COUNTER FRAUD INVESTIGATOR

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Reference Number: ST0747

Details of standard

Occupation summary

The Counter Fraud Investigator (CFI) operates within the law enforcement sector and would typically be employed by HMRC, DEFRA, Department of Health, Insolvency Service, DWP, SFO and Local Government. The CFI acts autonomously leading small non-complex criminal investigations and a range of civil investigations. They can also act as case officer within a large investigation team, as required, carrying out parts of a more complex investigation as directed by the Lead Investigator.

Broadly, it is the CFI’s responsibility to proactively investigate allegations of fraud and make effective, autonomous operational decisions from referral to conclusion to drive their investigations. Conclusion could mean support of a successful prosecution, levy of penalty (or equivalent) or no further action.

The CFI fully understands the range of interventions available to them when investigating fraud in relation to assigned matters, policies and legislation, then decides on the most appropriate method to proceed. To do this the CFI uses knowledge of civil procedures such as applications to tribunal, giving evidence at tribunal and Judicial Review, knowledge of associated civil penalties and other enforcement measures such as insolvency action. The CFI understands when it is more appropriate to conduct or switch to a criminal investigation how to do this and how to work safely within the Criminal Justice System. The CFI has knowledge and understanding of PACE, RIPA, CPIA, HRA, PoCA and/or other legislation to apply for Warrants and Orders. The CFI interacts with Lawyers, Judges, Magistrates, other professionals and other law enforcement partners, to achieve these and other work objectives.

The CFI plans and conducts different types of evidence gathering activity and takes/maintains notes appropriate to that activity. This involves interaction with members of the public from all backgrounds and conducting tasks such as a formal meeting with a company director or professional advisor, interview under caution, taking third party witness statements, making evidential notes of searches and observations during surveillance. The CFI operates for extended periods in any type of environment from an office or court room to a building site or multi occupancy residence, depending on the direction their enquiries lead them.

Evidence gathering situations include searches of premises, review of business accounts and their constituent parts and other professional documents. The CFI understands and is able to search digital databases and other online platforms. They recognise Legally Privileged Material and other protected information as described in law and treat it appropriately. They quickly identify evidence in fast paced sometimes confrontational situations amongst what will mainly be irrelevant material. They understand the different types of surveillance available, when it is necessary and proportionate to use surveillance and the duty of care to the citizen.
The CFI role may involve confrontational situations, including arrest, and the CFI properly risk assesses any activity undertaken by creating plans to mitigate or reduce the identified risks where possible. They write professional briefings to ensure that all colleagues engaged in any planned investigation activity are aware of their roles and responsibilities and the risks identified. They take on a leadership role in the work they are conducting and are accountable for their actions and decisions, able to explain these to senior leaders, prosecutors and officers of the court as a witness.

**Typical job titles**

Investigation Officer  
Investigator  
Fraud Investigator  
Counter Fraud Investigator

**Occupation duties**

<table>
<thead>
<tr>
<th>Duty</th>
<th>KSBs</th>
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| **Duty 1** Apply legislation, associated codes of practice and abide by policy appropriate to their organisation during the course of an investigation. | K1  
S1  
B1 B2 B3 |
| **Duty 2** Determine points to prove in pursuing an investigation. | K2  
S2  
B1 B2 B3 |
| **Duty 3** Develop professional knowledge of relevant legislation and regulatory requirements for the different types of investigation. Keep this knowledge up to date by identifying sources of information and identifying policy and law change. | K3  
S3  
B2 B6 |
| **Duty 4** Maintain case files and produce robust investigation plans to the required standard. | K4  
S4  
B1 B2 B3 |
| **Duty 5** Differentiate between types of evidence and recognise their significance. | K5  
S5  
B2 |
| **Duty 6** Utilise forensic evidence in investigations and understand how and when to use forensic services. | K6  
S6 |
**Duty 7** Understand and apply Regulation of Investigation Powers Act 2000 (RIPA) standards as appropriate to their work.

**Duty 8** Take evidential notes and write witness statements in relation to a wide variety of investigation activity.

**Duty 9** Consistently gather evidence to required standards, applying and adhering to continuity of evidence rules at all times.

**Duty 10** Conduct different searches such as search of premises, person, business records and digital data adhering to policy and legislation.

**Duty 11** Assess the strength of evidence gathered in relation to their investigation.

**Duty 12** Produce witness statements to the standards required by the Criminal Procedure and Investigation Act (CPIA) 1996.

**Duty 13** Correctly identify, classify and handle incoming and outgoing information.

**Duty 14** Conduct briefing and de-briefing activities to identify improvement and best practice and share that knowledge appropriately.

**Duty 15** Apply the PEACE (Planning and Preparation, Engage and Explain, Account, Closure, Evaluation) framework for planning and conducting an interview and utilise a range of soft skills to gather best evidence during the interview.
Duty 16 Conduct interviews following the appropriate procedures, with the ability to create statements and records of interview to the required standard.

Duty 17 Recognise and respond to the varying demands of the witness.

Duty 18 Draft accurate interview notes, witness statements and transcripts.

Duty 19 Draft concise, timely, clear and accurate reports, briefings, letters, e-mails and other items of correspondence.

Duty 20 Prepare files, applications and orders for court to the required standard for the activity undertaken.

Duty 21 Understand legal procedures and the possible requirement to give evidence during investigations.

Duty 22 Comply with the provisions for disclosure and giving of evidence for court, tribunal and disciplinary proceedings as appropriate.

Duty 23 Obtain, record & present evidence in court during proceedings.

Duty 24 Understand how, when and why to refer cases to others internally and/or externally from their own organisation.
**Duty 25** Understand investigations, and the possible requirement to represent the department as a witness.

**Duty 26** Carry out the investigation to the relevant standard, with an awareness of the differences and associated risks in parallel investigations.

**Duty 27** Work with stakeholders

**Duty 28** Categorise fraud and report the outcome with recommendations.

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**KSBs**

**Knowledge**

**K1:** Understand the legislation and associated codes of practice relevant to investigations as well as an understanding of departmental policy. Covering appropriate laws including Police and Criminal Evidence Act 1984 (PACE), Criminal Procedure and Investigations Act 1996 (CPIA), Human Rights Act (HRA), and Proceeds of Crime Act 2002 (POCA), Data Protection legislation, Public Interest Disclosure Act 1998 (PIDA), Whistleblowing (WB) policies and equivalent Civil legislation such as the Finance Act (FA) where appropriate.

**K2:** Understand the points to prove in pursuing an investigation such as guilty mind, guilty act, and prima facie evidence.

**K3:** Develop professional knowledge of relevant legislation and regulatory requirements for the different types of investigation. Keep this knowledge up to date by identifying sources of information and identifying policy and law change.

**K4:** Understand how to open and maintain a case file and how to plan an investigation to the required standard for criminal, civil, regulatory or disciplinary investigations. Understand the Fraud Investigation Model (Criminal) / or organisational equivalent when responding to allegations of fraud.

**K5:** Understand the different types of evidence (direct, circumstantial, hearsay etc.)

**K6:** Understand the types of forensic opportunity available and when they can be used to gather evidence.
K7: Understand the principles of RIPA codes of practice.

K8: Understand why the recording of notes of interviews, conversations, evidential observations and decisions made during the course of an investigation is necessary and has knowledge of best practice use. Understand how to produce witness statements / affidavits to the standard required for all types of investigations.

K9: Understand why recording investigation activities / enquiries during the course of an investigation are necessary and has knowledge of best practice use. Understand the rules and relevant policies relating to the continuity of evidence such that the source of evidence can be fully supported. Understand the National Intelligence Model, National Intelligence methodology (criminal investigation) and the demarcation of intelligence and evidence and demonstrate awareness of source and evidence handling.

K10: Understand the relevant legislation and procedures (including Legal Professional Privilege) in the participation of a search of a person, premises, vehicles or workplaces.

K11: Understand how to assess the strength of evidence and the requirement to lawfully gather evidence to required standards in a criminal, civil, regulatory or disciplinary investigations, subject to role.

K12: Understand how to produce witness statements to the standards required by the CPIA 1996 (criminal investigations). Understand how to produce witness statements / affidavits to the standard required for non-criminal investigations.

K13: Understand how data may be analysed and collated to support investigative decisions and outcomes in criminal, civil, regulatory or disciplinary investigations as appropriate. Understand when the government protective marking scheme and source management processes should apply when disseminating material.

K14: Understand the briefing and de-briefing format.

K15: Understand the PEACE model and the use of conversation management and open recall techniques, how to produce an overarching investigative interviewing strategy, an interview plan and how to evaluate an investigatory interview to identify further investigative actions, to the required standard, civil, disciplinary, regulatory or criminal. Where appropriate.

K16: Understand the requirements for conducting an Interview Under Caution (IUC) fully compliant with the requirements of PACE and Criminal Justice Act 2003 (CJA) (criminal investigations). Understand the requirements for conducting an interview which is fully compliant with relevant legislation or departmental policy (non-criminal investigations).

K17: Understand the varying demands of the witness and how to respond to them.

K18: Understand how to produce investigator notes, narrative statements, 3rd party witness testimonies and transcripts, and the requirements for retention.

K19: Understand how to produce concise, timely, clear, balanced & accurate reports, briefings, letters, e-mails & other items of correspondence.

K20: Understand how to prepare files, applications and orders for court to the required standard for the activity undertaken.

K21: Understand the procedures and requirement to give evidence as a witness at hearings. (Criminal / Civil / Regulatory / Disciplinary investigations). Understand the process for referring a case to other law enforcement agencies.
K22: Understand compliance with the provisions for disclosure in court, tribunal or disciplinary proceedings as appropriate.

K23: Understand how to obtain, record & present evidence in court during proceedings.

K24: Understand how to provide insight from investigations to identify and facilitate improvements to policy and processes to assist prevention, deterrence and increased future detection.

K25: Understand how to prepare an evidence file with material to support court, tribunal or disciplinary proceedings in accordance with the requirements of the relevant legislation, codes of practice or departmental policy.

K26: Understand how to prepare files and investigate to the relevant standard in parallel, including the differences and associated risks in parallel investigations and the relevant parallel civil enforcement and / or recovery / compensation actions and how to progress them.

K27: Understand who the partners are in the counter fraud community and law enforcement sector and the need to build and maintain new and existing partner / stakeholder relationships with those involved in investigations to achieve progress on objectives, key initiatives and shared interests.

K28: Understand the different types of fraud committed and how these frauds could be perpetrated, the processes required to determine the losses and costs figures in sanction and redress outcomes and how to report the outcome with recommendations.

Skills

S1 Apply legislation and associated codes of practice and can determine points to prove in pursuing an investigation. Apply departmental policy.

S2 Investigate the points to prove in pursuing an investigation.

S3 Identify sources of information e.g. regarding the process of policy and law change.

S4 Maintain case files and produce investigation plans to the required standards for criminal, civil, regulatory or disciplinary investigations. Apply the Fraud Investigation Model (Criminal) / or organisational equivalent when responding to allegations of fraud.

S5 Differentiate between types of evidence (direct, circumstantial, hearsay etc.) and relate their significance.

S6 Utilise forensic opportunities and how to apply them in investigations (where relevant to the type of investigations undertaken).

S7 Apply consideration of the principles of RIPA codes of practice.

S8 Implement best practice for note taking during the course of an investigation (where relevant to the type of investigations undertaken). Implement best practice for witness statements during the course of an investigation (Relevant to the type of investigations undertaken).

S9 Produce records of the investigation activities / enquires during the course of an investigation. Apply the rules and relevant policies relating to the continuity of evidence so the source of evidence can be fully supported. Apply the classification and handling of information in line with the National Intelligence Model and national intelligence methodology (criminal investigation) and appropriate handling principles to source and intelligence material, demonstrating knowledge of potential risks of mishandling.
S10 Participate in searches (including consideration of Legal Professional Privilege) of a person, premises, vehicles or workplaces, adhering to policy and legislation of organisation.

S11 Assess the strength of evidence and apply the relevant legislation and codes of practice to gather evidence to required standards, subject to role.

S12 Produce witness statements to the required standard for the investigations e.g. Criminal Investigation Standard.

S13 Use analysis techniques on a range of data and make sound and fair investigation decisions in investigation as appropriate. Apply the organisation's protective marking scheme and source management before disseminating material.

S14 Apply the briefing and de-briefing method, disseminating information gathered to the appropriate individuals, groups, or departments as required, for all investigations.

S15 Utilise the PEACE model for interviewing, applying conversation management and open recall techniques, complete an overarching investigative interviewing strategy, produce interview plans, summarise and evaluate interviews to the required standard.

S16 Undertake an interview appropriate to the investigation being undertaken, introducing testimony and exhibits during interviews as appropriate.

S17 Recognise and respond to the varying demands of the witness.

S18 Produce and retain accurate investigator notes, narrative statements, 3rd party witness testimonies and transcripts.

S19 Produce concise, timely, clear, balanced & accurate reports, briefings, letters, e-mails & other items of correspondence.

S20 Prepare files, applications and orders for court to the required standard for the activity undertaken.

S21 Present evidence as a witness at appropriate hearings. Refer appropriate cases to other law enforcement agencies.

S22 Comply with the provisions of disclosure in legal proceedings.

S23 Obtain, record & present evidence in court during proceedings.

S24 Produce full and accurate post investigation assessments.

S25 Produce an evidence file with material to support court, tribunal or disciplinary proceedings in accordance with the requirements of the relevant legislation, codes of practice or departmental policy.

S26 Utilise the correct powers appropriate to the type of investigation.

S27 Build and maintain new and existing partner / stakeholder relationships to achieve progress on objectives, key initiatives and shared interests and developing beneficial working relationships.

S28 Categorising fraud and provide insight into how the fraud was perpetrated, calculate the losses and costs borne in cases of fraud for use in sanctions and redress outcomes.

**Behaviour**

https://www.instituteforapprenticeships.org/apprenticeship-standards/counter-fraud-investigator/
B1: Committed, conscientious and organised even when completing multiple tasks.

B2: Take accountability for decisions made and for maintaining own knowledge and skills.

B3: Work with integrity, impartiality and excellence in line with requirements of the business and their profession.

B4: Inquisitive, open-minded and objective, will seek out evolving and innovative ways to add value

B5: Show courage, resilience and flexibility when interacting with others to ensure the best outcome.

B6: Work collaboratively with stakeholders to achieve common goals and have an awareness of different styles of working to ensure mutual respect.

Qualifications

English and Maths qualifications

Apprentices without level 2 English and maths will need to achieve this level prior to taking the End-Point Assessment. For those with an education, health and care plan or a legacy statement, the apprenticeship's English and maths minimum requirement is Entry Level 3. A British Sign Language (BSL) qualification is an alternative to the English qualification for those whose primary language is BSL.

Professional recognition

Government Counter Fraud Investigation Profession / Practitioner

Additional details

Occupational Level: 4
Duration (months): 24

Review

This standard will be reviewed after three years.
## Version log

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