**Reference Policy**

References may be sought from HR or from individual managers. This explains how to approach writing a reference if you are requested to. **With effect from November 2018 all references must be approved by the relevant Business Manager (or SLT lead where appropriate).** Please seek further assistance from HR if required.

**Reference Requests made to HR**

Where a reference request is not made to a manager, HR will continue to provide a reference to confirm job title and dates of employment (or provide any agreed wording).

**Reference Requests made to Managers (also see Guidance for Managers)**

References requests made direct to managers can exceed simple records of employment dates and posts held, however:

* + Managers must be satisfied that the (ex) employee has consented to MVDC giving a reference. This will usually be confirmed through the leaver’s process however consent may be given (or withdrawn) subsequently.
  + Managers must also ensure that the request is legitimate (i.e. is the company requesting the information in offer negotiations with the (ex) employee?)
  + This does not mean that a manager must check or agree the content of the reference with the (ex) employee unless there are specific legal reasons for doing so (which are covered in the accompanying Guidance to this Policy). The content and precise wording of the reference must be determined by the Manager using the guidance contained in this Policy and accompanying Guidance for Managers when acting on behalf of MVDC.
  + It will not be possible to give references in relation to an employee who left the organisation six years ago or longer however it is possible to provide a reference confirming job title and dates of employment for a leaver at the time he or she is leaving MVDC (or within six years of leaving). This may be useful if the leaver is likely to be on long term sick leave or caring for children or other dependants, to avoid a situation where they are later unable to secure a reference. Leavers must ask for this if they require it.
  + Any reference will seek to provide a true, fair and accurate picture of the (ex) employee. Any subjective opinions will be considered carefully and if given will always be justified with facts. The referee will always take care to ensure that he/she believes any of the statements made are true and that the overall picture provided by a reference is not misleading.
  + The referee should always remember that we owe a duty of care not only to the (ex) employee but to the new employer and to exercise any judgment about what information must be included (or excluded) on a responsible basis. For advice speak to HR.
  + The referee should remind themselves of data protection obligations. If requested we can provide sickness absence (total days) but this will be factual only and will give no sensitive personal information about nature of absence in the absence of specific written agreement from the employee. However if we are aware that the (ex) employee has a disability related reason for absence we may not provide information on absence dates.
  + Just as much care and attention will be given to verbal references as to written references. The referee will keep a written record of all comments made. Verbal references are not recommended.
  + The referee will remember his/her professional responsibilities as a manager, putting aside any personal subjective opinions that do not relate to the abilities of an individual in relation to their potential new or old job.
  + If a manager wishes to refuse to provide a reference he/she must discuss their reasons for this with HR.

**Personal References**

Requests for personal (as opposed to employer) references are at the discretion of the referee. Any such references must clearly state the capacity within which they are being made (i.e. personal rather than business). For personal references the referee acts in full knowledge that personal liabilities may ensue in the event of any successful challenge. Personal references are not made on behalf of MVDC and will not include employment information i.e. confirmation of dates of employment, work history etc.

**Policy Review**

This policy will be kept under review and should not be construed as a contractual term. It is possible that employer references (or those beyond mere factual statements) will cease to be provided in future.

October 2018

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| **Version** | **Version Status** | **Date** | **Version Comment** | **Version Author** |
| V1.0 | Final | November 2016 |  |  |
| V2.0 | Final | October 2018 |  |  |
| V3.0 | Review | Due October 2021 | Policies to be reviewed at least every 3 years or in the event interim changes are needed (e.g. changes in legislation, work practices). | CS |