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*The Background Screening Credentialing Council (BSCC) has drafted the following accreditation tip for the US Employment Screening BSOAP Standard, this tip applies to US Version 2.0 and 3.0. This response is provided for educational purposes only and does not constitute legal advice, express or implied of the BSCC, or the Professional Background Screening Association. Consultation with legal counsel is recommended in all matters of employment law.*

*For the purposes of this Tip, and to ensure our response applies to both Standards, the terms Organization and CRA may both be used.*

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**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 Clause 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 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.*

We hope the above provides further information and clarification on the information provided in the Standard and may be used to improve your accreditation submission.