

Varying F&P assessment approaches

Examples of the challenges firms face when sourcing information from other jurisdictions for an F&P assessment, as described in the [BSB blog on the international challenges to certification](#).

Type of barrier	Example description	Potential equivalent source/additional measure
Local legal restrictions	It is illegal to compel an individual to make a self-declaration.	Ensure that the individual is aware that any self-declaration is voluntary.
	Some standard self-declarations in the UK may be illegal to ask overseas.	Reduce the list of self-declaration requirements in line with local law.
	It is illegal to obtain information relating to criminal convictions or credit reference without the consent of the individual concerned.	Seek the consent of the individual concerned before undertaking any form of criminal records or credit reference checks.
	Credit reference checks are illegal.	Consider requesting a statement of personal accounts.
	Data protection legislation prohibits information relating to criminal convictions to be processed.	Consider requesting that the individual disclose any unspent criminal convictions or make a self-declaration to the effect that they have never been convicted of a criminal offence.
	Only the individual concerned can obtain a formal documentation surrounding their criminal records.	Ask the individual to obtain the formal documentation (costs/fees may apply).
	Criminal record checks or credit checks are difficult to process and use legally as they may contain unnecessary information on which discrimination could be based.	Seek local legal advice on a case-by-case basis.
Using third parties to gather information is illegal.	Consider the proportionality of seeking information from this jurisdiction using in-house resource.	
Local infrastructure does not exist to record the information	A central criminal records bureau does not exist.	Consider requesting the individual obtain a statement from their local police authority attesting to whether they have a criminal record.

	Available credit reference checks relate only to bankruptcy information. Regulatory references do not exist in the local jurisdiction.	Consider requesting a statement of personal accounts. Seek a regulatory reference as usual ensuring that the providing organisation is made aware of the regulatory requirements in the UK. Establish a policy as to how many approaches to secure a regulatory reference are considered reasonable.
	Local infrastructure does exist however processes are slow.	Build in additional time into the process to enable the requisite information to be gathered.
Differing cultural norms	Individual may be unaware of what would be considered a conflict of interest in the UK.	Ensure that example conflicts of interests are provided to the individual so that they can make an informed self-declaration.
	It is considered unusual or unnecessary for the UK function with responsibility for the Certification Regime to be requesting information relating to F&P in the local jurisdiction. Seeking third-party credit checks risk litigation.	Consider how to engage the local business line on an ongoing basis and consider providing appropriate training to ensure that UK requirements are better understood. Seek the consent of the individual prior to sourcing the information.
	Education/qualification standards are not equivalent or it is not possible to validate educational attainment or qualifications.	Consider additional assessment pre-hiring or training and qualifications in post.