

3-Year Interim Surveillance Audit Application for Accredited Organizations



Thank you for your interest in the Professional Background Screening Association (“PBSA”) Background Screening Organization Accreditation Program (“BSOAP”). The BSOAP advances professionalism in the employment screening profession through the promotion of best practices, awareness of legal compliance, and development of standards that protect consumers. The BSOAP Accreditation Standards (“Standard”) were developed with broad input from your peers in the background screening community.

The following application form will guide you in providing the needed documentation and other evidence to demonstrate that your currently accredited organization continues to conform to the Standard(s). Before applying for your accreditation Interim Surveillance Audit, you should carefully review the Standard(s) and the corresponding conformity measures (“Measures”). Copies of the Standards and the Measures are available on the PBSA website at www.thepbsa.org.

For questions about the process, please feel free to contact the PBSA Accreditation team at 919.459.6108 or email accreditation@thepbsa.org

3-Year ISA Application Packet Contents:

- Overview of Interim Surveillance Audit Process
- Instructions for Submission of Interim Surveillance Audit
- Interim Surveillance Audit Application
- Accredited Organization Code of Conduct
- Glossary of Terms

Applicants should follow the instructions below in submitting their documentation:

1. Applications must be submitted in the English language.
2. All deadlines for submission, payment, and response must be met or the application process may be terminated or additional complexity fees may be incurred.
3. The organization desiring to maintain accredited status should obtain and review a current copy of the Standard(s) and Measures at www.thepbsa.org.
4. The maintenance requirements are as follows: a. The accredited organization must verify continuing compliance with the BSOAP Accredited Organization Code of Conduct. b. The accredited organization must not have any unresolved PBSA or BSCC complaints or grievances of any kind. This includes complaints of violation of the PBSA Code of Conduct and/or the BSOAP Accredited Organization Code of Conduct. c. The accredited organization must be able to meet all current eligibility requirements for achieving initial accreditation.
5. The accredited organization should conduct a readiness review of its continued accredited status prior to submission of the surveillance information. Organizations should submit their surveillance materials once they believe they are in compliance with all of the current clauses, Measures, and interpretations of the Standard(s). In any event, the three (3)-Year Interim Surveillance Audit Application and Materials should be submitted at least eight (8) months prior to, and must be submitted no later than sixty (60) days prior to the three (3)-year anniversary of the date an organization's original accreditation was granted.
6. Accredited organizations should submit their completed surveillance application along with the required fees to PBSA headquarters. Upon processing of application and payment, organizations will be sent instructions for submitting electronic supporting documentation.
7. BSCC staff will review surveillance application materials to determine whether the surveillance materials are complete and whether the application fees have been paid. Staff will also confirm the accredited organization's continuing conformance with all current accreditation eligibility requirements.
8. All documents submitted to PBSA become property of PBSA but may be marked as Proprietary and Confidential by the organization if appropriate. The organization has the right to redact any proprietary information it deems necessary from all documentation submitted; however, the redaction of information should not be of such magnitude to hinder the ability to utilize the documentation to properly review and assess the organization's preparedness for accreditation. Documents which are overly redacted and deemed unusable by the auditor and/or staff may require to be resubmitted and/or alternate documents may be required.

9. The BSCC auditor will conduct a thorough desk review of all surveillance materials submitted. The auditor may request clarification of materials provided or additional information regarding conformity with specific clauses of the Standard(s). The review may include, but is not limited to, the following documentation: a. Evidence of continuing conformity with all clauses of the Standard(s). If no changes have been made in an organization's policy/procedure or implementation, the accredited organization may simply make this notation with the applicable clause/Standard(s). b. New evidence of conformity with any new sections, clauses, Measures or interpretations of the Standard(s) implemented since the initial date of accreditation. c. Evidence of corrective action taken on suggested opportunities for improvement (OFI) since the date of initial accreditation. d. Changes in the ownership, structure or operation of the accredited organization. Involvement of the organization in any legal action related to accreditation standards or the Accredited Organization Code of Conduct. e. Evidence of any changes in the overall quality of the operation of the accredited organization. f. Evidence of outsourcing any new services (services not outsourced in the initial application) covered by accreditation standards.
10. After reviewing the materials and addressing conformity issues, the auditor will prepare an Interim Surveillance Audit report which will be made available to the accredited organization.
11. The BSCC will review the auditor's findings and render a decision regarding the maintenance of accredited status. This decision will be sent in writing to the accredited organization at the conclusion of the Council meeting in which the decision was rendered. No verbal response information will be provided by BSCC, staff, or the auditor regarding BSCC decisions on maintenance of accreditation.
12. If maintenance of accredited status is denied and the organization's accreditation is revoked, the organization has the right to appeal. Accredited organizations that lose their accredited status must remove all accreditation logos from all marketing materials and mediums, cease using any references or statements suggesting that their organization is accredited, and cease referring altogether to their BSOAP accredited status in all future communication with stakeholders. No notice or press release is prepared for decisions regarding continued maintenance of accreditation; however, the BSCC will remove the names of organizations that do not maintain accredited status from the PBSA website and other official listings of accredited organizations.
13. All BSCC members have signed statements agreeing to keep all information reviewed as part of the accreditation process confidential. Also, staff or volunteers that are not working on the accreditation program will not have access to the application materials. Additionally, in most cases, the entire application will only be reviewed by staff, contracted partners, and the auditor. However, data submitted by applicants may be used in aggregate form for statistical or research purposes.

Disclaimer Submission of BSOAP interim surveillance audit materials and supporting documentation does not constitute a guarantee of continued accreditation of an organization. Applicants that are awarded BSOAP continued accredited status will be notified of such in writing and will be provided with specific information in writing regarding the appropriate references to their accredited status in written materials. Until actual continued accredited status is achieved and the accredited organization is so notified in writing, no verbal or other form of communication will be given to anyone regarding the continuing accredited status of the applicant.

Instructions for Submission Of 3-Year Interim Surveillance Audit Application

Choose one of the following options:

1. Email the completed application to accreditation@thepbsa.org
2. Mail the completed application and payment to:

PBSA
110 Horizon Drive, Ste. 210
Raleigh, NC 27615

3-Year Interim Surveillance Audit Accreditation Application

Applicant Organization Location and Contact Information:

Organization Applying for 3-Year Interim
Surveillance Audit: _____

Name of Organization's Designated
Representative: _____

Representative's Business
Title: _____

Mailing
Address: _____

City: _____ State: _____ Postal
Code: _____

Country _____ Fax: _____

Telephone: _____ Email: _____

Website: _____

Is your organization currently or has it previously been a member of PBSA? Yes No

3-Year Interim Surveillance Audit Applicant Profile:

Please provide all information requested regardless of whether it is new information, changed information or the same as when you first applied for accreditation.

Is Applicant: Sole Proprietorship Partnership Corporation Other:

If in U.S., Federal Tax ID Number

(Social Security Number if Sole

Proprietorship): _____

If located outside of the US, please enter your applicable business identification number as proof of incorporation from the applicable government registration source. If not incorporated, please provide a current business license number. Attach supporting documentation of the same.

Please describe the type of business you do by percentage (must equal 100%):

_____ % _____ % _____ %

_____ % _____ % _____ %

Is the applicant organization a subsidiary of or controlled by any other organization or entity? Yes No

If yes, please specify: _____

Date Organization was started: _____

If operating under a “doing business as name,” please list the name and filing date of that name: _____

What is the name of your organization’s CEO (or Chief Staff Officer/Office Holder): _____

3-Year Interim Surveillance Audit Applicant Agreement and Certification:

We agree with and are bound to the following: (please initial each item and sign on the bottom):

____ I certify that I have read, understand and accept the BSOAP Accreditation Code of Conduct for Accredited Organizations.

____ I understand and agree to the schedule of fees in effect at the time of this application.

____ If applying for the US Employment Screening Accreditation, I certify that our organization is in full compliance with all terms of the Fair Credit Reporting Act. If applying for General Background Screening Accreditation, I certify that our organization is in full compliance with the relevant data privacy and screening laws of the jurisdiction(s) in which we operate.

____ I certify that our organization has no unresolved complaints or grievances filed with PBSA/NAPBS or the BSCC.

____ If a PBSA Member, I certify that our membership has never been revoked for any reason.

____ I have read and understand the BSOAP Accreditation Standard, which makes clear what documentation, facilities and equipment I will be required to have available and immediately accessible to the auditor.

____ Any failure to make accessible for inspection all documentation, facilities, and equipment on the date, time and location identified, (as determined by the BSOAP) may result in failure to be accredited, forfeiture of the application fees, additional fees for failures, re-auditing, or other expenses and/or require that we reapply if we want to pursue this Accreditation. Also, failure to meet the criteria for the type(s) indicated on this application may be considered a failure of the audit.

____ The audit and any Accreditation achieved as a result are application to the location listed on this application, as well as all other physical location which the organization uses to operate all of any parts of its business.

____ Organization may not apply any accreditation achieved through this audit or for any other non-organization related operations or locations owned by the organization.

____ In the event of multiple operation centers, the auditor, with the assistance of PBSA Staff, will determine whether to audit at a single, or multiple locations. The applicant is responsible for coordinating and locating all personnel and material needed to conduct a “site visit/s” at the locations determined.

____ I understand that our firm must reapply for accreditation every five (5) years, prior to the expiration of the current accreditation period, as well as complete the Interim Surveillance Audits in the 3rd year. If we choose not to reapply and/or not to submit to this required audit process, we will lose our accreditation. Loss of accreditation will not affect PBSA membership.

____ I will hold PBSA, its agents, directors, BSCC, Staff, contractors and/or Auditor harmless from any claim of damage or loss because of our organization's failure to achieve accreditation.

____ I understand and agree that the specification and fees for accreditation are subject to change at the discretion of the BSCC.

____ All of our organization workers are eligible to work in their respective jurisdictions and we have all the necessary documentation to confirm this fact.

____ I understand that random unannounced audits are part of the BSOAP. I agree to allow access to an Accreditation Auditor for purposes of conducting such unannounced audits.

___ We will not prosecute the Auditor for trespassing or any crime resulting from verifying the accreditation criteria or testing access control of our files or offices.

___ At any time during the application, audit process, or after accreditation, I acknowledge that the BSCC, its agents and/or the accreditation Auditor may investigate or require additional information or documentation from our organization to verify information on this application or the accreditation criteria.

___ I understand that the Auditor does NOT approve or deny our ongoing accreditation. The Auditor's findings will be submitted to the BSCC for the determination of accreditation.

___ I have 30 days (as determined by the email/mail timestamp) to submit to the BSCC Appeal Panel in writing any protest of the results of the interim surveillance audit. Appeals may also be submitted to PBSA at the address provided on this application. I understand that the dispute should clearly state the perceived reason for the failure to achieve accreditation and why the finding is incorrect. I understand that the BSCC Appeal Panel, within a reasonable amount of time, will make a ruling upon the dispute. I accept the ruling of the BSCC Appeal Panel as final and will seek no further remedy, legal or otherwise, except to reapply for accreditation at my discretion and expense.

___ I understand and agree that our organization, including all of its workers and agents, will refrain from any false or misleading claims, suggestions or references regarding PBSA, including but not limited to such claims used in advertising produced in advance and/or in anticipation of accreditation at some future date.

___ If at any time during our audit process our accreditation information or procedures change, we must notify the BSCC in writing in accordance with the Policies and Procedures. Such changes may include changes in ownership, location move, or any information provided in this application.

___ I agree that if accreditation for which this organization is seeking is granted through PBSA and if we then elect to discontinue any or all accreditation operations or endorsements, we must notify PBSA within 30 days of said status change.

___ I hereby agree to indemnify and hold Auditor, as well as its organization workers, officers, directors, contractors, agents and similar persons, harmless from and against any damage or expense relating to bodily injury or death of any person or damage to property incurred while auditor is performing its services on organization premises to the extent injury or damage is directly caused by the acts or omissions of organization, its personnel or agents, and organization will reimburse auditor for all expenses (including attorneys' fees and costs) as incurred by auditor in connection with any such claim.

___ This application is truthful and accurately represents the daily operating procedures of our organization. I understand that if any of our organization representatives willfully deceive PBSA or an accreditation Auditor, my organization could be immediately removed from PBSA and/or our accreditation revoked.

Certifications:

Has the Applicant Company, individual or any of its principals:

Been convicted, whether at trial or by plea, by a court or general court martial of any crime at any time?

Yes__ No__

Been subject to a civil judgment for fraud, misrepresentation, unfair competition, or similar tort within the last 7 years? Yes__ No__

Had a professional membership, license, registration or certification denied, suspended or revoked (other than a lack of minimum qualification or failure of examination)? Yes__ No__

Been censured or disciplined by any professional body or organization? Yes__No__

Presently debarred, suspended, proposed for disbarment, or declared ineligible for the award of any contract by any federal, state, or government agency? Yes__No__

Presently charged with any crime or subject to a civil complaint for fraud, misrepresentation, unfair competition, or similar tort? Yes__No__

If you have answered YES to any of the above and believe circumstances exist which warrant special consideration by BSCC, such circumstances may be explained in a written attachment to this application. The BSCC and/or PBSA will review responses and any submitted documentation in consideration of the nature and gravity of the offense, time that has passed since the offense occurred, nature of accreditation and evidence of rehabilitation.

Signature:

By signing below and submitting all of the information herewith, I certify, based on information and belief formed after reasonable inquiry, that all information provided herein is true and complete to the best of my knowledge and belief. I understand that any misrepresentation of information included on this form or in this process may be grounds for revocation of any accreditation awarded. I authorize the BSCC to verify any of this information, and release all concerned from any liability in connection therewith. I further agree to abide by the BSOAP Accredited Organization Code of Conduct provided as part of this application process.

Full Name of Applicant Organization or Individual:

Full Name of Person Authorized to make application:

Signature of Person Authorized to make application:

Signature Date:

Accredited Organization Code of Conduct

The Background Screening Organization Accreditation Program (“BSOAP”) Accredited Organization Code of Conduct was adopted by the Background Screening Credentialing Council in February 2009.

Preamble

PBSA is a not-for-profit, tax-exempt trade association formed to promote, develop, educate, and otherwise further the Employment and Tenant Screening industry. The Background Screening Organization Accreditation program advances professionalism in the employment screening industry through the promotion of best practices, awareness of legal compliance, and development of standards that protect consumers.

The business and affairs of the accreditation program are managed under the direction of the Background Screening Credentialing Council (the “BSCC”). The Background Screening Credentialing Council has been created to ensure firms seeking accreditation meet or exceed a measurable standard of competence in the areas of integrity, security, consumer privacy and legal compliance. The BSOAP Accredited Organization Code of Conduct (the “Accredited Organization Code”) serves as a code of conduct for organization workers of Accredited Organizations of the BSOAP. Violations of the Accredited Organization Code may result in sanctions imposed under the policies and procedures as defined by the BSCC. The principles and requirements that comprise the Accredited Organization Code are based upon and are designed to ensure full conformity by BSOAP Accredited Organization’s and their Organization workers (“Organization workers”) with the Accredited Organization Code. At the same time, the Accredited Organization Code and enforcement procedures are not designed to supplant courts of law in the resolution of disputes within the Employment Screening industry. Moreover, the checks and balances built into the Accredited Organization Code and procedures are designed to strike the proper balance between ensuring full conformity with an Organization’s obligations and ensuring the integrity and efficacy of the Accredited Organization Code on the one hand, and protecting Organizations, through the use of reasonable due process, against patently false, malicious or groundless accusations that could result in significant business or personal harm if not properly handled.

CODE:

1. All Accredited Organizations and their Organization workers shall perform professional duties in accordance with the law, the highest moral principles and the BSOAP Accreditation Standard.

EXPLANATION

Individuals shall:

- 1.1 Uphold the law of the land in which the services are rendered and perform all duties in an honorable manner.
- 1.2. Not knowingly become associated in responsibility for work with colleagues who do not conform to the law and these ethical standards.
- 1.3. Be just and respect the rights of others in performing professional responsibilities.

CODE:

2. All Accredited Organizations and their Organization workers shall observe the precepts of truthfulness, honesty and integrity.

EXPLANATION

Individuals shall:

- 2.1. Disclose all relevant information to those having the right to know.
- 2.2. Define "right to know" as a legally enforceable claim or demand by a person for disclosure of information. Such a right shall not depend upon any person having prior knowledge of the existence of the information to be disclosed.
- 2.3. Not knowingly release misleading information nor encourage or otherwise participate in the release of such information.
- 2.4 Not participate in a practice of filing knowingly false or frivolous complaints or accusations against other Organizations, which if found to be the case, may result in the loss of Accreditation status.

CODE:

3. All Accredited Organizations and their Organization workers shall be faithful, competent and diligent in discharging professional responsibilities.

EXPLANATION

Individuals shall:

- 3.1. Be deemed faithful when fair and steadfast in adherence to promises and commitments.
- 3.2. Be deemed diligent when employing best efforts in an assignment.
- 3.3. Not act in matters involving conflicts of interest without appropriate disclosure and approval.
- 3.4. Represent services or products fairly and truthfully.
- 3.5. Be deemed competent, possess and apply the skills and knowledge required for the task.
- 3.6 Not accept a task beyond the Organization's competence nor shall competence be claimed when not possessed.

CODE:

4. All Accredited Organizations and their Organization workers shall safeguard confidential information and exercise due care to prevent its improper disclosure.

EXPLANATION

Individuals shall:

- 4.1 Exercise "due diligence" when handling, transmitting or otherwise disclosing confidential consumer information to any party.
- 4.2 Properly mask or otherwise similarly protect the confidentiality of all personally identifiable information contained in any disclosure.

- 4.3 Dispose of confidential information appropriately and securely as mandated by law.

CODE:

5. **All Accredited Organizations and their Organization workers shall avoid injuring the professional reputation or practice of colleagues, clients or employers.**

However, nothing in this code limits an Organization from engaging in fair, competitive business practices.

EXPLANATION

Individuals shall:

- 5.1. Accept that "due care" requires the professional must not knowingly reveal confidential information, or use a confidence to the disadvantage of the principal or to the advantage of the Organization or a third person, unless the principal consents after full disclosure of all the facts. This confidentiality continues after the business relationship between the Organization and his principal has terminated.
- 5.2. Individuals are not bound by confidential disclosures made of acts or omissions, which constitute a violation of the law unless they have agreed to do so.
- 5.3. Understand confidential disclosures made by principals are not recognized by law as privileged in a legal proceeding. Individuals may be required to testify in a legal proceeding to the information received in confidence from a principal over the objection of that principal's counsel.
- 5.4. Not disclose confidential information regarding any consumer, Organization's products, services, trade secrets or any other information for personal gain without appropriate authorization.
- 5.5. Not comment falsely and with malice concerning a colleague's competence, performance or professional capabilities.

Glossary of Terms

Accreditation – A conformity assessment process where an organization or organization uses experts in a particular field of interest or discipline to define or recognize standards of acceptable operation/performance for organizations/entities and measure conformity with them.

Organization– The entity seeking or having received accreditation from BSCC.

Organization Code – BSOAP Accredited Organization Code of Conduct by which all accredited entities must abide.

Board – PBSA Board of Directors

BSOAP – Background Screening Organization Accreditation Program

BSCC – Background Screening Credentialing Council. - The governing body for the accreditation program.

Clause – Each component of the Standard describing criteria with which to conform in order to achieve accreditation.

Council – BSCC or Background Screening Credentialing Council. - The governing body for the accreditation program.

Letter of Intent – Letter to be submitted by an Organization as the first step and indication of their intent to apply for accreditation.

Measures – The criteria used to determine conformity with a clause.

Self – Evaluation – The process in which an Organization submits information and documentation in support of their demonstration of conformity with accreditation standards.

Staff – PBSA Staff, currently IMI Association Executives

Standard – BSOAP Accreditation Standard

Surveillance – As it relates to accreditation, the process of monitoring and review of an accredited Organization for ongoing conformity with the accreditation Standard.