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BRITISH STANDARD

Security screening of individuals employed in a security environment – Code of practice

ICS 13.310

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British Standards

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Summary of pages

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- g) The organization should establish by direct reference through a recognized credit reference bureau or agent the individual's financial history. The search should include official public record information and as a minimum:
- i) postal address links that should also be searched;
 - ii) county court judgments (CCJ);
 - iii) bankruptcy orders;
 - iv) aliases;
 - v) date of birth;
 - vi) electoral register.

Foreword

Publishing information

This British Standard comes into effect on 1 January 2007 and was prepared by Subcommittee GW/3/-/9, *Security screening*, under the authority of Technical Committee GW/3, *Manned security services*. It supersedes BS 7858:2004, which will be withdrawn on 29 December 2006.

A list of organizations represented on GW/3/-/9 can be obtained on request to its secretary.

The start and finish of text introduced or altered by Amendment No. 1 is indicated in the text by tags **A1** **A1**.

Performing security screening will necessitate the processing of personal data. Attention is drawn to the Data Protection Act 1998, (see Annex C) and the Information Commissioners Code of Practice: Employment records. Further details can be accessed via www.dataprotection.gov.uk.

This revision takes account of the Private Security Industry Act 2001. The Act requires that any person engaged in licensable activities, as designated in the Act, be licensed in accordance with the Act. It is an offence to engage in licensable conduct when not in possession of the appropriate licence. This edition introduces criminality checks if the activity undertaken is not licensable, requires organizations to combat identity theft and fraud, introduces credit reference checking, and addresses the increasing frequency with which employees change jobs.

This British Standard was drafted in consultation with the Security Industry Authority (SIA). Further details can be accessed via <http://www.the-sia.org.uk/>.

Use of this document

As a code of practice, this British Standard takes the form of guidance and recommendations. It should not be quoted as if it were a specification and particular care should be taken to ensure that claims of compliance are not misleading.

Any user claiming compliance with this British Standard is expected to be able to justify any course of action that deviates from its recommendations.

Presentational conventions

The provisions of this standard are presented in roman (i.e. upright) type. Its recommendations are expressed in sentences in which the principal auxiliary verb is “should”.

Commentary, explanation and general informative material is presented in smaller italic type, and does not constitute a normative element.

The word “should” is used to express recommendations of this standard. The word “may” is used in the text to express permissibility, e.g. as an alternative to the primary recommendation of the clause. The word “can” is used to express possibility, e.g. a consequence of an action or an event.

Notes are provided throughout the text of this standard to give references and additional information that are important but do not form part of the recommendations.

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

Contractual and legal considerations

Compliance with a British Standard cannot confer immunity from legal obligations.

In particular, attention is drawn to the following statutory regulations:

Rehabilitation of Offenders Act 1974 [1]

Rehabilitation of Offenders (Scotland) Act 1974 [2]

Rehabilitation of Offenders (Northern Ireland) Order 1978 [3]

Data Protection Act 1998 [4]

Criminal Justice Act 1961 [5]

Criminal Justice (Scotland) Act 1963 [6]

Electronic Communications Act 2000 [7]

Private Security Industry Act 2001 [8]

Asylum and Immigration Act 1996 [9]

Employment Act 2002 [10]

1 Scope

This British Standard gives recommendations for the security screening of individuals to be employed in an environment where the security and safety of people, goods or property is a requirement of the employing organization's operations and/or where such security screening is in the public interest.

NOTE Property includes intellectual and physical property.

2 Terms and definitions

For the purposes of this British Standard, the following terms and definitions apply.

2.1 ancillary staff

individuals involved in ancillary activities such as administration, personnel, building maintenance and cleaning

2.2 confirmed employment

employment (beyond the period of provisional employment, if any) granted upon successful completion of security screening and any additional criteria applied by the organization

2.3 organization

company, establishment, government or local authority department, or other body employing individuals in an environment where the security of people, goods or property is a significant consideration

2.4 provisional employment

initial period of employment for a new individual during which security screening is continuing

NOTE Successful completion of security screening is one criterion upon which the decision to grant confirmed employment is based.

2.5 relevant employment

employment which involves, or may involve, the acquisition of, or access to, information or equipment, the improper use of which could involve the organization, any client of the organization, or any third party, in a security risk

NOTE 1 The definition applies to individuals irrespective of whether they are engaged full-time or part-time, or on a permanent or temporary basis.

NOTE 2 Further guidance on individuals considered under relevant employment can be found in The Information Commissioners Employment Practices Data Protection Code – Part 1: Recruitment and Selection [11].

2.6 screening controller

individual in an organization responsible for security screening

2.7 security screening period

period of years immediately prior to the commencement of relevant employment or transfer to relevant employment, or back to the age of 12 if this date is more recent

2.8 writing

legible document (hardcopy document or electronically stored document capable of being printed) from an individual whose identity is verified

NOTE For verification of identity of signatories to electronic documents, attention is drawn to the Electronic Communications Act 2000 [7].

3 General

3.1 The organization should not employ individuals whose career or history indicates that they would be unlikely to resist the opportunities for illicit personal gain, or the possibilities of being compromised, or the opportunities for creating any other breach of security, which such employment might offer.

3.2 The organization should not employ individuals who, where required, cannot produce a valid work permit, visa or accession state worker registration card within the timescales required by law.

NOTE Attention is drawn to the The Immigration (Restrictions on Employment) Order 2004 [9].

3.3 The organization should make clear to all individuals employed in security screening (see Clause 8), and to those with authority to offer provisional or confirmed employment, that high standards of honesty and integrity should be maintained in view of the special circumstances of the environment in which they are employed.

Individuals employed in security screening should also be mindful of the difference between personal opinion and fact when recording information about individuals.

3.4 Although no system of security screening can provide absolute security, the organization should use every endeavour to ensure that the integrity of its personnel is established and maintained.

NOTE In some cases, the application of this British Standard might prevent employment or cause dismissal, because the verification procedures cannot be completed satisfactorily. It is emphasized that this should not necessarily be taken as an indication of unsuitability; it might simply not have been possible to obtain the required positive evidence.

3.5 The organization should carry out security screening in accordance with this British Standard prior to the engagement of individuals for relevant employment or to their being transferred to relevant employment from other duties for which they have not previously been subjected to security screening in accordance with this British Standard.

3.6 The security screening period should be not less than 5 years; however, organizations should lengthen the security screening period (see 4.8) to cater for:

- a) contractual or legislative considerations;
- b) specific industry standards.

3.7 The organization should ensure that security screening in accordance with this British Standard has been carried out on all individuals already in relevant employment. Employees already screened to previous editions of this Standard need not be re-screened.

3.8 This British Standard should be applied equally to all individuals in relevant employment, including full-time and part-time employees, temporary and permanent employees, and to all levels of seniority, including directors. The full security screening procedure should be carried out in the case of individuals regardless of their previous employment, even if that employment was in a security environment.

NOTE Attention is drawn to the Rehabilitation of Offenders Act 1974 [1] (see Annex A).

4 Security screening process

4.1 General

The organization should inform individuals being screened that their personal data will be used for the purposes of security screening and that any documents presented to establish identity and proof of residence may be checked using an ultra violet scanner or other method to deter identity theft and fraud. The organization should also inform the individual that any original identity documents that appear to be forgeries will be reported to the relevant authority.

NOTE 1 Examples of authentic documents, such as an SIA licence, passport and visa stamps, can be found on Government department web sites. For SIA licensing, refer to www.the-sia.org.uk.

NOTE 2 Information relating to the prevention of illegal working can be found in "Changes to the law on preventing illegal working: short guidance for United Kingdom employers", published by the Home Office [12].

All individuals should have a personal interview prior to any offer of employment being made.

The organization should obtain documentary evidence of background, experience and character for all individuals.

The screening controller should ensure that private and confidential data about individuals being security screened are held confidential unless authorized in writing by the individual being security screened.

NOTE 3 Attention is drawn to the Data Protection Act 1998 [4].

The authenticity of security screening information is important and organizations holding security screening information electronically or otherwise should be able to demonstrate that appropriate measures are in place to prevent alteration.

NOTE 4 Attention is drawn to BIP 0008-1.

4.2 Screening file

A screening file should be established for each individual subject to security screening (see Clause 9).

4.3 Provision of information

All individuals applying for relevant employment and all existing employees transferred to relevant employment from other duties should be required to sign the application form declaration (see Annex B, Form 5) and to provide the following.

- a) Proof of identity and address of residence; the documents that should be presented are listed on the SIA website (<http://www.the-sia.org.uk/>) and conform to the SIA requirements for licensing. The presentation of a valid and current SIA licence satisfies this recommendation, and copies of the documents should be retained in the screening file.
- b) Details of their education, employment, periods of self-employment, unemployment and gaps in employment throughout the security screening period.
- c) The names of two individuals with personal knowledge of the individual being security screened, from whom a written character reference can be requested. Each character reference should confirm that nothing is known about the individual being security screened which would reflect adversely upon their suitability for the employment concerned.

The individuals providing character references should be asked to confirm the nature of their relationships with the individual subject to the security screening and that they have known the applicant for a minimum of 2 years within the past 5 years.

Character references should not be obtained from relatives of and/or persons residing at the same address as the individual being security screened.

- d) Details of all cautions or convictions for criminal offences, including motoring offences and pending actions, subject to the provisions of the Rehabilitation of Offenders Act 1974 [1] (see Annex A).
- e) Details of all bankruptcy proceedings and court judgments.
- f) An acknowledgement that misrepresentation, or failure to disclose material facts, either during application or throughout employment may constitute grounds for immediate dismissal and/or legal action.
- g) A statement authorizing an approach to current and former employers, government departments, individuals providing character references, etc. for verification of a continuous record of their career and history.

NOTE 1 An example of the text that can be used is given in Annex B, Form 5, which can be used as a separate form or as part of the application form.

NOTE 2 If necessary, individuals may be reassured that a current employer will not be contacted until permission from the individual is obtained.

- h) Assistance in obtaining a continuous record of evidence in writing confirming that there is nothing in their background which would reflect adversely upon their suitability for the proposed employment. If permission to contact a current employer is withheld until an offer of provisional employment is made, the individual should be informed that it is a condition of the offer of provisional employment that the offer will be withdrawn if the security screening is not concluded satisfactorily.

NOTE Effective security screening is dependent upon those having knowledge of the individual being security screened supplying information and references. It is hoped that individuals and organizations will cooperate in supplying information and references when requested to do so, unless there are good and substantial reasons for not doing so.

4.4 Continuous record of career and history

For security screening purposes, the organization should establish by direct reference to current and former employers, government departments, educational authorities, etc., with confirmation from them in writing, details of education, employment, periods of self-employment and unemployment of the individual being security screened for the whole of the security screening period with no unverified periods greater than 28 days [see 4.5e)].

4.5 Verification of information

For security screening purposes, verification of the following should be sought, confirmation obtained in writing and copies retained (see Clause 9).

- a) Date of leaving full-time, secondary education; in the case of individuals who state that they ceased full-time secondary education during the security screening period, the written record should confirm the date of leaving. For those who left an educational establishment at the end of a school year (summer term), the period up to 1 November of that year may be considered as part of the school career; for those leaving at other times of year, the period of grace should be limited to two months. If verification is not possible with the educational establishment, the date of leaving should be confirmed by the referees.

Periods and type of employment (e.g. full time, part time, casual or occasional); obtained from previous employers, although reference to a current employer should not be made without the individual's prior written permission.

In addition, the organization should enquire:

- i) as to the reason for leaving;
- ii) whether anything is known about the individual that would reflect adversely upon their suitability for the proposed employment; and
- iii) whether former employers would re-employ the individual.

- b) Periods of registered unemployment; obtained from the Department for Work and Pensions (DWP), or other government agencies. Where a government department states that records are not available, the period for which the record is not available should be treated as an unverified period [see 4.5e)].
- c) Periods of self-employment; obtained from HM Revenue and Customs, bankers, accountants, solicitors, trade or client references, etc., as appropriate. Evidence should also be obtained confirming that the individual's business was properly conducted and was terminated satisfactorily.
- d) Periods of residence abroad; obtained where possible by, e.g. approaches to employers, confirmation of dates obtained from passports and work permits by contact with appropriate embassies and consuls.
- e) Where the record of career and history is incomplete and cannot be independently confirmed by both character referees in accordance with the written verification procedure, statements in writing covering the incomplete period should be obtained from a further referee(s) so that two references cover the incomplete period.
The referees should have personal knowledge of the individual being security screened during the period they are covering. The organization should be satisfied as to the credibility of the referee.
In exceptional cases, the method described in item f) may be used.
- f) Only when the security screening process in accordance with Clause 4 cannot be demonstrably completed, a Statutory Declaration made before a solicitor, commissioner for oaths, notary public or justice of the peace by the individual being security screened, may be used as an alternative. A Statutory Declaration should only be used to cover:
 - i) one incomplete period of no more than 6 months in the most recent 5 years of the security screening period, and
 - ii) an incomplete period or periods not exceeding 6 months in total in any 5-year period in the preceding years where screening is undertaken for a period longer than 5 years.

A1 This procedure should only be used with the prior approval of:

- 1) a partner in the organization; or
- 2) the sole owner of the organization; or
- 3) a director of the organization; or
- 4) a senior executive of the organization duly authorized in writing by one of the above. **A1**

NOTE The use of Form 6 given in Annex B is recommended (see also 9.4).

- A1** g) The organization should establish by direct reference through a recognized credit reference bureau or agent the individual's financial history. The search should include official public record information and as a minimum:
 - i) postal address links that should also be searched;
 - ii) county court judgments (CCJ);
 - iii) bankruptcy orders;
 - iv) aliases;
 - v) date of birth;
 - vi) electoral register. **A1**

A1 Where a concern appears during the consumer information search on an individual, such as an indication that the individual would be unlikely to resist the opportunity for illicit personal gain, the individual should be invited by the organization to make representation about the concern. Where the organization is satisfied with the individual's representation and the organization wishes to provisionally employ the individual, then the following should apply.

- 1) Where the single or multiple CCJ(s) are in excess of £5,000 (whether satisfied or not) an executive of the organization, having reviewed the documentation, signs to accept the risk.
- 2) Where the individual is a current bankrupt an executive of the organization, having reviewed the documentation, signs to accept the risk.
- 3) Where the individual is a director of another organization an executive of the employing organization, having reviewed the documentation, signs to accept the risk.

NOTE The organization may wish to agree executive acceptance of risk procedures on a block or on an individual basis with their efficacy insurers.

- h) Where the individual is employed in a position that does not require an SIA licence, then a police disclosure of convictions record check, for those working under the ACPO security systems policy, or disclosure from the CRB or Disclosure Scotland should be obtained. **A1**

NOTE 1 Inability to trace an employer or a DWP record might be due to false information being given to cover a period serving a spent prison sentence (see Annex A), which the individual being security screened is legally entitled not to disclose. However, legislation does not entitle anyone with a spent conviction to make a false claim of employment, and rejection or dismissal could be justifiable on the grounds of misrepresentation, i.e. rejection or dismissal in these circumstances would be because false information was given, not because of failure to disclose a spent conviction.

It might be necessary for individuals to provide certain information about themselves in order to complete the verification procedures. Care should be taken to ensure that the information supplied is genuine.

Where a discrepancy appears during the security screening of an individual, the individual should be invited by the organization to make representations about the discrepancy.

NOTE 2 For recommendations on how to process unverified periods in the record of career and history, refer to 4.5e).

4.6 References

Evidence in writing from referees should be obtained. The security screening process should not be regarded as completed until this has been received.

4.7 Conditions for commencement of provisional employment

4.7.1 At the discretion of the organization, employment may commence after completion of limited security screening for a minimum 5 year period, as identified below. Such employment is deemed to be provisional employment, and is subject to a time limitation in accordance with **4.8**.

Before an offer of provisional employment is made, the organization should have carried out limited security screening. This should, as a minimum, include the following for each individual being security screened:

- a) establishment of a screening file in accordance with **4.2**;
- b) a signed application form declaration;
- c) all information requested in accordance with **4.3** to have been supplied (e.g. through a fully completed application form) and a full review of the information provided to confirm that there is nothing to suggest that the individual will not be likely to complete security screening satisfactorily;
- d) confirmation of a continuous record of career and history (see **4.4**) for a minimum period of 5 years immediately prior to the date of application for employment (or back to the age of 12 if this date is more recent);

NOTE At the discretion of the organization, oral confirmation (e.g. by telephone) of career and history may be accepted as part of limited security screening. Confirmation in writing of oral security screening enquiries does not need to be obtained as part of limited security screening (i.e. prior to commencement of provisional employment), but does need to be obtained as part of completing the security screening recommended in **4.8**.

- e) an enquiry as to whether previous employer(s) within the last 5 years would re-employ the individual being security screened;
- f) obtainment of at least one character reference, which, at the discretion of the organization, may be an oral character reference, but it is emphasized that these oral procedures do not provide a substitute for evidence in writing. The character reference(s) should cover a period of 2 years (minimum) within the last 5 years [see **4.3c**] and should be subject to the following.
 - i) Individuals providing the character references may be contacted by telephone. The individuals providing the character references may also confirm a period of history.
 - ii) Where the telephone is used, the telephone number of the individual called should be ascertained independently and a telephone number supplied by the individual being security screened should not be relied upon. Where other means are used, equivalent care should be taken to verify the identity of the individual contacted.

- iii) Information given orally by the referee and/or individual providing the character reference should be noted at the time of the enquiry, and should be signed and dated by the member of staff making the enquiry and retained on the individual's screening file.
 - iv) The verification progress sheet (or other equally effective means) should be used to monitor and record action taken.
 - v) A written request for confirmation in writing of the information given orally should be forwarded to the referee and/or individual providing the character reference after provisional employment has been authorized.
- g) Clear proof with name and signature of the individual who completed the 5 year security screening process should be available in the screening file. A copy may also be placed on the personal file.

Wherever practicable, the authorization of an offer of provisional or full employment should be made by an individual independent of that security screening process.

NOTE 1 The use of Forms 1, 2, 3 and 4 in Annex B (either in hard copy or electronic form) is recommended (see also 9.4).

NOTE 2 Details of the security screening procedures that should be followed in relation to oral screening enquiries are given in Clause 4.

A1 Text deleted **A1**

A1 **4.7.2** **A1** Under no circumstances should provisional employment commence until limited security screening as identified above has been completed. During the period of provisional employment, the individual should be classed as employed, subject to satisfactory completion of security screening.

NOTE Where an individual is employed in a position that is likely to bring them into contact with children or vulnerable adults, e.g. working in an occupied hospital or school, a higher level of disclosure might be necessary.

4.8 Period allowed for completion of security screening

Security screening covering the whole of the security screening period [see 4.5e)] should be completed: for 5 year security screening, not later than 12 weeks after employment (i.e. provisional employment) has commenced or, for a longer period, not later than 16 weeks after employment (i.e. provisional employment) has commenced.

Provisional employment should in no case continue for a period exceeding the applicable period.

4.9 Review of the screening process

The screening controller should operate a systematic administrative system, which guarantees that security screening procedures are continually reviewed for each provisional employee throughout the security screening period. Records relating to an individual being security screened should clearly show the dates on which provisional employment commenced and is to cease.

A verification progress sheet (or other equally effective means) should be used to record the action taken.

NOTE An example verification progress sheet is given in Annex B Form 4.

5 Ancillary staff

The recommendations given in this British Standard should be applied to all ancillary staff engaged in relevant employment. However, where there are ancillary staff who have been determined as not being in relevant employment, and who therefore have not been security screened, it is important that clear and unambiguous working practices be established for dealing securely with any confidential information to which such ancillary staff might (in the absence of such working practices) have access in the course of day-to-day operations.

NOTE It is accepted that secretarial staff may be employed on a strictly short-term basis provided that their access to information of a confidential nature is limited and such access is restricted to situations where it is necessary, and they are supervised by permanent, fully security screened members of staff.

6 Acquisitions and transfers

Where one organization acquires the business or an undertaking of another organization and the operations of the combined organization are such as to require security screening for part or all of the transferring business or undertaking, then the security screening of all relevant individuals in the transferring business or undertaking should be reviewed.

If it cannot be established from records that security screening in accordance with this British Standard has already taken place for any member of staff in a post for which security screening is applicable, then security screening should be undertaken within the screening period, commencing on the date of acquisition or transfer of the business or undertaking. Any previously unscreened employee who, as a result of the acquisition or transfer, is employed in a position requiring security screening should also be screened in accordance with this standard.

NOTE 1 The retrospective security screening of transferred employees should always be carried out with a degree of sensitivity to avoid upsetting or alienating employees.

NOTE 2 Where retrospective security screening discloses transferred employees who are unable to meet the recommendations of this British Standard, attention is drawn to the Employment Rights Act 1996 [10].

7 Contractors and subcontractors

The recommendations given in this standard should be applied to all individuals who, through contractual arrangements, are engaged in relevant employment.

Before allowing individuals from a contractor or subcontractor to be engaged in relevant employment, the organization should either:

- a) ensure that the contractor or subcontractor has security screened such individuals in accordance with the recommendations given in this standard; or
- b) directly security screen all of the contracted personnel likely to be involved, including relevant management.

8 Individuals employed in security screening

8.1 General

The screening controller and those individuals carrying out the security screening of individuals should themselves be subject to security screening in accordance with the recommendations of this British Standard.

Screening controllers and those individuals carrying out security screening should individually sign a confidentiality agreement relating to the disclosure of the organization's confidential information and/or material with respect to employees past, present and future.

Where the tasks of interviewing, security screening, and deciding whether to employ and whether to terminate employment are carried out within a separate department, the departmental personnel should be adequately supervised at all times, and attention given to the division of functions and authority within the department for internal control purposes.

NOTE For example, where an employee has been engaged on a provisional basis, any subsequent offer of confirmed employment should be authorized only by someone other than the individual who authorized the provisional employment, and the individual authorizing confirmed employment should see and review the personal file in each case.

8.2 Training

Individuals regularly employed in interviewing and security screening should be trained for the duties envisaged. The training of such individuals should fully cover the recommendations given in this British Standard, the essential elements of the Data Protection Act [4] and awareness of the SIA's licensing requirements, and include an explanation of security requirements and their ongoing nature.

NOTE The organization may consider sending individuals involved in such activities on appropriate external courses organized for this purpose.

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.

9 Records

9.1 General

All records should be maintained and stored securely.

NOTE 1 Attention is drawn to the Data Protection Act 1998 [4].

NOTE 2 With regard to the storage of electronic data, attention is drawn to the following standards; BIP 0008-1, BS 7799-2 and BS ISO/IEC 17799.

Organizations should maintain the following concerning security screening procedures:

- a) a separate file for each individual subjected to security screening. The files of all individuals currently employed on a provisional basis should be identified separately from other employee files;
- b) a separate file recording all occasions where discretion has been exercised for:
 - i) an incomplete record of career and history through a Statutory Declaration [see 4.5f)],
 - ii) executive acceptance of risk [see 4.7h)];
- c) verification progress sheets (or equivalent) for each individual subjected to security screening.

Individual records should clearly indicate, where applicable, that an employee is engaged on a provisional basis, showing prominently the dates on which provisional employment commenced and is to cease; the latter should be not later than 12 or 16 weeks after the date of commencement, dependent on the security screening period.

The full screening file should be retained during employment.

9.2 Cessation of employment

Following cessation of employment the following records should be maintained for 7 years:

- a) written provision of information (see 4.3);
- b) a signed statement in accordance with 4.3f);
- c) proof of identity;
- d) character references;
- e) confirmation of continuous record of career and history including:
 - 1) periods of registered unemployment;
 - 2) records of self-employment;
 - 3) periods of residence abroad;
- f) verification progress sheet (Form 4);
- g) Form 5 or its equivalent;

- h) Statutory Declaration (Form 6);
- i) Executive Acceptance of Risk (Form 7).

9.3 Security of the screening data

The security screening data should be securely stored. Working practices should be regularly reviewed and updated if necessary, and should deal with such matters as clearing desks and locking filing cabinets, etc., at the end of the working day, security shredding and disposing of waste paper (including spoiled documents, etc.), the control of access to computers and data storage media, recordings of telephone conversations, etc.

9.4 Model forms

The use of the following pro forma is recommended. Forms 1, 2 and 3 refer to the taking of references orally; Form 4 is the verification progress sheet, Form 5 is the personal reference and employment verification (authorization to obtain references), Form 6 is a pro forma Statutory Declaration and Form 7 is the Executive acceptance of risk. These forms may be modified in any convenient style, but should still record all this information.

- | | |
|---------|---|
| Form 1. | Oral enquiry – Previous employer |
| Form 2. | Oral enquiry – Other than previous employer, e.g. character reference |
| Form 3. | Request for confirmation of information given orally |
| Form 4. | Verification progress sheet |
| Form 5. | Personal reference and employment verification |
| Form 6. | Statutory Declaration |
| Form 7. | Executive Acceptance of Risk |

Examples of forms are shown in Annex B.

Annex A (informative)

Information regarding Rehabilitation of Offenders Act 1974

A.1 The Rehabilitation of Offenders Act 1974 permits, with some exceptions, an individual who has been convicted of an offence and served a sentence of no more than 30 months to be deemed to have rehabilitated himself/herself after an appropriate period (see **A.4**) has passed without re-offending. Where rehabilitation has taken place, he/she must be treated as if the offence had never been committed.

A.2 Under that Act an employer cannot insist on being told about spent convictions. The employer may ask about convictions, but the prospective employee is under no obligation to reveal spent convictions. However, there are some occupations which are exempt from the Act. People in these occupations (e.g. doctors, lawyers, accountants, teachers and those involved working with children or vulnerable adults) do not have the right not to reveal spent convictions if asked.

A.3 If the information relating to spent convictions is provided, it must not be used against the prospective employee to exclude him/her. Should the information come to light after employment has started, as long as the conviction is spent the employer cannot use this as a reason for dismissal.

A.4 The period of rehabilitation, after which sentences are regarded as spent, depends on the nature of the offence and sentence, as detailed in Table A.1.

Table A.1 **Periods of rehabilitation**

Sentence	Rehabilitation period (years)	
	Age 18 or over when convicted	Age 17 or under when convicted
Prison sentences of 6 months or less, including suspended sentences, youth custody (abolished in 1988) and detention in a young offender institution	7	3½
Prison sentences of more than 6 months to 2½ years, including suspended sentences, youth custody (abolished in 1988) and detention in a young offender institution	10	5
Borstal (abolished in 1983)	7	7
Detention centres (abolished in 1988)	3	3
Fines (even if subsequently imprisoned for fine default), compensation, probation (for convictions on or after 3 February 1995), community service, combination, action plan, curfew, drug treatment and testing and reparation orders	5	2½
Absolute discharge	6	6

With some sentences, the rehabilitation period varies, as demonstrated in Table A.2.

Table A.2 Variable periods of rehabilitation

Sentence	Rehabilitation period
Conditional discharge or bind-over, probation (for convictions before 3 February 1995), supervision, care-orders	1 year or until the order expires (whichever is longer)
Attendance centre orders	1 year after the order expires
Hospital orders (with or without a restriction order)	5 years or 2 years after the order expires (whichever is longer)
Referral order	Once the order expires

NOTE 1 The Rehabilitation of Offenders Act 1974 is currently under review.

NOTE 2 Attention is drawn to the Rehabilitation of Offenders (Scotland) Act 1974 [2] and the Rehabilitation of Offenders (Northern Ireland) Order 1978 [3].

Annex B (informative) Example forms

This Annex comprises the pro forma recommended throughout the text of this standard.

Form 1

ORAL ENQUIRY — PREVIOUS EMPLOYER

1. Employee (applicant)

Surname:.....

Forename(s):

2. Previous employer

Name of company:.....

Location:.....

Telephone number:.....

Name of contact

individual:.....

Dates employed:

- as stated by employees:.....

*- as confirmed:.....

- as stated by employees:.....

*- as confirmed:.....

*Would re-employ?

*Reason for not re-employing

.....

*Anything known about the individual that would reflect adversely upon their suitability for the proposed employment?

.....

Signed:.....Date:.....

(Individual making enquiry)

Signed:.....Date:.....

(Screening controller)

* Where response indicates that applicant is NOT suitable for proposed employment, bring to immediate attention of screening controller responsible for security screening.

Form 2

ORAL ENQUIRY — OTHER THAN PREVIOUS EMPLOYER

1. Applicant

Surname:.....

Forename(s):

2. Referee

Name of company:.....

Location:.....

Telephone number:.....

Reference required and period (e.g. character/self-employment):

.....

Information supplied by applicant:

.....

As stated by

referee:.....

* Reason(s) for not recommending

employment?.....

*Anything known about the individual that would reflect adversely upon their suitability for the proposed employment?

.....

Signed:.....Date:.....

(Individual making enquiry)

Signed:.....Date:.....

(Screening controller)

* Where response indicates that applicant is NOT suitable for proposed employment, bring to immediate attention of screening controller responsible for security screening.

Form 3

REQUEST FOR CONFIRMATION OF INFORMATION GIVEN ORALLY

Name:

Address:

.....

We refer to our conversation with you onabout

Mr/Mrs/Miss/Ms.....

In connection with the application made to us by the above-named for employment as:

.....

Details of the information which you supplied to us orally are enclosed and we would be obliged if you would kindly confirm these details fairly reflect the information you supplied.

Due to the nature of our business it is vitally important that we employ only individuals of integrity who are likely to be able to resist the opportunities for improper personal gain which such employment might offer and who are responsible and conscientious.

The appropriate British Standard requires us to obtain written confirmation of all references we receive in connection with applicants for employment.

A copy of a Form of Authority signed by the applicant is enclosed and also a stamped addressed envelope for the favour of your reply.

Yours faithfully

Form 5

PERSONAL REFERENCE AND EMPLOYMENT VERIFICATION

Please read this carefully before signing this application form

I understand that employment with the Company is subject to satisfactory references and security screening in accordance with BS 7858.

I undertake to cooperate with the Company in providing any additional information required to meet these criteria;

I authorize the Company and/or its nominated agent to approach previous employers, schools/colleges, character referees or Government Agencies to verify that the information I have provided is correct;

I authorize the Company to make a consumer information search with a credit reference agency, which will keep a record of that search and may share that information with other credit reference agencies.

I understand that some of the information I have provided in this application will be held on a computer and some or all will be held in manual records.

I consent to the Company's reasonable processing of any sensitive personal information obtained for the purposes of establishing my medical condition and future fitness to perform my duties. I accept that I may be required to undergo a medical examination where requested by the Company. Subject to the Access to Medical Records Act 1988, I consent to the results of such examinations to be given to the Company. I understand and agree that if so required I will make a Statutory Declaration in accordance with the provisions of the Statutory Declarations Act 1835, in confirmation of previous employment or unemployment.

I hereby certify that, to the best of my knowledge, the details I have given in this application form are complete and correct.

I understand that any false statement or omission to the Company or its representatives may render me liable to dismissal without notice.

SIGNATURE:

PRINT NAME:

DATE:

Form 6

STATUTORY DECLARATION

I [full name]

of [address]

DO SOLEMNLY AND SINCERELY DECLARE as follows:-

*(see below)

and I make this solemn Declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

SIGNED.....

DECLARED at

in the County of

on this [] day, the [] of [] 200[]

Before me []

Solicitor/Commissioner for Oaths

*insert matter to declare, for example:

- *that I was self-employed as a [job title] for the period(s) from [date] to [date]*
- *that I was registered as unemployed for the period(s) from [date] to [date]*
- *that I was employed as a [job title] for the period(s) from [date] to [date] by [name of employer] of [address]*
- *that I was not employed from [date] to [date] because [state reason]*
- *that I was known as [state previous name] for the period from [date] to [date]*

Form 7

EXECUTIVE ACCEPTANCE OF RISK

Risks identified during the consumer information search are to be signed off. An Executive of the organization, having reviewed the documented evidence, may sign-off the security screening file.	
Applicant Name:	
Applicant Address:	
Date commenced provisional employment:	
Items requiring acceptance of risk:	
Screening Controller:	Date:
<p>Executive Declaration:</p> <p>The above named applicant's security screening file has been reviewed and I have/have not accepted this applicant as being appropriate having considered BS 7858:2006 because:*</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>*Executive to provide reason for sign-off.</p>	
Name:	Signed:
Position:	Date:
An individual independent to operations and the screening process should perform the Executive sign-off.	

Annex C (informative) **Information on the Data Protection Act 1998**

The Data Protection Act applies to the processing of personal information about individuals. Carrying out security screening will generally involve such processing, for example, where a screening file about an individual is collated or where information about an individual is put on computer. Security screening must be carried out in compliance with the data protection principles – the enforceable standards of good practice that form the backbone of the Act. The principles require that data must be:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept for longer than is necessary;
- processed in line with the rights of the individual;
- secure;
- not transferred to countries without adequate [\[A1\]](#) protection [\[A1\]](#).

Bibliography

Standards publications

BS 5979, *Code of practice for Remote centres receiving signals from security systems*

BS 7499, *Static site guarding and mobile patrol services – Code of practice*

BS 7799-2, *Information security management – Part 2: Specification for information security management systems*

BS 7872, *Manned security services – Cash-in-transit services (collection and delivery) – Code of practice*

BS 7939, *Smoke security devices – Code of practice for manufacture, installation and maintenance*

BS 7958, *Closed-circuit television (CCTV) – Management and operation – Code of practice*

BS 7960, *Door supervisors/stewards – Code of practice*

BS 7984, *Keyholding and response services – Code of practice*

BS 8406, *Event stewarding and crowd safety services – Code of practice*

BS 8418, *Installation and remote monitoring of detector activated CCTV systems – Code of practice*

BS 8470, *Secure destruction of confidential material – Code of practice*

BS ISO/IEC 17799:2005, *Information technology – Security techniques – Code of practice for information security management*

BIP 0008-1, *Code of practice for legal admissibility and evidential weight of information stored electronically*

DD 254:2001, *Crime reduction measures for holiday resorts and accommodation – Guidance and recommendations*

Other publications

[1] Rehabilitation of Offenders Act 1974. London: The Stationery Office.

[2] Rehabilitation of Offenders (Scotland) Act 1974. London: The Stationery Office.

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- [10] Employment Rights Act 1996. London: The Stationery Office.
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- [12] HOME OFFICE: Changes to the law on preventing illegal working: short guidance for United Kingdom employers, London: 2004.

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