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Accurate Background API Compliance Guide

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Getting Started

Initial Account Setup

Visit the Accurate Background Developer Portal at <https://developer.accuratebackground.com/#/enroll> to create a developer account and get API credentials.

It's free, fast and very easy. Enter your email address (for verification) and a password and click on the Submit button.

Check your email for the verification link. Once you have verified your email address, you can log in to the Developer Portal and see your API credentials, which are an HTTP Basic Authentication pair named ClientID and ClientSecret.

You can also use the [Quick Start](#) guide to set up a company, receive your test authorization credentials and begin making API calls!

There are no fees for using the account in test mode. Once you are ready to go live, you can add a credit card for automatic payment through the developer portal.

Accurate API Documentation

Take a moment to review the [Accurate API Documentation](#). The documentation will provide all of the information required to begin working with our API and implementing the backend of the background check integration.

Workflows Available

The use of background checks as part of your onboarding process does come with additional regulatory requirements under Federal, State, and local laws. While the most notable is the Federal Fair Credit Reporting Act (FCRA), there are several states that have added rules into the mix. If you are using background checks outside of the United States that adds a global level of rules as well. It is important you work with your legal counsel and research the rules that apply to your specific permissible purpose as defined by the FCRA. The permissible purposes are as follows:

- **Employment Purpose**
 - Definition: Use of a consumer report for **employment purposes** occurs when a report is used for the purpose of evaluating a consumer for employment, promotion, reassignment or retention as an employee.
 - Examples may include, but not be limited to, a consumer report procured to assess an applicant for employment, an employee for promotion or transfer, temporary staff, independent contractors, etc.
- **Written Instructions from the Consumer (aka As Directed by the Consumer)**
 - Definition: Use of a consumer report in accordance with **written instructions of the consumer to whom it relates** occurs when the subject furnishes written authorization for a report.

- For example, a consumer may provide their written authorization for a consumer report to establish membership, authorizing a background check for a dating site, or consenting to a background check so other individuals can assess if they want to engage with you for services you may provide, such as baby-sitting. A permissible purpose of credit, employment, or insurance may be determined by other sections of the Fair Credit Reporting Act.
- **Legitimate Business Need**
 - Definition: Use of a consumer report in connection with a **legitimate business need** occurs when the information is used in connection with a business transaction that is initiated by the consumer or to review an account to determine whether the consumer continues to meet the terms of the account.
 - Examples may include, but not be limited to, determining if a consumer is eligible to open a franchise for your business or determining if an individual is eligible for insurance or a particular insurance rate.

One of the first decisions you have to make is whether or not you want to collect all of the required candidate information, present disclosures based on location and rules for signature from the candidate, authorization from the candidate, and the list goes on. This guide is meant to help you understand what is required based on the workflow you opt to leverage.

Express Workflow:

“Express” (One-Pass) implies your organization is collecting all information required for the background check from the individual including:

- Collecting Electronic Consent from the individual
- Collecting a signature on the Disclosure Form based on your selected permissible purpose under the FCRA
- Collecting a signature on the Authorization Form based on your selected permissible purpose under the FCRA
- Providing the Federal and appropriate state notices to the individual (ex. FCRA Summary of Rights)
- Personal Information (SSN, date of birth, current address, full name, email, phone)
- The candidate’s answer to whether or not they want a copy of the report as required in certain states (CA, MN, OK) or asking the question in all states

There may be other fields required based on the background check products you are ordering. Please reference the field level requirements outlined for the available products in the [API Documentation](#).

Benefit: Faster Turnaround as requests begin processing immediately.

Consideration: Rules are constantly changing so your organization will need to be able to update forms and workflow as regulations are modified and new ones are introduced.

Interactive Workflow:

“Interactive” (Two-Pass) implies you are sending us the individual’s first name, last name and email, and we are triggering an email to the candidate asking them to log into our portal and complete the rest of the information (SSN, DOB, Driver’s License Number, etc.).

Benefit: Accurate Background captures the missing required data that your application is unable to send over.

Consideration: Slower turnaround time as requests begin after the candidate provides additional information to Accurate Background in the candidate experience workflow.

Steps Required When Your Organization Fails a Candidate

These steps are required regardless of the workflow you utilize (Express or Interactive) but may have slightly different requirements based on your organization's permissible purpose under the FCRA. Accurate Background can assist with administering these steps at an additional cost if you are using our custom scoring and have provided us with your legal team's approved custom language. For more information on this additional service, please contact us at api@accurate.com.

- Condition: You may fail the candidate based in part or in whole on the results of the background check.

Step 1: Send the Pre-Adverse Action Notification

Step 2: Send the Adverse Action Notification

- Send a minimum of 5 business days after the Pre-Adverse Action Notification is sent (alternative timeframe may be required depending on location)
- Additional conditions if the candidate lives and/or works in certain parts of the country.

Can Accurate Background assist with fulfilling any of our organization's legal requirements?

In the event you want to use the Interactive Workflow and/or utilize Accurate Background for the Adverse Action process above, please reach out to api@accurate.com to receive a complete compliance packet. This packet will need to be completed, reviewed, and signed by Accurate Background's Compliance Team before Accurate Background will support legal requirements on your organization's behalf.