

The Background Screening Credentialing Council

The Background Screening Credentialing Council volunteer members drafted the following response to questions about the BSAAP Standard, version 2.0, effective April 6, 2018. This letter is an informal discussion of the question posed and does not constitute a legal opinion of the BSCC.

TITLE: End User Credentialing

Question:

Regarding Clause 6.5 Audit Criteria's Attributes of and Suggestions for Onsite Audit, a CRA had the following request for changes to the audit criteria:

Our company is finding it more and more difficult to onboard new clients while also adhering to the BSAAP standard. It is costing us clients and revenue while allowing non accredited firms to pick up certain business that we have to reject in order to remain in compliance. While we understand the need to ensure that access to Consumer Reports is controlled and new accounts are verified, there are some standards that may be outdated and we would like to respectfully ask you to review.

Section 6.5 requires that we obtain verification of working business phone, fax, email and website. By following this requirement the following types of clients would be excluded from obtaining background checks from an accredited CRA:

- Startup companies who are in the process of hiring their first employees and do not have their website completed. In lieu of a website, we suggest that a copy of the IRS Tax ID verification letter with a matching address might be an acceptable substitute.
- Franchisees and small companies who do not have website, but instead use a social media page. We also run into this a lot for medical marijuana locations who appear on Weedmaps but do not have a corporate website.
- Any company who utilizes a Gmail, Yahoo, or similar email address and does not have a corporate email address. This would include franchisees that work under a franchise umbrella, when the franchise corporate office does not provide corporate emails, and it is not possible for the franchisee to obtain a corporate email.
- Any company who does not provide a fax number. Most companies no longer utilize fax.
- The standard also requires that we verify the company in a business directory, such as yellow pages Hoover's or Dun. In many cases a newly established company will not have a listing in any of these directories nor any others that we can identify.

Response:

Thank you for your inquiry regarding Clauses 6.5 of the PBSA Accreditation Standard and Audit Criteria, Version 2.0.

Clause 6.5 reads as follows:

CRA must have and follow a procedure to identify and authenticate all clients prior to disclosing consumer reports or other consumer information. The procedure must require the CRA to maintain written records regarding the qualification of each client who receives consumer reports or other consumer information.

The Attributes of and Suggestions for Onsite Audit for Clause 6.5 read as follows:

Client authentication methods must include, but are not limited to: 1) obtaining evidence of right to conduct business, such as copy of business license, articles of incorporation, or state filing etc., and authentication thereof, 2) verification of working business phone, fax, email, and website, 3) verification of listing in business directories such as yellow pages, Hoover's, Dun and Bradstreet, etc., and may include 4) onsite inspection to confirm business facility exterior and interior appearance meet common business norms for this type of business. Auditor will seek evidence of adherence to policies and procedures.

The goal of clause 6.5 is to ensure that CRAs are identifying and authenticating clients to ensure they are legitimate and active businesses.

Clause 6.5 *requires* the CRA to authenticate evidence of right to conduct business, working contact information and of listing in a business directory (subsections 1, 2 and 3). The onsite inspection (subsection 4) is also a recommended tool for business verification but is *optional* under the clause.

Subsection two is written to require verification of a working business phone, fax email *and* website. However, the BSCC believes the intention of the clause should be to allow CRAs the flexibility to verify business phone, fax, email *or* website – enough information to provide the CRA with confidence that the client is a valid and actively operating business. PBSA will evaluate an update to this clause to ensure clarity in future versions. In the meantime, the BSCC will not disqualify any applicant for accreditation on the basis that it has not been able to verify *all* types of business contact method, provided it has been able to verify at least *one* of the acceptable types of business contact method. The BSCC will instruct the accreditation auditors accordingly.

With regard to subsection 3, it is expected that a valid and actively operating client will have a listing in a business directory (including an industry specific directory). The options given are examples, and CRAs may choose to validate via any reputable business directory.