



Addison Gardens
Blythe Road
London W14 0DT

Addison Primary School



Employment Reference Policy

Approved
Spring 2024



Introduction

- The purpose of providing an employment reference is to provide a prospective employer with enough information (as part of the recruitment/selection process) to determine an individual's suitability for a particular post. As a result, the Head Teacher can expect to be asked to act as a referee for current or former employees from time to time.
- Any reference given should be fair and accurate. Employers are obliged to give a reference if there was a written agreement to do or as part of their safeguarding obligations to pupils.

This policy applies to all employees who are recruited by Addison Primary School.

Employees will not be required to follow this procedure when writing personal references. Personal references will not be written on Addison Primary letter headed paper (including any notepaper with Addison Primary School's name or logo) nor refer to a person's professional performance or their relationship with Addison Primary School. Personal references simply record one person's experience of another. Any individual giving such a personal reference is personally responsible for anything said in that reference. Such references must state that they are personal references and do not represent the views of Addison Primary School. The reference must not be sent from an Addison Primary School email address.

1. Legislation and Regulation

The provision of a reference will generally involve the processing of personal data and so be subject to General Data Protection Regulations 2018. In accordance with the Data Protection Act 2018, Applicants are not entitled to view references written or received in respect of them where such references are provided in confidence. Those who give references owe a legal duty of care in their preparation to both the applicant and the prospective employer.

You must only provide content which is true, accurate, factual and fair to the best of your knowledge and belief and which does not give a misleading overall impression. If this does not happen, the applicant may bring a claim against both Addison Primary School and the Referee alleging, for example, deceit, negligence, negligent misstatement, defamation, malicious falsehood or alleged discrimination, such as victimisation because of a protected characteristic.

Addison Primary will respond to reference requests in relation to the latest safer recruitment guidance.

2. Telephone references

References for ex-employees will not be given over the telephone. References given in writing will not be discussed further over the telephone.

All references for applicants will be made in writing and not taken over the telephone. If this is not possible, full notes of the conversation must be taken and made in line with this policy.



3. Obtaining consent

- Personal data in an employment context is information held on record by an employer about an individual. Providing personal data to a prospective employer about an employee or former employee will amount to processing and sharing for the purposes of the Data Protection Legislation.
- Before providing a reference, the referee (school) must obtain/have consent from the employee/former employee in order for a reference to be provided.
- Former employees should notify the Head Teacher in advance that a reference will be sought – this will provide evidence that consent has been given.

4. Agreed references

- If an ex-employee has named Addison Primary School as a referee and a reference has been agreed as part of a settlement it is essential that the referee does not deviate from the agreed reference to avoid a claim that an agreement was breached.
- All agreed references should be saved and clearly marked on the personnel file.

5. Providing a reference

- The only employee empowered to authorise a professional reference will be the Head Teacher (writing of references can be delegated to other members of staff that have a more detailed knowledge of an employee's performance).
- Other staff members are given as the referee, for example a line manager, they must inform the Head Teacher and provide a copy of the reference to the Head Teacher for approval.
- Before dealing with a reference request, the applicant's personnel file should be checked to establish:
 - Whether there has been an agreed reference (see 4)
 - Whether references have been given recently concerning the applicant (to ensure consistency)
 - Whether there are any safeguarding concerns, ongoing disciplinary matters or other sensitivities
- Accurate information on an applicant's performance must be given by someone who has recent and first-hand knowledge of the applicant.
- Information provided must be capable of being independently verified, e.g. through appraisals or attendance records.
- Information about an applicant's health is sensitive personal data and cannot be disclosed without consent from the applicant. Sensitive personal data includes, but is not limited to, the individual's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life.



- Details of sickness should not be provided unless an offer of a job has been made or with the direct consent of an individual.
- Subjective opinion should be avoided. The reference must provide an overall balanced view of the applicant, although it does not need to be full and comprehensive.
- Comments on suitability for a new job must be given with caution as they are difficult to justify objectively. They should not be made where an applicant is applying for a role different from the role they undertook.
- Caution is required if there are outstanding issues, such as an ongoing disciplinary process at the time of the request. Advice should be sought from HR before proceeding.
- A disclaimer should be included in the reference making it clear that, while the information provided is, to the best of the organisation's knowledge, completely accurate, the organisation cannot accept any liability for decisions based on it.
- Reference requests should be responded to within 10 working days of receipt of the request.

6. Refusal to give a reference

- If consideration is being given to refuse a request for a reference for any reason, advice must be sought from HR.
- If a former employee does not notify the school that a reference will be sought, then the Head Teacher will not complete the reference until consent by the former employee is provided.
- Where a member of the Teaching Staff employed at Addison applies for a teaching post at another maintained school, Academy or Trust, the Head Teacher must at the request of the board of governors:
 - Advise in writing whether or not, in the previous two years, there have been any formal capability considerations or proceedings for that teacher at Addison Primary
 - Give written details of the concerns which gave rise to any such consideration of that teacher's capability, the duration of the proceedings and their outcome

7. Responsibilities

The following responsibilities apply in relation to this policy:

- The Head Teacher will oversee the recruitment process and is responsible for ensuring references are obtained and followed up where necessary.
- All staff who are responsible for providing references must ensure the reference they provide is fair and accurate. Where needed, advice should be sought from HR.



8. Monitoring and compliance

- The School Business Manager will carry out routine checks on personnel files to ensure two references have been obtained for new employees

9. Review

- This policy will be reviewed by the Governing Body every three years

Adopted: Spring 2024

Due for Review: Spring 2027