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Code of practice for the provision of investigative services

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Foreword

Publishing information

This British Standard is published by BSI Standards Limited, under licence from The British Standards Institution, and came into effect on 30 September 2013. It was prepared by Technical Committee GW/3, *Manned security services*. A list of organizations represented on this committee can be obtained on request to its secretary.

Information about this document

This British Standard seeks to help providers of investigative services demonstrate their accountability at a time when the Government is implementing the licensing of such services.

NOTE The Home Office announced on 31 July 2013 that it intends to regulate private investigators.

The standard recognizes that some of its recommendations might be beyond the means of smaller service providers, e.g. sole traders, but affiliation to a professional body or engaging the services of other organizations ought to permit such providers to comply with the recommendations.

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.

It has been assumed in the preparation of this British Standard that the execution of its provisions will be entrusted to appropriately qualified and experienced people, for whose use it has been produced.

Presentation 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.

Contractual and legal considerations

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

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

In particular, attention is drawn to the legislation in Annex A.

1 Scope

This British Standard gives recommendations for the conduct, management, staffing and operational accountability for the provision of investigative services.

NOTE Additionally, this code of practice may be used by those who wish to purchase investigative services.

2 Normative references

The following documents, in whole or in part, are normatively referenced in this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

BS 7858, *Security screening of individuals employed in a security environment – Code of practice*

3 Terms and definitions

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

3.1 client

person or organization requesting the investigative service

3.2 independent adjudication

form of dispute resolution the outcome of which is a decision by an external independent third party, within a specified period of time, which is binding on the parties in dispute, and finally there is deemed to be no case to answer but conversely if a prime facie case is found, is determined by an external disciplinary process, unless and until reviewed by either arbitration or litigation

3.3 investigative service

surveillance, inquiries or investigative activities that are carried out for the purposes of obtaining information about:

- a particular legal person or about the activities, status or whereabouts of a particular legal person; or
- the circumstances in which, or means by which, property has been lost, stolen, damaged or altered; or
- any other activities ancillary to current or anticipated legal proceedings, conducted under instruction of a client

NOTE A summary of these activities is given in Annex B. Attention is also drawn to the Private Security Industry Act [1].

3.4 investigative service provider

legal person providing investigative services under contract

3.5 investigative service provider owner

proprietor, partner, shareholder or director of an investigative service provider

3.6 investigator

legal person contracted to conduct investigative services (see 3.3)