



## **Background Screening Agency Accreditation Program**

### **Accredited Agency Code of Conduct**

**The Background Screening Agency Accreditation Program (“BSAAP”) Accredited Agency Code of Conduct was adopted by the Background Screening Credentialing Council in February, 2009.**

#### **Preamble**

NAPBS is a not-for-profit, tax-exempt trade association formed to promote, develop, educate, and otherwise further the Employment and Tenant Screening industry. The Background Screening Agency Accreditation program advances professionalism in the employment screening industry through the promotion of best practices, awareness of legal compliance, and development of standards that protect consumers.

The business and affairs of the accreditation program are managed under the direction of the Background Screening Credentialing Council (the “BSCC”). The Background Screening Credentialing Council has been created to ensure firms seeking accreditation meet or exceed a measurable standard of competence in the areas of integrity, security, consumer privacy and legal compliance. The BSAAP Accredited Agency Code of Conduct (the “Accredited Agency Code”) serves as a code of conduct for employees of Accredited Agencies of the BSAAP. Violations of the Accredited Agency Code may result in sanctions imposed under the policies and procedures as defined by the BSCC. The principles and requirements that comprise the Accredited Agency Code are based upon, and are designed to ensure full conformity by BSAAP Accredited Agency’s and their Employees (“Employees”) with the Accredited Agency Code. At the same time, the Accredited Agency Code and enforcement procedures are not designed to supplant courts of law in the resolution of disputes within the Employment Screening industry. Moreover, the checks and balances built into the Accredited Agency Code and procedures are designed to strike the proper balance between ensuring full conformity with an Agency’s obligations and ensuring the integrity and efficacy of the Accredited Agency Code on the one hand, and protecting Agencies, through the use of reasonable due process, against patently false, malicious or groundless accusations that could result in significant business or personal harm if not properly handled.



## **Accredited Agency Code of Conduct**

### **CODE**

**1. All Accredited Agencies and their Employees shall perform professional duties in accordance with the law, the highest moral principles and the BSAAP Accreditation Standard.**

### **EXPLANATION**

Individuals shall:

- 1.1 Uphold the law of the land in which the services are rendered and perform all duties in an honorable manner.
- 1.2. Not knowingly become associated in responsibility for work with colleagues who do not conform to the law and these ethical standards.
- 1.3. Be just and respect the rights of others in performing professional responsibilities.

### **CODE**

**2. All Accredited Agencies and their Employees shall observe the precepts of truthfulness, honesty and integrity.**

### **EXPLANATION**

Individuals shall:

- 2.1. Disclose all relevant information to those having the right to know.
- 2.2. Define "right to know" as a legally enforceable claim or demand by a person for disclosure of information. Such a right shall not depend upon any person having prior knowledge of the existence of the information to be disclosed.
- 2.3. Not knowingly release misleading information nor encourage or otherwise participate in the release of such information.
- 2.4 Not participate in a practice of filing knowingly false or frivolous complaints or accusations against other Agencies, which if found to be the case, may result in the loss of Accredited status.

### **CODE**

**3. All Accredited Agencies and their Employees shall be faithful, competent and diligent in discharging professional responsibilities.**

### **EXPLANATION**

Individuals shall:

- 3.1. Be deemed faithful when fair and steadfast in adherence to promises and commitments.
- 3.2. Be deemed diligent when employing best efforts in an assignment.
- 3.3. Not act in matters involving conflicts of interest without appropriate disclosure and approval.

- 3.4. Represent services or products fairly and truthfully.
- 3.5. Be deemed competent, possess and apply the skills and knowledge required for the task.
- 3.6. Not accept a task beyond the Agency's competence nor shall competence be claimed when not possessed.

#### **CODE**

- 4. All Accredited Agencies and their Employees shall safeguard confidential information and exercise due care to prevent its improper disclosure.**

#### **EXPLANATION**

Individuals shall:

- 4.1 Exercise "due diligence" when handling, transmitting or otherwise disclosing confidential consumer information to any party.
- 4.2 Properly mask or otherwise similarly protect the confidentiality of all personally identifiable information contained in any disclosure.
- 4.3 Dispose of confidential information appropriately and securely as mandated by law

#### **CODE**

- 5. All Accredited Agencies and their Employees shall avoid injuring the professional reputation or practice of colleagues, clients or employers.**

**However, nothing in this code limits an Agency from engaging in fair, competitive business practices.**

#### **EXPLANATION**

Individuals shall:

- 5.1. Accept that "due care" requires the professional must not knowingly reveal confidential information, or use a confidence to the disadvantage of the principal or to the advantage of the Agency or a third person, unless the principal consents after full disclosure of all the facts. This confidentiality continues after the business relationship between the Agency and his principal has terminated.
- 5.2. Individuals are not bound by confidential disclosures made of acts or omissions, which constitute a violation of the law unless they have agreed to do so.
- 5.3. Understand confidential disclosures made by principals are not recognized by law as privileged in a legal proceeding. Individuals may be required to testify in a legal proceeding to the information received in confidence from a principal over the objection of that principal's counsel.
- 5.4. Not disclose confidential information regarding any consumer, Agency's products, services, trade secrets or any other information for personal gain without appropriate authorization.
- 5.5. Not comment falsely and with malice concerning a colleague's competence, performance or professional capabilities.