Fraud Response, Recording, Allocation and Investigation Procedure

This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Police, Fire and Crime Commissioner are required to adhere.

Overarching Policies:
Fraud Investigation Policy

Other Documents:
Crime recording process for fraud.pdf
City of London Police NFIB Crime Transfer Process
City of London Police / NPCC Fraud Escalation Process
Crime-Allocation-and-Investigation
NFIB Transfer Request Form

Process

Response – Initial Report taking and Calls for Service

FCR - Call Taker Responsibilities
North Yorkshire Police do not conduct an assessment as to whether callers should be directed to report directly to Action Fraud. All persons reporting fraud to North Yorkshire Police will have their report taken directly and these details logged on STORM. A specific fraud question set will auto populate when a CRIME FRAUD AND FORGERY report is created. Call takers should ask all questions and record the answers before assessing whether the report meets a relevant **Call for Service.**

Having applied the THRIVE model if the person reporting is 'call for service' criteria an appropriate resource should be allocated to deal with the incident.

A "Call for Service" is defined as –

- Offences where offenders are arrested by Police **or**
- The offender 'is committing', has 'just committed or 'just attempted' fraud **and** has just made off prior to the call, **or**
- There is a known 'local' suspect. Local suspect is defined as where, through viable investigative leads, police can or could locate a suspect with the details provided or there

are physical lines of enquiry that could lead to identification such as CCTV or forensics. Local is therefore not necessarily exclusive to our geographical area.

- Remote offences committed using the phone, social media platforms or online where only a username, email or phone number are provided are not sufficient to be classed as local and are suitable for reporting to Action Fraud.

- Vulnerability - The last call for service criteria in the guidance from the City of London Police relates to an assessment of vulnerability. City of London Police stipulate that should a caller be deemed as vulnerable as per the below criteria then a resource should be allocated for safeguarding. Following that initial response, it will then only be allocated for further investigation if it fits with another Call for Service criteria i.e. a local suspect.

- Banking Protocols – These are calls where bank branch staff have concerns that a customer is at risk of financial exploitation either by an offender who is present or nearby or **remotely via the phone or online**. These should be treated as a **local suspect** in the first instance, there is often also an element of vulnerability. An officer should be allocated for initial response, investigation, and safeguarding. If this is a local offence, it will be investigated by NYP and reported to Action Fraud as a Call for Service. If the victim is being exploited remotely, safeguarding will be addressed, and the matter reported to Action Fraud (but not as a call for service).

  Contact with the Economic Crime Unit (ECU) at an early stage is essential.

If none of the Call for Service criteria is applicable the victim will be notified that NYP will report the matter to Action Fraud on their behalf and will explain the reason why we do this. Following reporting to Action Fraud the victim will be provided with the relevant National Fraud crime reference number (NFRC). This will be reported to Action Fraud by NYP Crime recording unit (CROMU)

These incidents will be graded I, P or S according to the circumstances and resourced appropriately.

Defining Vulnerability
"A person may be considered vulnerable if as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation."

A person can be considered vulnerable at all times OR only while certain circumstances exist either in isolation or collectively.

The following factors may indicate that someone is vulnerable –
- Repeat Victimisation (intimidated, threatened, targeted)
- Family circumstances (Isolation, recent bereavement)
- Personal Circumstances (Substance misuse, being cared for)
- Health (impact on physical / emotional / mental well-being)
- Equality and Diversity (Age, race, gender, lifestyle, etc.)
- Economic Circumstances (In debt / In wealth)

Impact Assessment
In the context of victims of fraud as well as the above assessment, consideration is to be given to the following –

- Financial Impact on the quality of life for the victim (relative monetary value)
- Emotional Impact (Increased isolation, loss of trust, lack of self-esteem)
- Continued Impact (Inability of the victim to protect themselves against criminal exploitation)

Should a caller be deemed vulnerable, consideration should be given to an immediate referral to NPT or the Financial Abuse Safeguarding Officer for further support and a personal visit.

Initial Investigative Response and Allocation

"Call for Service" – Response / NPT / IET/ ECU

If the circumstances meet the '**call for service**' criteria the following response is required.

- Conduct a thorough initial investigation. This may include taking statements from victims and witnesses and securing all available evidence including CCTV, digital enquiries and financial investigation.

- Consideration should be given to making an arrest if the offender is immediately available, and it is in the best interests of the investigation giving due consideration to the necessity test and the need to secure and preserve evidence. In such cases, advice and assistance can be obtained from officers within the Economic Crime Unit.

- In vulnerability cases a PPN should be considered and for offences involving Power of Attorney fraud or exploitation of the victim by a carer a PPN should always be submitted.

- Each "Call for Service" occurrence will be reviewed by an Action Fraud Assessor so that each case can be considered under the Fraud Investigation Model (FIM). This will identify any additional opportunities for investigation, disruption and prevention and suitable advice and support can then be provided if necessary.

- An assessment will be conducted under the FIM that will consider the scale, complexity, loss and victim impact balanced against the capacity and capability of those investigating to identify cases that require additional or specialist resources. The OEL will be updated with the outcome of this assessment.

On notification of a fraud offence occurring CROMU will report the crime to Action Fraud and the NFRC number will be added to the occurrence. The victim will be supplied with the NFRC number (their crime number) and the crime will be assigned to the officer investigating or ECU for assessment. Action Fraud and the National Fraud Intelligence Bureau are part of the City of London Police tasked with the recording of all fraud crimes reported in England & Wales.

- From STORM, a NICHE report will be generated to manage the investigation and victim contact.

- It will be the responsibility of the OIC to update the Victim(s) in accordance with the Victims Code.

Disseminations from NFIB to Force – Allocation and Investigation
These will be received in Force through the online Vault process and will be accessed by the Action Fraud SPOC or their deputy in a timely manner.

Each case received within the Vault will be recorded on NICHE and the occurrence allocated to the ECU.

The primary responsibility of the Action Fraud assessor is to assess each case using the FIM. This will assess the scale, complexity, capability, capacity and intent of the suspects and the impact on victims in order to establish the most effective response. This assessment will also establish any requirements to map the suspects as an OCG.

In all cases the Action Fraud Assessor will identify early investigative enquiries. Where possible these will be completed prior to dissemination to an OIC (e.g. DPA requests, Production orders). Each case will be considered as to how a Financial Investigator can assist in respect of both criminal investigations and civil disruption opportunities.

Dependant on the outcome of this process and the identified investigative parameters, in line with the force Crime Allocation and Investigation Policy the investigation will be allocated to a NPT, Investigation Hub, CID or retained within the Economic Crime Unit. **These assessments are to be conducted on the default position that each case has been disseminated for investigation**. Investigative plans will be provided, and additional support offered from the ECU to assist the receiving officer to ensure an effective investigation is undertaken.

If, after the assessment, it is considered that no viable lines of enquiry exist, or that disruption is the only method to be adopted as per the FIM and therefore the case is deemed not suitable for investigation, the victim is to be informed and the decision and its rationale recorded on NICHE.

Responsibility for Victim Updates rests with the allocated officer in accordance with the Victims Code despite the victim potentially residing in another Force area. Should a victim be identified as vulnerable, liaison will need to be made with the appropriate Force to provide a safeguarding response.

Transfer Crime Process
Should an investigation (Call for Service / Dissemination) establish the identity of a suspect that does not reside within the Force, the appropriate form needs to be completed for review by the Action Fraud SPOC within the ECU. This process is outlined within City of London Police NFIB Crime Transfer Process. The appropriate Transfer Crime Form will be completed and submitted by the Action Fraud SPOC for process should the criteria be met. All requests for transfer crime must demonstrate that

an expeditious investigation has taken place. Transfer crime requests for investigations that have been in force for more than a month are unlikely to be forwarded to NFIB for consideration.

If NFIB refuse the transfer request then the occurrence will remain with NYP to investigation.

Transfers from Police Scotland

- Transfers of allegations of fraud by Police Scotland identified as falling within the jurisdiction of North Yorkshire Police will be sent by them to us to record. Police Scotland will not report fraud to Action Fraud

- North Yorkshire Police will review the transfer request and if a recordable crime has been committed in our force area then we will record a fraud with Action Fraud and follow the above allocation policy

- If a transfer of a fraud allegation is refused by the receiving force, a crime related occurrence should be recorded and the request returned to Police Scotland setting out the rationale as to why it has been refused.

- A transfer of a Scottish recorded crime based **solely** on a beneficiary account holder's address or **solely** on a delivery address being in North Yorkshire should be refused – unless the surrounding circumstances of the transfer indicate that a crime should be recorded such as offences under POCA. Further evidence should be supplied by Police Scotland to support the conclusion that the offence was made from North Yorkshire before being accepted.

- Nothing in the above should prevent England & Wales forces providing assistance, in line with current protocols, to Police Scotland with their enquiries in that force area.

Escalation Process
North Yorkshire Police have adopted the Principles for Escalation, which is outlined below, and any escalation will be administered by the Action Fraud SPOC under the authority of the ECU Detective Insp. The full process is documented within City of London Police / NPCC Fraud Escalation Process.

The following factors are intended to be a guide to help determine when it may be appropriate to escalate a case for ROCU, NLF or NECC support. The factors are not intended to be a check list nor a means of scoring or determining whether an escalation will be supported by the ROCU, NLF or other agencies.

- The criminality amounts to serious and organised crime
- The threat or criminality is complex and to progress the investigation specialist skills and/or a multi-agency response will be required neither of which are available in-force.
- The high volume of victims or extensive level of enquiries required to conduct a proportionate investigation is greater than the level of resources that could reasonably be expected of the host force to provide.
- The threat or criminality will require extensive investigative enquiries in multiple jurisdictions

- The threat is resulting in, or has potential to result in, systematic financial losses to private and/or public sector organisations.
- The criminality risks undermining the UK's reputation, commercial and financial interests.
- The threat is causing, or has the potential to, cause harm or significant loss to a large number of individual or corporate victims.
- The criminality or threat is an emerging trend or part of a series which would benefit from a regional or nationally coordinated response.
- The primary threat or criminality emanates from outside the UK jurisdiction and requires significant international cooperation and/or investigation.

It is envisaged that the above factors will be identified at an early opportunity by the Action Fraud assessor. However, should local supervisors believe the above criteria are triggered through their ongoing investigation it is critical that early engagement with the Head of ECU takes place.

Outcome Recording Process
All outcomes are currently forwarded to the NFIB via a populated spreadsheet completed every month. This process is completed and managed by CROMU.

There are 4 Classification Types in the pick list:

- FRAUD 00/00/00 FRAUD: Call for service (for recording purposes only)
- FRAUD 00/00/01 FRAUD: Call for Service – Referral from Action Fraud (for recording purposes only)
- FRAUD 00/00/02 FRAUD: No call for service – Referral to Action Fraud (for recording purposes only)
- FRAUD 00/00/04 FRAUD: Victim Reassurance only (for recording purposes only)

Any occurrence classified as the above will require a Stats Class. They will all be given a 'Stats Class' with a description for 'Action fraud'. We will initially put more than one victim on an occurrence and record the NRFC reference within the Occurrence ID – the name of the Victim will be recorded within the Occurrence ID as remarks.

The Offenders will be linked, and an outcome recorded for each offender. As long as the 'Outcome' applies to each Victim they can remain on the one occurrence. If there are different outcomes for the victims, we will need to generate further occurrence/s.

It will be the responsibility of the OIC to record these outcomes on NICHE and these outcomes will be collated within the Knowledge Hub and the NFIB updated.

Action Fraud Victim Data
Victim data is sent weekly from the NFIB and is received within the ECU by the Financial Abuse Safeguarding Officer (FASO). This data will be compared against the force NICHE system via the Performance Team to identify reports already known to NYP. The FASO will triage all victim reports received from Action Fraud which are not already recorded on NICHE. This triage will result in one of the following actions:

1. Safeguarding intervention by FASO or ECU staff
2. Safeguarding referral to relevant NPT

3. No Further Action

All reports requiring a safeguarding intervention will be forwarded to CROMU for the creation of a NICHE occurrence. The action taken should be recorded on the OEL and the occurrence finalised.

The FASO will conduct a review of the data to identify those reports of significant loss and/or impact in order to establish whether any viable lines of enquiry exist that have not been explored. Should opportunities to disrupt of investigate criminality be identified these should be discussed with ECU supervision and an occurrence created as appropriate.

Fraud Safeguarding Responsibilities

Given that most fraud reports will not receive an investigative response it is important that all opportunities to educate and safeguard victims of fraud are identified. As such the default position when reviewing a report of fraud is that the reportee receives some form of intervention from NYP or the Action Fraud National Economic Crime Victim Case Unit. These interventions can take the form of

- a phone call
- email/letter providing educational literature
- personal visit to discuss staying safe from Fraud
- safeguarding assessment by FASO to identify multi agency support

Given that police officer impersonation via telephone or email is a common MO, this should be taken into consideration when deciding on the suitable response, with a face to face intervention being conducted unless good grounds exist to deviate from this.

The FASO organises regular group victim educational events. These events will be briefed to all NPTs in advance and will represent a reasonable intervention that can be offered to victims of fraud.