Guidelines.

Further information

More details on Audit Scotland's data matching exercises, including national reports, other publications and guidance, can again be found on the same web page as this notice <http://www.audit-scotland.gov.uk/work/nfi.php>

Alternatively please contact the Director of Audit Strategy, Audit Scotland, 110 George Street, EDINBURGH, EH2 4LH; tel 0845 146 1010. Email enquiries should be addressed to David Beveridge, Senior Manager (Audit Strategy & NFI) dbeveridge@audit-scotland.gov.uk