

The Background Screening Credentialing Council (BSCC) volunteer members drafted the accreditation tip for Clause 4.3 of the BSAAP Standard, version 2.0, effective April 6, 2018. This tip does not constitute a legal opinion of the BSCC.

TITLE: Clause 4.3 – Public Record Researcher Certification

Clause: CRA must have and follow a procedure requiring public record researcher to certify in writing that they will conduct research in compliance with all applicable legal and regulatory requirements, as well as in the manner prescribed by the repository which maintains the official record of the court; never obtain information through illegal or unethical means; and utilize document disposal and/or destruction methods pursuant to the federal FCRA.

A **Non-Conformity** for section 4.3 may look something like the following:

“Testing of the control activity disclosed that the public record researcher agreement did not include a section indicating that the public record researcher would obtain information only through legal and ethical means nor that they would dispose of or destroy confidential documents in a secure manner.”

The Audit Criteria for Clause 4.3 of the BSAAP Standard, Version 2.0, Effective April 6, 2018 provides:

The Certification signed by the Public Record Researcher must include, but is not limited to, the following: 1) to comply with all applicable legal and regulatory requirements, as well as in the manner prescribed by the repository which maintains the official record of the court; 2) to obtain information only through legal and ethical means; 3) to dispose of or destroy confidential documents in a secure manner per FTC document destruction rule; 4) to transmit all consumer information in a secure manner; and 5) to allow CRA to audit records. (Note: This certification may be part of the "Public Record Researcher Agreement" described in Clause 4.1.) Auditor will seek evidence of adherence to policies and procedures.