

Reference policy

New policy number: **709**
 Old policy number: **PN708 and PN709 merged**
 Issue date: **1 May 2010**
 Reviewed as current: **24 July 2023**
 Owner: **Assistant Director, People Services**
 Responsible work team: **Policy, Pay and Reward**

Contents

- 1 Introduction 2
- 2 References 2
- 3 How references will be used 2
- 4 References for different groups 3
- 5 Other considerations 4
- 6 Reference requests for external appointments 6
- 7 Reference requests for internal appointments 7
- 8 Contents of a reference 7
- 9 Open reference policy 8
- 10 Action by HR Services (in liaison with managers) 8
- 11 Confidentiality issues associated with references 9
- 12 Records 9
- 13 Help and support 9
- Document history 10

1 Introduction

- 1.1 This policy sets out the Brigade's arrangements for managing employment and promotion references for employees and external candidates.
- 1.2 This policy should be applied in line with the Brigade's [values](#):
 - Service – We put the public first.
 - Courage – We step up to the challenge.
 - Learning – We listen so that we can improve.
 - Teamwork – We work together and include everyone.
 - Equity – We treat everyone fairly according to their needs.
 - Integrity – We act with honesty.

2 References

- 2.1 References form an important support mechanism for the recruitment and selection process. The Brigade will request references prior to confirming all new appointments, in order to ensure individuals joining the service as an external appointment, and internal candidates are suitable in terms of their ability, attendance/sickness record and conduct.
- 2.2 All offers of employment and promotion are subject to satisfactory references. They are required in advance for operational promotions, and prior to a formal offer being made for other staff groups. This will normally cover the preceding three year period of employment and/or further education. HR Services will coordinate obtaining references.
- 2.3 A reference should never be treated as absolute evidence to support or reject the selection decision. There is always the possibility a new appointment may not work out, however well designed the assessment process is. Obtaining references should be seen as one way of helping to reduce this risk, as is the probation period for the new employee. It may not always be possible to obtain answers from referees to all the questions in the reference request. In such situations, it is advised that the recruiting manager with advice from HR Services will consider the case and take a balanced view as to whether they wish to proceed with making the appointment.
- 2.4 In addition to seeking references, all offers of employment are, as part of the pre-employment checks, subject to medical clearance, evidence of eligibility to work in the UK, proof of a National Insurance number, educational qualifications (where appropriate) and criminal record checks at the appropriate level and/or security checks for specialist posts.

3 How references will be used

- 3.1 References will be required for those candidates assessed by the selection panel to be the most suitable for the post and to whom a provisional offer of employment, subject to satisfactory references, will be made. When making a provisional offer of employment, it must be made clear to the candidate that the offer is subject to satisfactory references. The offer can be made verbally, providing it is made clear that it is subject to the receipt of written references which are satisfactory.
- 3.2 Reference requests to employers/line managers will seek information that can be substantiated. This may include:
 - Employment dates, job title and salary.

- Absence/sick record covering the previous three years but excluding periods of maternity, adoption leave or career breaks.
 - Lateness, (including) timekeeping.
 - Performance concerns, disciplinary sanctions etc (which can be supported by evidence).
 - Any other reasons why the Brigade should not employ the candidate.
 - Reasons for leaving (where appropriate).
 - Performance review against role criteria.
- 3.3 For external candidates, a referee will always be asked whether or not the candidate would be suitable to be re-employed by that company, although it is recognised that some employers have a policy not to re-employ former staff, regardless of their level of performance. In these situations, HR Services will seek clarification as to why the individual would not be suitable for re-employment. If the reason given is not down to organisational policy, then information as to the reason for non re-employment will be sought. In light of the reference information received, a recruiting manager in consultation with HR Services, will determine whether further information needs to be considered i.e. interview board papers, assessment results, and/or whether the offer of employment should be withdrawn.
- 3.4 Information in the form of opinions will only be requested if they specifically relate to the selection criteria for the post in question and can be supported by evidence from the candidate's work/study experience.
- 3.5 When a conditional offer is made all internal and external candidates will be made aware that a poor employment record, including their disciplinary, performance, attendance and sickness absence records, may affect their employment/promotion opportunities. References should be provided using the Talentlink online form or where this is not possible, in writing, in hard copy or electronic. References outside of the Talentlink system should be on headed paper and electronic references are normally expected to come from appropriately named domain names. Telephone references may only be accepted as a last resort if no written reference can be obtained and the Brigade is confident that the reference is being supplied by the appropriate person.

4 References for different groups

External applicants

- 4.1 All applicants will be required to provide details of referees once they have been offered a post, via the Talentlink system. One of these should be the present or most recent employer. The referees quoted should be sufficient to cover the last three years of employment. Those who have been in full-time education will be required to provide details of their course tutor. Where candidates have not worked for a period of time, it may be necessary to cover a period greater than three years. In the conditional offer of employment, the candidate will be informed that references are being sought from those people they identified in their application form. The Brigade reserves the right to request a further reference covering a longer period of time, should circumstances warrant it. Where there are unexplained gaps in the applicant's employment record this will be reviewed and further information sought. The reasons for gaps in employment and can be caused by disability, caring responsibilities, or transitioning, for example. Candidates with these backgrounds can be considered sensitively, and on the individual merits of each case.
- 4.2 It is not considered appropriate to seek a reference from friends, colleagues or any other 'character' references, even if supplied by some person of professional standing. Applicants are unlikely to nominate someone who will not give them a supportive reference and such referees may not have a clear picture of the applicant's work related skills and abilities. Although it is recognised that voluntary work can equip an applicant with useful skills and experience, care

should be taken when seeking a reference solely in respect of a period of voluntary work undertaken. It is unlikely that the applicant would use such a reference unless it was going to be supportive given the fact that the work is voluntary. However, it is important that the Brigade does not discriminate unfairly against someone who has not been in paid employment or full-time education and it may be that it is necessary to obtain information from whatever sources are appropriate to that case.

- 4.3 Applicants for uniformed posts who have been employed at any time by a UK Fire Brigade, whether wholetime or retained, will have their record of service confirmed in writing by that brigade (or brigades) HR department, this will also be sought from non UK Fire and Rescue Services.
- 4.4 Referees should be made aware that references received in respect of a prospective employee will form part of the documentation held on their e-PRF on appointment.

Internal applicants

- 4.5 A reference will be requested for internal FRS/Control applicants from their line manager. The minimum acceptable management level of reference provision in this case is station commander (for operational staff), FRS 'E' (for FRS staff) and Control Commander (for Control staff). If the applicant has been in their current post for less than 3 years then their previous reference which will be held on their PRF will be considered. Former managers will only be contacted where it is felt necessary to do so, i.e. where the selection criteria for the post is not covered by a previous reference on the applicant's e-PRF. References received, together with papers relating to a candidate's appointment/promotion will be retained on their PRF.
- 4.6 For uniformed promotions the "reference" is now part of the application stage. Candidates must complete the Expression of Interest form which is signed off by management, and is made as part of the application process.
- 4.7 If the existing line manager forms part of the interview panel for the post, an email confirmation will be sought from this manager, when they are the most appropriate person to confirm the information required in the reference.

Past employees

- 4.8 Former employees of the Brigade being considered for temporary or permanent employment, or re-engagement, will have their e-PRFs reviewed in order to review their sickness/attendance record during their previous period of employment with the Brigade and to establish if there were any outstanding disciplinary issues from the period of employment. Any issues that come to light and which may have a bearing on the appointment will be considered by HR Services in consultation with the receiving head of service and if necessary, with other specialist departments of the Brigade.

5 Other considerations

Sickness absence

- 5.1 Consideration of an individual's sickness record over the preceding three year period is an integral part of the reference process and this may form grounds for deciding that the reference is unsatisfactory which could result in an offer of employment or promotion being withdrawn. This will be undertaken by HR Services in liaison with the relevant manager and Wellbeing Team.
- 5.2 It is important that these records are reviewed carefully and that all significant and related facts are made known to those making selection decisions before an appointment is confirmed.

Consideration must be given whether the absence is likely to be disability related and covered by the Equality Act 2010. HR Services must seek the advice of General Counsel's department before a decision is made where this may be considered.

- 5.3 Sickness absence information for internal applicants will be obtained from StARS by the employee's current line manager or by HR Services. It is the responsibility of the recruiting manager to review the sickness records and to refer any concerns they may have to HR Services for advice and guidance.
- 5.4 An individual's sickness absence record should be considered in accordance with the attendance procedure which applies to that member of staff.
- 5.5 Sickness patterns that may be of concern include deteriorating sickness over the three years or repeated periods of short term sickness with varied causes. Current guidance for managers available in [Policy number 1005](#) – Supporting health and wellbeing policy may help managers to determine whether an applicant's sickness absence record is acceptable. Long term sickness may not in itself be a concern if it relates to a one off operation/injury that may not recur.
- 5.6 In some cases an employee may be on sick leave or light duties because they are unfit to perform full duties in their current role, but they may be fit to perform full duties in the promotion role. In these cases, it may be appropriate to allow the promotion. Where the reason an employee is on sick leave or light duties is disability related as defined by the Equality Act 2010, management should consider with the employee, in consultation with the occupational health service (OHS), whether workplace adjustments can be made to allow the employee to fulfil the duties required in the promotion role, in order to allow the promotion.
- 5.7 The decision as to whether an individual's period of sickness and/or light duties is likely to fall within the definition of disability under the Equality Act 2010 will be taken by the assistant commissioner/head of service in consultation with HR Services and General Counsel's department following advice received from the OHS.
- 5.8 In cases where the withdrawal of an offer is being considered for an internal candidate on the basis of a poor sickness record alone, the Assistant Director, People Services must be notified prior to a final decision being made and the individual notified.

Performance concerns

- 5.9 In cases where the written reference makes mention of performance concerns or explicitly indicates poor performance, no confirmation of appointment or promotion will be made until all the facts about those concerns have been discussed with the appropriate managers and reviewed. A final decision will be made by the recruiting manager in consultation with HR Services.

Disciplinary issues – misconduct and performance

- 5.10 Information concerning current disciplinary sanctions or investigations is requested as part of the reference process. HR Services will check this with the Professional Standards Unit at the time an internal uniformed promotion is proposed. With FRS and Control staff, managers will be required to disclose this on the internal referencing form. For external references, this information would normally fall outside of the information deemed to be part of a 'standard' reference. If there is disciplinary information that relates to concerns around Safeguarding, or relevant Health and Safety concerns, the Brigade may be obliged to share this information without explicit consent from the individual, as part of our duty of care to other employers too.

- 5.11 Candidates who are the subject of a current disciplinary process (including the investigation) will not be appointed until the conclusion of the disciplinary process, dependant on the outcome. Posts may be held open only with the agreement of the recruiting manager in consultation with People Services.
- 5.12 Candidates who have 'live' disciplinary sanctions on file will not normally be permitted to gain promotion or appointment to the post for which they have applied until the sanction has expired.
- 5.13 During the selection process, if an internal candidate becomes subject to, or is already subject to a disciplinary sanction that extends beyond the projected appointment date, this will prevent them from participating further in the process. It is the candidates responsibility to confirm when the projected appointment date is via e-mail with the contact in Recruitment dealing with the vacancy.

6 Reference requests for external appointments

- 6.1 Letters requesting a reference on either an existing or former member of staff may be received by individual managers from outside employers if that person has named them as one of their referees. In these circumstances, the reference must be forwarded to HR Services for completion and forwarding to the prospective employer.
- 6.2 Most reference requests will be received via e-mail, they should be forwarded to the HR Services, which will provide and co-ordinate the response. If there is a concern regarding the legitimacy of a request, HR Services may attempt to contact the former employee for verification purposes. They may also require further information and need to come back to the manager for other information.
- 6.3 Brigade policy is to send a 'standard reference', which will normally include the following information only:-
- Dates of employment.
 - Job title and grade.
 - The number of sickness absence days over the preceding 12 months of employment.

Should a more detailed or further reference information be requested, HR Services will first seek the written (email) consent from the individual before providing the following information, if specified:

- Reason for leaving
- Salary on leaving
- Sickness details over the (last 12 months of employment) - the number of sickness absence days can be provided.
- Live disciplinary sanctions. (In cases where there are possible concerns as highlighted in paragraph 5.11, the Brigade may be obliged to share this information).

If HR Services are unable to contact the individual, then a standard reference will be sent.

The exception to this will be other Fire and Rescue Services, owing to the nature of information required for Operational staff, information including training records are essential to support a transfer and will be shared.

- 6.4 A referee owes a legal duty of care to both the employee and the party requesting the reference to ensure that it is true, accurate and fair to the best of their knowledge.

- 6.5 Reference requests may occasionally seek personal opinions on characteristics, or the personality of an employee. This policy does not encourage the sharing of personal opinions and instead HR Services will ensure that any statements made in a response can be substantiated and that the information requested is in fact relevant to the post in question. A referee is not obliged to comment on or answer every point in a reference request. Employers may sometimes request information which extends beyond what is possible for a referee to provide based on their knowledge of the employee or which may require disclosure of information of a personal nature. The latter may be possible, provided that prior consent from the individual is obtained as necessary. If in doubt, a referee should seek advice from HR Services.
- 6.6 On occasion prospective employers may request the completion of a set questionnaire. Managers approached directly should advise that the Brigade provides information in a specific format and forward enquiries to HR Services. HR Services will respond with the standard reference, they may also seek further information from the manager for the response.
- 6.7 Under no circumstances should personal references be supplied on Brigade headed paper and/or emails. It must be noted that any personal references supplied by a manager of the Brigade will be of their own volition and devoid of any association with the Brigade.
- 6.8 This principle extends to recommendations, references or endorsements provided through social networking sites such as LinkedIn, as entries may be attributable to staff who are recognisably Brigade employees. They are personal recommendations and should not be represented as a Brigade position in any way. A failure to uphold this is contrary to [Policy number 485](#) - ICT acceptable use policy, as detailed in Appendix 1.

7 Reference requests for internal appointments

- 7.1 Reference requests on a current member of staff (FRS/Control) who is being considered for promotion can be sent to the appropriate manager from HR Services via a 'reference request form'. These requests will be made in cases where a provisional offer has been made to the individual at the end of the selection process. With uniformed promotions rounds, candidates must complete the expression of interest form which is signed off by management in advance, as part of the application process.
- 7.2 As outlined in paragraph 4.7, an interview panel member may be a candidate's line manager too. A reference will still be required, should the candidate be made a provisional offer, in the case of a uniformed promotion round, this will be from the beginning of the selection process. As a matter of integrity the line manager should still be the best placed to provide a balanced assessment of the individual.

8 Contents of a reference

- 8.1 A response to a reference request should be via the Talentlink system. Those outside of the system must be on headed paper or from the organisation's email address. The letter should be signed by an appropriate officer with the name of the signatory printed under the 'signature' together with job title, department/section, location and telephone number stated clearly.
- 8.2 Referees will ensure they will work towards providing a 'Standard reference' only, with the contents as outlined in the relevant sections of paragraph 6.3 above.
- 8.3 Care should be taken when providing information on sickness that only working days lost due to sickness are included. Sickness absence that occurs over a weekend for FRS staff or on a rota leave day for uniformed/control staff should not be included. For internal references the information requested on sickness absence will be that covering the last three years together with

information pertaining to any outstanding disciplinary sanctions. Information should be provided as long as it is quantifiable and warrants discussion with the individual concerned; via assessment or feedback.

- 8.4 A copy of the job description will be enclosed with internal reference requests and outside employers may also enclose a similar document for the purpose of assisting the completion of the reference.
- 8.5 Responses to reference requests should be restricted to the information sought within the confines of the standard response. Information provided will be used to support the detail supplied by the candidate on the application form and during the assessment process and may play a part in confirming an offer of employment or promotion.
- 8.6 References must always be provided in writing and a copy retained on the electronic personal record file (e-PRF). If an employer follows up a reference with a telephone call to clarify certain points, a record of the conversation and any additional information provided at that time must be made and retained on the individual's e-PRF. An individual will have the right to see this information under the open reference policy (see paragraphs 9.1 and 9.2 below).
- 8.7 The following exclusion clause should be included at the end of all reference letters provided by the Brigade to external employers as it is possible for inaccuracies to occur in reference writing immaterial of the duty of care that is taken in compiling these responses.

'This reference is given in confidence and good faith. No responsibility however, can be accepted for any errors, omissions or inaccuracies in the information or for any loss or damage that may result from reliance being placed upon it. The Brigade has an open reference policy and employees have a right to see employment references written about them should they so wish'.

9 Open reference policy

- 9.1 Staff have the right, if they so wish, to see written references about them by Brigade managers. The manager should, wherever practicable, provide a copy of the the proposed reference before it is dispatched and comment. Any written comments on the accuracy or otherwise of the reference that the individual has commented on should be attached to the copy placed on the e-PRF. Any factual inaccuracies accepted by the author e.g. dates of employment, can be amended on the reference. The copy should ideally be signed by the individual to the effect that they have seen it. This process does not in any way mean that employees are being asked to approve their own references or that they have the right to do so.
- 9.2 Under GDPR and the Data Protection Law individuals may view references written about them, provided that the reference does not impinge on the rights of anyone else mentioned in the submission.

10 Action by HR Services (in liaison with managers)

- 10.1 All references must be checked and cleared by HR Services in consultation with the relevant line manager before an offer of appointment can be confirmed.
- 10.2 On occasion a reference received may not contain all the information that is required to confirm the appointment decision. Likewise there may be occasions when it is felt that the referee is not giving the whole picture in the written reference and that further information may not be forthcoming. In these situations HR Services will follow this up with a telephone call to the employer concerned and explore in more depth the employment history and the reasons for leaving. Such conversations should be strictly confined to the factual information requested in the reference enquiry. Detailed notes must be retained of these conversations and attached to the

written reference. If, following a telephone conversation, the requisite information is still not forthcoming, recruiting managers in consultation with HR Services will be required to use their professional judgement in examining other sources of the selection process i.e. interview board papers, assessment test results etc; to determine whether or not to make an appointment.

- 10.3 If a reference is not deemed to be satisfactory, the offer of employment will be withdrawn. The contents of the reference should always be discussed with the chair of the selection panel (or equivalent) who will make the final decision as to whether the offer of employment/promotion should stand, taking into account advice from HR Services staff involved in/supporting the process.
- 10.4 In some circumstances HR Services may consider it necessary to invite the candidate to a meeting to discuss and clarify their understanding of issues raised in a reference. In these situations detailed notes of the meeting must be made and retained.

11 Confidentiality issues associated with references

- 11.1 References in respect of external applicants will only be shown to those members of the selection panel involved in the recruitment process. Employees have a right to see references written about them, copies of which are retained on their e-PRF. All requests for references made by the Brigade will make it clear to external bodies that the Brigade operates an open reference policy and that once a candidate becomes an employee of the Brigade; they have the right to see references submitted about them. References on applicants (not employees) by external bodies will not normally be shown to the individual without the author's written permission. However, an applicant may make a subject access request under the terms of the Data Protection Law. In this situation, each request will be dealt with on an individual basis.

12 Records

- 12.1 Please send records by email to RecordsServices@london-fire.gov.uk. Records will be kept on your electronic personal record file (e-PRF) and retained in accordance with [Policy number 788](#) - Electronic personal record files (e-PRF). Personal data shall be processed in accordance with [Policy number 351](#) – Data protection and privacy policy.

13 Help and support

- 13.1 Please contact the HR Helpdesk on extension 89100 option 3 and by email to IT.HR@london-fire.gov.uk. Please contact a Professional Standards Adviser in the Professional Standards Unit (PSU) on extension 31880 and by email to PSU@london-fire.gov.uk regarding disciplinary related matters.
- 13.2 This policy may also be available on request in other alternative accessible formats as set out in [Policy number 290](#) – Guidance note on translation and interpretation. Please contact Communications on extension 30753 and by email to communications.team@london-fire.gov.uk to discuss your needs and options.
- 13.3 The Brigade invites your engagement so that it can learn so if you have a suggestion that can improve this policy then please submit your idea via the [Staff Suggestion Scheme on Hotwire](#) as set out in [Policy number 887](#) – Staff suggestion scheme. Any changes do need to go through the agreed engagement, consultation, negotiation or governance requirements.

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

| | | | | | | | |
|-----|----------|------|--------------|-------|----------|----|--|
| EIA | 28/05/24 | SDIA | L - 26/07/23 | HSWIA | 01/08/23 | RA | |
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Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

| Page/para nos. | Brief description of change | Date |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Throughout | References to the Disability Discrimination Act have been replaced by the Equality Act 2010 in line with current legislation. | 20/10/2011 |
| Throughout | Department names have been updated in line with the Top Management Review. | 20/10/2011 |
| Throughout | Major changes have been made to this policy. Content from old Policy number 708 and Policy number 709 has been merged to create this version. | 24/07/2013 |
| Page 3 para 2.5 | Reference to appendix 1 removed as appendix 1 has been removed. | 29/07/2013 |
| Page 10 | 'Subjects list' table - template updated. | 06/01/2015 |
| Throughout | Reviewed as current, policy reference and minor re-drafting. | 10/08/2016 |
| Throughout | Reviewed as current, with minor re-drafting and team name alterations. | 12/10/2020 |
| Page 7, Para 5.3 | Inclusion of standard reference approach. | |
| Throughout | Reference to cancelled PN889 – managing attendance updated to PN1005 – supporting health and wellbeing policy. | 28/03/2023 |
| Throughout Page 9, Para 12 | Reviewed as current with minor updates to department names. Other policies affected removed. | 24/07/2023 |
| Throughout | SDIA and HSWIA updated. | 04/08/2023 |
| Throughout | Minor updates made. Records and Help and support added. | 15/11/2023 |
| Page 9, para 13 | Reference to Professional Standards Unit added. | 12/02/2024 |
| Page 2, para 1.2 | Values included. | 25/03/2024 |
| Page 9, para 12.1 Page 9, para 13.2 | Data protection details added. Access to alternative policy format details added. | 19/04/2024 |
| Page 5, para 5.10 | Professional Standards Unit replaces Employee Advice and Insights. | 25/04/2024 |
| Page 9, para 12.1 and para 13.3 | Records Services and Staff Suggestion Scheme details added. | 30/05/2024 |

Subject list

You can find this policy under the following subjects.

| | |
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| References | |
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Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

| Considered by: (responsible work team) | FOIA exemption | Security marking classification |
|--------------------------------------------------|-----------------------|--------------------------------------------|
| | | |