



Reference Policy

Key Document Details

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1. Introduction

1. The White Horse Federation (“TWHF”) recognise that its staff are fundamental to its success. The MAT therefore needs to be able to obtain references from previous employers to ascertain relevant information as to the suitability of the candidate for the role offered.
2. The Trustees and Governing Body are committed to safeguarding and promoting the welfare of children and young people and requires all staff to demonstrate this commitment in every aspect of their work.
3. The purpose of this policy is to ensure robust reference checks are in place for all employees based on the principles outlined.
4. The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, Keeping Children Safe in Education and the Trust’s Equality and Diversity policy.
5. This policy applies to all employees, including school based employees.

2. Purpose

The purpose of seeking references is to allow employers to obtain factual information to support appointment decisions. Schools should obtain references before interview, this allows any concerns raised to be explored further with the referee and taken up with the candidate at interview.

1. To ensure the information provided in TWHF references is fair, accurate, true, and complies with legislation.
2. To ensure comprehensive reference information is obtained on all applicants, and that this used appropriately within the selection process.
3. To ensure the principles of safer recruitment are applied when providing or obtaining reference information on behalf of TWHF for jobs involving access to children.

3. Core Principles

1. Providing Employment References
2. 3.1 When an employee leaves a job with TWHF, a reference must be completed, if requested, by the Line Manager(Central Support roles) and be signed off by the CEO/HRD. For school based roles the reference may be completed by the Line Manager but must be signed off by the Principal.
 - a. The reason for this is that it is only the Principal or CEO/HRD who will know of any disciplinary or allegations management processes that must be included in any reference.

3. 3.2 When asked to provide references schools should ensure the information confirms whether they are satisfied with the applicant's ability to work with children and provide the facts (not opinions) of any substantiated safeguarding allegations but should not include information about allegations which are unsubstantiated, unfounded, false, or malicious. References are an important part of the recruitment process and should be provided in a timely manner and not hold up proceedings.
4. 3.3 Line Manager/Principals have a responsibility to provide references, if requested, for current and former employees. A refusal could be detrimental to the person under consideration for a job.
5. 3.4 Line Manager/Principals must obtain information from the employee's personal file and HRMIS records before completing a reference to ensure full and accurate information. Details of staff sickness absence must not be provided in a reference as this could give rise to a discrimination claim. The safest approach is not to respond to a request about attendance.
6. 3.5 References must be fair, accurate and true in substance, based upon verifiable facts, and given without malice. Line Managers/Principals must not conceal or omit any serious matters relating to the employees conduct or capability, which have been subject to investigation and formal action. Failure to provide information to a new employer could lead to a negligence claim.
 - a. Advice should be taken from HR in any areas of doubt.
7. 3.6 There is a legal obligation for employers to disclose any information on an employee relating to the safeguarding of children. Cases in which an allegation was unsubstantiated, unfounded or malicious should not be included in a reference. Seek further advice from HR
8. 3.7 External request responses should be in writing with verbal references not normally given. If they are they should be factually correct and limited to clarifying information already provided in a written reference. Information given verbally is never "off the record", and the referee must record the detail and be able to account for any comments made.
9. 3.8 References must be sent only to the employer making the reference request, for the job specified.
10. 3.9 Where a settlement agreement is used to end an individual's employment, the details to be included in any employment reference will have been agreed at the time, using advice from HR and Legal Services. Only the agreed information should be used in the reference. Seek further advice from HR
11. 3.10 If a work colleague is asked to provide a reference for an individual, it must be stated on any letter that the reference is personal and not an employment reference and TWHF heading must not be used.

13. Obtaining Employment References

14. TWHF expect all clearances including references (where not obtained prior to interview) to be obtained within 3 weeks of the offer being received by the applicant. This should have been briefed at interview/offer stage by the recruiting manager. If HR is unable to obtain the required references and other associated clearances and there has not been suitable updates supplied by the candidate then consideration of withdrawing the offer of employment should be made. All referees will be sent a copy of the job description(s) for the role(s) which the applicant has applied for.
15. 3.12 References must be requested only when permission to do so is given by the candidate.
16. 3.13 References are not used to evaluate candidates but are used as a check of suitability so should be considered only at the point the selection panel is proposing to make an offer of employment to the candidate.
17. 3.14 HR will request employment references (see appendix 1), on behalf of the recruiting manager, which will usually be requested via email prior to interview. At the point of making a conditional offer of employment, any references not obtained will be requested.
18. 3.15 At least two references are required for external candidates, one of which must be from the last employer. The number of references relates to the applicant's employment history and the type of work to be undertaken, meaning additional references may be required to verify employment history and establish employment over the previous two years or where the last time the applicant worked with children was more than two years ago.
19. 3.16 In accordance with KCSIE Schools should:
- not accept open references e.g. to whom it may concern;
 - not rely on applicants to obtain their reference;
 - ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect of disciplinary investigations);
 - obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed;
 - secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer;
 - always verify any information with the person who provided the reference;
 - ensure electronic references originate from a legitimate source;
 - contact referees to clarify content where information is vague or insufficient information is provided;

- compare the information on the application form with that in the reference and take up any discrepancies;
- establish the reason for the candidate leaving their current or most recent post; and,
- ensure any concerns are resolved satisfactorily before appointment is confirmed.

20. 3.17 As with giving references, when we ask an employer to provide references schools should ensure the information confirms whether they are satisfied with the applicant's ability to work with children and provide the facts (not opinions) of any substantiated safeguarding allegations but should not include information about allegations which are unsubstantiated, unfounded, false, or malicious. Information must be requested on any issues or concerns that have been raised about the applicant regarding the safeguarding of children.
21. 3.18 References must be obtained from the organisation's business address, and the candidates' line manager within the organisation ensuring electronic references originate from a legitimate source. This must be the Principal/Headteacher of any education environment/school. The reference may be written by a delegate, but the Principal/Headteacher must issue the reference signed by them to confirm they agree with the content.
22. 3.19 Open references or testimonials are not acceptable e.g. "to whom it may concern". Also, TWHF will not accept as employment references those from the applicant's relatives or people writing solely in the capacity of a friend.
23. 3.20 In the case of applicants already employed by TWHF, references must be obtained in the same way as for external candidates and an internal reference from the current line manager is required.
24. 3.21 The reference request must inform the referee that the applicant could seek access to the reference information under the Data Protection Act and TWHF would be obliged, in most circumstances, to provide this.
- Action Required on the Receipt of References
25. 3.22 HR must ensure the reference received is an official employment reference and the referee was the manager of the applicant. We will seek to verify references by telephone if necessary.
26. 3.23 The reference must be scrutinised and compared with the application form to identify inconsistencies and areas for concern, for example, discrepancies regarding employment dates, reasons for leaving, gaps in employment, vague or insufficient information, or undisclosed performance or disciplinary issues. HR will clarify these with the referee. Any serious matters, recent or unresolved issues must be explored further with the referee.

27. 3.24 For posts involving work with children, any information about past disciplinary action or allegations will be considered and advice should be sought from the HRBP and agreement from the CEO/HRD.
28. 3.25 HR will compare the information on the application form with that in the reference and take up any discrepancies with the candidate.
29. Unsatisfactory References
30. 3.25 If the references obtained are considered unsatisfactory this should normally result in a withdrawal of the conditional offer. HR may decide, with the applicant's permission, to seek further references to consider the position further. This would be appropriate only in limited circumstances and a suitable reference is still required from the last employer and the referee must be completed by a senior person with appropriate authority.
31. Action When There is Difficulty in Obtaining Employment References
32. 3.27 If there is difficulty in obtaining any references, this should be discussed with the candidate to identify an alternative referee that can be contacted. It should be made clear that without being able to obtain sufficient suitable references, the offer of employment may be withdrawn.
33. 3.28 A conditional offer of employment can only be withdrawn if the person has not commenced work therefore HR should not allow the person to start working until all clearances, including references are in place unless there are exceptional circumstances which must be approved by the Director For People or the CEO.
34. Use of Personal (Character) References
35. 3.29 In some circumstances it may not be possible to obtain employment references, for example, when an applicant has not worked for several years or has never worked. In such exceptional situations, personal references must be obtained and the recruiting manager must assess the risk involved and ensure that appropriate alternative safeguarding measures are undertaken and/or put in place if the person is appointed. These details must be recorded on employee's file. References from friends or family members of the applicant are not acceptable for this purpose and personal references should ideally be sought from someone who has supported the individual from a professional capacity (e.g. Teacher, Lawyer, Doctor).
36. Releasing Reference Information
37. 3.30 If a new employee asks to see a reference provided to TWHF, HR should seek advice from the Data Controller before doing this.

Appendix 1 EMPLOYER'S REFERENCE REQUEST FORM

The person below has applied for employment with the **White Horse Federation** and has supplied your name as a referee in support of their application.

Many thanks for your kind assistance in completing this reference form.

Section 1: Applicant Details

Name of Applicant:	
Position Applied For:	

Section 2: To be completed by current or previous employer

Employer:	
Applicant's Job Title:	
Date of commencement of employment:	
If no longer employed by you: Date of leaving:	
Reason for leaving:	
Would you re-employ?	
Hours worked per week:	
Has the above applicant taken any parental leave?	

Please give a brief outline of the main duties undertaken including the level of responsibility / accountability involved.

How would you assess the applicant with regard to:

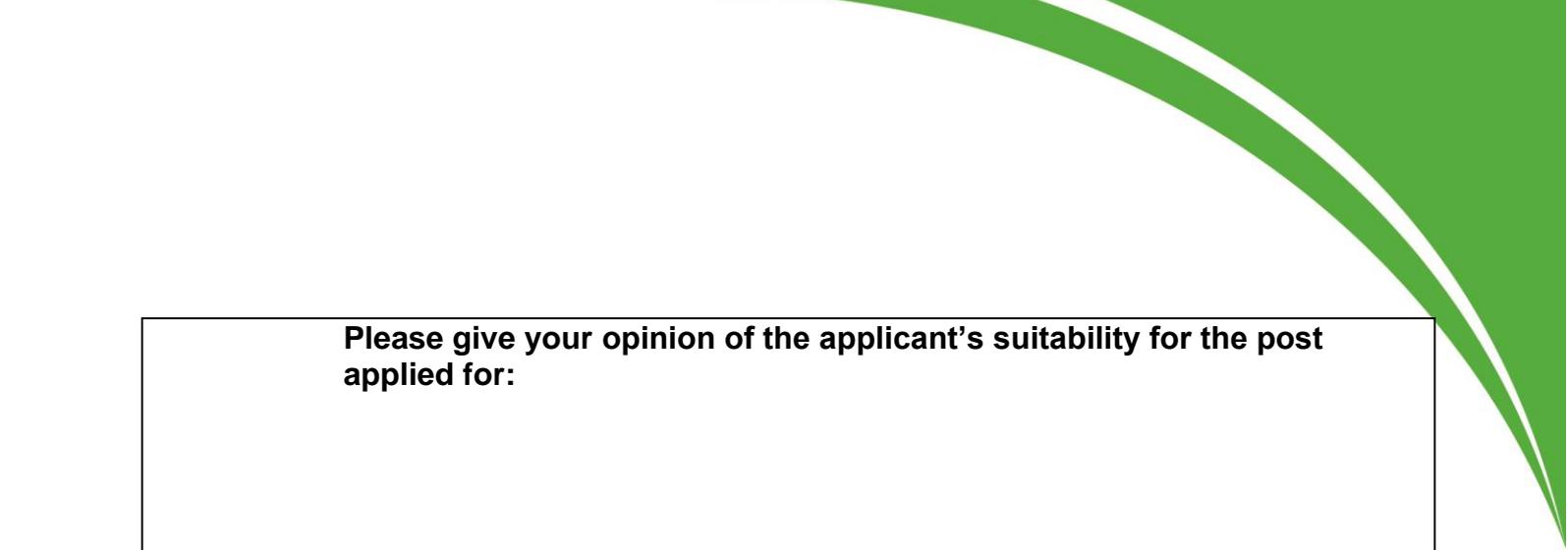
Reliability?

Honesty?

Punctuality?

Working as part of a team?

Ability to work under pressure?



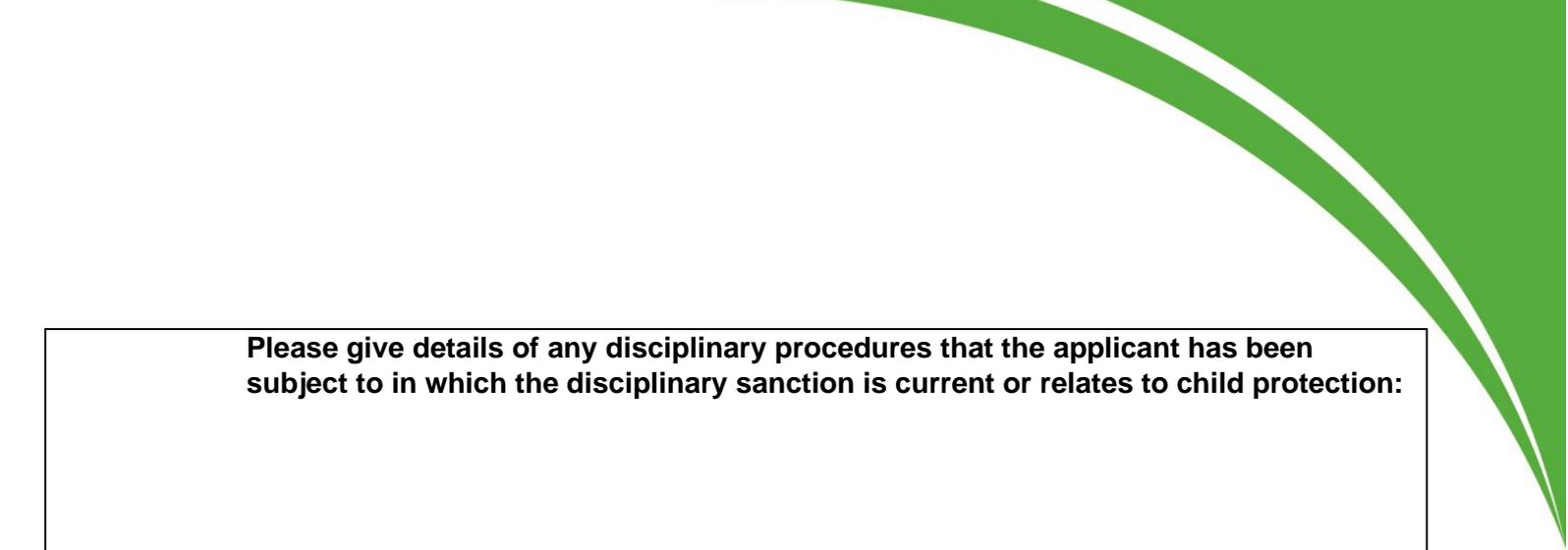
Please give your opinion of the applicant's suitability for the post applied for:

Section 3: To be completed by current or previous employer for posts that involves working with children

Are you aware of any reason why we should not consider employing the applicant?

YES / NO (if Yes please give details):

Do you wish to give any further information about the suitability of the applicant?



Please give details of any disciplinary procedures that the applicant has been subject to in which the disciplinary sanction is current or relates to child protection:

Are you aware of any convictions / cautions incurred by the applicant? Please note that positions working with children or vulnerable adults all convictions / cautions must be declared regardless of whether deemed as 'spent' under the provision of the Rehabilitation of Offenders Act 1974:

Yes / No (if yes, please give details):

Are you completely satisfied that the applicant is suitable to work with children or vulnerable adults?

Yes / No (if no, please give specific details of your concerns):

Section 4: Declaration

I confirm all the above information is correct.

Your Name:	
Your Job Title:	
Name and Address of Organisation:	
Telephone number and extension:	
E-mail address:	
Date:	

Please return this form, preferably by e-mail to: recruitment@twhf.org.uk

Otherwise by post, marked 'Private and Confidential' to:

Kirsty Twining CertRP, In-house Recruitment Specialist
The White Horse Federation – Central Services
Drove Campus
Plymouth Street
Swindon
SN1 2LB

Thank you in advance for completing the form

NB: you have the responsibility to ensure that this reference is accurate and does not contain any material misstatement or omission.

Relevant factual content of this reference may be discussed with the applicant.