

May 2018

References Policy and Guide

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For more information please contact hrpolicy@torbay.gov.uk

1 Introduction

References are a vital part of the recruitment selection process.

References can help verify:

- Employment history.
- Skills, knowledge and behaviour-based competencies.
- Past experience and performance.
- Areas of concern (e.g. attendance levels, disciplinary warnings).

In an organisation where many employees have direct contact with vulnerable clients, references are also an important tool for checking whether candidates are who they say they are, and are suitable for a particular type of job.

2 Policy

References must be requested *before* the interviews take place (so they can be reviewed as part of the interview and decision making; however some candidates may request that references are not taken up prior to interview – this will delay any offer of appointment).

References should be taken up using the standard reference request form (this ensures you get the answers you need).

Reference requests should not include any health related or sickness/absence information questions as this could be regarded as discriminatory to disabled applicants under the Equality Act 2010.

A reference provided by e-mail is acceptable as a written reference provided a copy of the e-mail (including the address of the sender) is retained and it is followed up with a phone call (to verify the sender is who they say they are), and they are authorised to provide a reference on behalf of their employer.

A job description and person specification should be forwarded to the referee along with the reference request (in order that the referee can comment on suitability for the post).

One reference must be from the current or most recent employer, ideally the line manager where possible. (If the candidate has no recent employment history then an alternative may be given e.g. educational).

References for Agency Workers must be verified by Human Resources prior to the commencement of any assignment.

References from personal friends, family members or work colleagues are not acceptable.

If an internal candidate is applying for a job that is similar to their current job (e.g. temp to perm) then the original references on file may be used, provided these are not more than 2 years old. If they are moving to a new job, then a reference should be sought from their current line manager.

References are provided in confidence and must not be made available to the candidate without permission from the referee.

Certain rules concerning references vary depending upon the area of work. The table below outlines when and how references should be taken up:

| | All jobs that require a DBS check and/or work with sensitive data or involve unsupervised access to children or adults at risk | All other Council jobs | Internal |
|---|---|---|--|
| No offer of appointment may be made without receiving satisfactory references. | May be done on receipt of verbal references. Must be followed up in writing. | May be done on receipt of verbal references Must be followed up in writing. | May be done. Needs to be followed up with written reference from the line manager. |
| Written references must be followed up with a telephone enquiry (i.e. confirming that the reference sent is from a genuine employer). | Yes. It is essential that written references are verbally verified on receipt and this is recorded on both the application form and reference form <u>before</u> employment commences | Yes. It is essential that written references are verbally verified on receipt and this is recorded on both the application form and reference form <u>before</u> employment commences | No. Unless post requires a criminal record check and/or work with sensitive data. |
| References must cover a period of the last 3 years. | Yes. | Yes. | Yes if moving to a job within Children's Services and Adoption and Fostering Services. |
| 2 references must be obtained for all candidates. | Yes. | Yes. | 1 Reference from current line manager, unless a job that requires a DBS check and/or works with sensitive data or unsupervised access to children or adults at risk, then revert to two references |

References must be provided in good faith – an organisation should not refuse to provide a reference, nor should it provide inaccurate or out-of-date information (e.g. expired disciplinary warnings). An organisation is not obliged to provide a 'good' reference if the employee's performance has been poor,

though some may do this (sometimes a 'bland' reference is agreed as part of a legally binding agreement, or pay-off, where disputes are unresolved and the organisation does not want action taken against them) – read 'between the lines' and probe further with a telephone enquiry if necessary, or contact other referees. Be mindful that an employee who has been given a 'pay-off' isn't necessarily 'cause for concern'.

2.1 When to obtain more references

- To cover a period of the last 3 years.
- To verify essential experience/qualities that have not been covered in the 2 references provided.
- If a referee is a member of the appointing panel (in addition, the reference must be provided BEFORE the interviews take place).
- To verify employment history, including unaccounted periods detailed on an application form – in particular:
- To verify the Local Government start date (as this will be the basis for calculating certain entitlements such as annual leave – so you want to make sure this is correct).

An appointing officer reserves the right to obtain as many references as necessary, provided the reasons for doing so are clear and objective and therefore do not conflict with equality policy.

2.2 Where to retain references

Appointing officers should scan verified references for the appointed candidate to:-

hrsupport@torbay.gov.uk

All other references should be retained with the recruitment pack until this is destroyed (retain for 6 months).

2.3 Giving references

It is the councils policy that references relating to the council's current or former employees may be given by the employee's current/former Line Manager, or Human Resources. Any references provided by the Council will only provide the basic factual information.

Any references given must be in writing. Employees authorised to provide references must not state their personal opinions about the employee's performance or conduct. Any references must contain only the factual information listed below:

- Confirmation that the employee was employed by the Council and the dates of his/her employment
- The person's job title and a brief description of his/her key duties (as stated in the job description)
- Whether the person resigned from the company or was dismissed

A 'Supplying a Reference' template is provided for use on MyView, under My Documents.

Always ensure that you send any reference out in the envelope you were provided with, or an envelope clearly marked private and confidential – addressee only. Include the name of the person who requested the reference.

Please forward a copy (electronic copy only) of the reference you supplied to HRSupport@torbay.gov.uk so that a copy can be retained on the employee's personal file.

3 Related Documents

Further details about the recruitment process can be found under the following policies, available from the Recruitment Toolkit on the HR intranet page:

- [Equal Opportunities in Employment](#)
- [Agency Workers](#)
- [Employment of People with a Disability](#)
- [Induction Policy and Guidelines](#)
- [Checking Eligibility to Work in the UK](#)
- [Redeployment Policy](#)
- [Recruitment Policy](#)
- [Relocation Policy](#)

4 Policy Feedback

Should you have any comments regarding this policy, please address them to the HR Policy mailbox – HRpolicy@torbay.gov.uk

| Date | Page | Details of Change | Agreed by |
|----------------|-------|--|--|
| October 2015 | All | Formatting changes only – no changes to the wording or details contained within the policy. | |
| September 2016 | 3 | References to be verified by HR for Agency Workers process change | Process change only. |
| May 2018 | 4 + 5 | Update in regard to timescale for references to be sought – changed from 5 years to 3 years. Update reference to MyView. Update to references being scanned. | HRMT – May 2018 JCC - for information only. |

Policy to be reviewed if legislation or process change requires it.