

Outsourced employment screening

Background

Your company may choose to contract out some of their pre-employment screening activities, e.g. credit reference agency checks or career/employment history verification. However, the outcome of any outsourced pre-employment screening or other checks is subject to review by your company as part of the final determination as to the suitability of the individual for a particular role. This may include provision for a statutory declaration (e.g. where the record of career history is incomplete), executive acceptance of risk (e.g. where there is adverse financial history), and final sign-off.

Your company must retain overall responsibility, and continue to have a key role in managing the engagement and periodic review of an individual.

The following is not intended to be comprehensive, but points to the relevant ACS indicators and offers guidance on the type of evidence that could reasonably be expected to demonstrate that as an approved contractor (that chooses to outsource pre-employment screening), your company is meeting the ACS standard.

Relevant indicators

1.2.3 Where a British Standard code of practice exists for a particular industry sector (as determined by the SIA) organisations seeking approval for the sector should aim to conform to their guidelines.

6.1.1 The organisation works to BS 7858 or appropriate industry sector equivalent*

3.1.1 Effective purchasing procedures are implemented

3.1.2 The organisation works in partnership with its suppliers to improve performance

5.1.2 The organisation complies with legislation on the handling of and protection of data.

6.1.2 Staff records are maintained

6.2.3 All staff are trained to the required standard

6.2.5 All staff have training plans and records

* BS7858:

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BS7858, clause 8.3 Outsourced security screening

Where security screening services are outsourced, the organization should ensure that the recommendations given in this British Standard are applied

Guidance

The contract your company has with its outsourced pre-employment screening provider should be clear about the respective obligations and standards required.

Where outsourced pre-employment screening service providers are used, your company must demonstrate that it has maintained accountability for specific activities that the service provider undertakes. (Approved contractors are reminded that outsourcing of pre-employment screening does not remove your responsibility to demonstrate conformance to BS7858 or ACS requirements, noting in particular elements of BS7858 that cannot be outsourced.)

As an approved contractor, your company must demonstrate due diligence with its outsourced service provider. This might include, but is not limited to, the following:

- An approved contractor must demonstrate the supplier checks or supply chain audits it completes to demonstrate that the outsourced service provider is working to the relevant codes of practice prior to the start of, and throughout, the contract term.
- Where pre-employment screening is outsourced to another business (e.g. a dedicated pre-employment screening organisation, or other business), that business should demonstrate a 2nd party or UKAS recognised 3rd party certification. If 3rd party, the assessor should be looking for BS 7858 certification. If 2nd party, the person carrying out audit must be competent to do so – this could be evidenced through training records.
- Individuals or companies that provide pre-employment screening services on your company's behalf, must demonstrate the required competency. Where

an individual, provides a training certificate as evidence of competence, a certificate issued by a training provider recognised by an Awarding Organisation would carry more weight than one from an unrecognised provider.

- Presentation of information for pre-employment screening should be a fully completed pre-employment screening file, and not simply a certificate that pre-employment screening has been completed.
- The outsourced pre-employment screening supplier must demonstrate that it has appropriate information security arrangements in place that meet legal requirements and that of your company.

Electronic screening evidence

The following is not intended to be comprehensive, but recognises some of the challenges posed by the introduction of electronic means to provide evidence that has traditionally been provided in hard copy. This is particularly relevant to employment screening processes, (e.g. the use of text or other electronic message responses to verify prior employment/employment history, or the use of online databanks), and recognises the reality that evidence will increasingly be offered in this form.

Relevant standards:

ACS

1.2.3 Where a British Standard code of practice exists for a particular industry sector (as determined by the SIA) organisations seeking approval for the sector should aim to conform to their guidelines.

6.1.1 The organisation works to BS 7858 or appropriate industry sector equivalent

BS7858

7.3.1 General

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Written evidence should be obtained to see if there is anything in the individual's background which would reflect adversely upon their suitability for the proposed employment (see Clause 5).

NOTE: When obtaining references, it is important to be sure that the source is genuine. If considered necessary, extra checks can be made to verify the validity of telephone numbers, postal and email addresses.

7.4e The individual's public financial information: the organization should establish these details by direct reference through a credit reference agency or its agent.

Note: BS7858 currently only refers to 'written' references.

Guidance

Text or other electronic messaging, may be appropriate as follows:

- 'Writing' can be interpreted as hard copy or electronic document format.
- The contractor must be satisfied that the contact details for the person providing the electronic reference has been verified. This may be through direct contact, and/or verifying the source and integrity of text messages or emails. Records of how this is achieved should be maintained.
- Where pre-employment screening is outsourced, and the completed screening file is passed to your company, it should contain evidence of verification (of the source of any electronic means used), and a copy of the electronic messages out and received. Evidence could be in the form of photos, screenshots, or copies of emails.

Online databanks (e.g. a 'reference hub' that hold an individual's employment or other records) may be appropriate as follows:

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- The online databank supplier is compliant with the DPA, GDPR, and other regulations
- The individual has checked the online database to confirm accuracy
- There is clarity around the consent process, and the individual has provided the relevant ID/access details to the contractor. This includes where there are any charges to the individual - these must be transparent, and agreed
- The contractor has carried out relevant checks to confirm that the records held on the databank are for the individual concerned
- Your company has carried out due diligence with the relevant referees (employers) where there are anomalies or queries with the information provided