

The Background Screening Credentialing Council (BSCC) has drafted the following accreditation tip for the US Employment Screening BSOAP Standard versions 2.0 and 3.0 and the General Background Screening Standard 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 Tip, and to ensure our response applies to both Standards, the terms Organization and CRA may both be used.

Clause 2.18 – Automated Reporting (US Standard)

If Organization uses automated reporting systems, organization must have and follow reasonable procedures to ensure results as reported on consumer report accurately reflect source information received into the automated reporting system.

Clause 2.18 – Automated Fulfillment (General Standard)

If organization uses automated fulfillment systems, organization must have and follow reasonable procedures to ensure results as reported on subject report accurately reflect source information and to ensure that legal obligations around automated decision making are met, if applicable.

The scope of this clause is limited to automated systems which result in data being reported without human intervention, but the principles laid out in this tip may also be useful when considering other clauses requiring monitoring or audit activities.

Accredited organizations are required to have and maintain a monitoring program to ensure maximum possible accuracy of automated fulfillment systems. That program must, at minimum, involve comparing primary source data with what was ultimately reported. This is true even if the automated reporting function is outsourced to a third party such as a platform provider, a court researcher, a data wholesaler or another background screening organization. Accredited organizations must ensure that any third parties they engage in supporting the fulfillment of screening services provide adequate transparency into source data and automated fulfillment methods, such as access to audit trails or verification of primary data sources, to facilitate the monitoring by the accredited organization.

The clause neither prohibits nor requires outsourcing the monitoring function itself to a third party. Accredited organizations are free to manage this as they see fit, but they are ultimately responsible for ensuring compliance with the clause.

Each accredited organization must determine the appropriate scale of their monitoring program to ensure its effectiveness and should be able to justify how they arrived at that determination. The number of searches the organization decides to audit should be reasonably sufficient to ensure that the expected level of quality is being met. The BSCC cannot provide an acceptable minimum number or percentage of searches or orders which must be audited in a given time period. Auditing a single search per year would likely not be a sufficient approach to monitoring a system processing many orders; conversely, while some organization may choose to review every search for accuracy, that would likely not be necessary to effectively monitor an automated fulfillment system.

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.

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