

RAINEY COLLINS LAWYERS

Suspected Fraud Guideline

If suspected fraud is discovered then you need to act quickly, but still be sure you follow a proper process.

1. Do some investigating to check what is occurring. If those show apparent fraud, lockdown systems or remove their access.
2. Give notice (written) of what the allegations are and possible outcomes if correct.
3. Let them know you are investigating allegations and are giving them an opportunity to reply to the accusations. If you wish to suspend then seek their input before you decide to suspend (suspensions are on full pay).
4. Set a time and place for the meeting.
5. Tell them they are entitled to bring a support person.
6. At the meeting listen to what their responses to the allegations are and then consider the matter.
7. Carry out any further investigations necessary.
8. Decide on whether the allegations are correct or not (what could a fair and reasonable employer conclude?)
9. Advise the employee of the findings and invite them to a meeting (or in writing) to comment on what any outcome should be.
10. Consider what they say.
11. Decide on the outcome (what could a fair and reasonable employer do?)
12. Advise the employee of the outcome.
13. Before you do any of the above get advice from a competent professional. A failure to follow the correct procedures could result in damages being paid to the fraudster because the proper processes weren't followed.
14. Once you have concluded your investigation then if fraud found notify the Police. Do not notify the Police first and then wait for that process to conclude (it can be months or years). The employment process is separate to the criminal process, and it is your process to follow.