
The Background Screening Credentialing Council has drafted the following response to a question we have received regarding the US Employment Screening / General Background Screening BSOAP Standard, this letter applies to US Version 2.0, and General Version 1.0. 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 Letter, and to ensure our response applies to both Standards, the terms Organization and CRA may both be used.

TITLE: Clause 1.1 Information Security Certification and Section 5 – Verification Services

Questions: I have two questions as I am working through preparing materials:

1. Would Section 5 apply to my company if we aren't completing verifications ourselves but rather housing a database that reports verifications of employment regarding termination records between employers?
2. In regards to a security audit, would our company be able to submit application during a SOC2 Type 1 report before a SOC2 Type 2 audit and report is complete?

Response: Thank you for your inquiry.

In response to your question 1 above, Yes, “Section 5 Verification Services Standards” will still apply to your Organization/CRA regardless of what source(s) of data you are utilizing to complete verification requests for your clients. Section 5 of the Standard includes but is not limited to verification accuracy, having proper authorizations from consumers, communicating whether the original education data source is accredited or an otherwise recognized institution of higher education and learning, full disclosure to clients about general business practices, and procedures to ensure databases are managed properly to ensure maximum possible accuracy. If you believe there are certain clauses that are not applicable, you may note this within your submission, including an explanation as to why you believe the clause(s) do not apply.

In response to your question 2 above, a submission which includes evidence of completion of a SOC2 Type 1 audit would not be acceptable as it does not meet the requirements of Clause 1.1.

Part of Clause 1.1 requires the Organization/CRA to provide “written evidence of completing an information security audit for which no critical, high-risk, or severe security vulnerabilities remain uncured.” A SOC2 Type 1 audit tests for the presence of written security controls and the appropriateness of those controls. In contrast, a SOC2 Type 2 audit (which includes SOC2 Type 1

Issued July 2018
Revised June 2022
Reviewed August 2023

requirements) tests to determine whether those controls are actually in place, being followed in the auditee's environment, and the effectiveness of those controls.

Because Clause 1.1 requires auditing of the actual use and effectiveness of security controls, a review and assessment of security documentation (as required by SOC2 Type 1) would not be sufficient to meet clause requirements.

Thank you for submitting your inquiry and giving the BSCC an opportunity to review. We believe we have responded fully to your inquiry. Please let us know if you have any further questions.