



Guidance for Maintained Schools and Academies

Employment References (Requesting, Receiving, Storing and Providing)

Document Number: 31

Date: Reviewed and amended
September 2017

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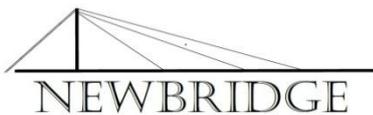


References

Requesting, Received, Storing & Providing

Updated: April 2018
Review: July 2018

Staff responsible: Executive Principal



Vale of Evesham School

A specialist school for cognition and learning - ensuring inclusion in the community.

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There are two sections in this guidance:

Section 1 - Requesting, Receiving and Storing Employment References, and

Section 2 - guidance on Providing Employment References

SECTION 1 - REQUESTING, RECEIVING AND STORING EMPLOYMENT REFERENCES

This section provides advice on requesting, receiving and storing employment references for prospective new employees.

1. INTRODUCTION

The purpose of this guidance is to provide advice to schools in relation to references and is in line with: 'Keeping Children Safe in Education' April 2014 (the statutory guidance for schools and colleges on safeguarding children and safer recruitment in education).

www.gov.uk/government/uploads/system/uploads/attachment_data/file/372753/Keeping_children_safe_in_education.pdf

- 1.1 References **must** be obtained for all prospective employees, including volunteers, as part of the recruitment process, irrespective of whether or not they are currently employed in another Worcestershire school.

Why take references?

- References can provide supporting evidence from third parties and corroborate the evidence gathered so far during the selection process as to the applicant's suitability.
- Ensure applicant's suitability to work with children or young people.
- **Under the conditions of WCC's fidelity guarantee insurance, schools are required to obtain two written references for all employees by the start of their employment.** Fidelity guarantee insurance protects the Council (and schools) against the theft of its money or assets by an employee through fraudulent means and is required by law.

2. PROCEDURE FOR REQUESTING REFERENCES

- A flow chart in Appendix 1 summarises the procedure for requesting references.
- 2.1 Safer recruitment practices require that references are taken up on shortlisted applicants immediately after the shortlisting decision is made. This enables any issues of concern to be raised with the referee, and taken up with the candidate at interview. You should provide referees with the date on which interviews will be held to encourage a response by that date.
 - 2.2 References should be taken from two referees who are able to comment on the applicant's suitability for the job or one referee if the applicant is already working in the school. One of these **must** be the applicant's current or most recent employer. Some applicants may not be able to provide this, for example those who apply to join you directly from the education system. In these cases, at least one of the references should be sought from a person in a position of responsibility who has knowledge of the applicant. This could be their tutor or lecturer.
 - 2.3 Where an applicant who is not currently working with children, has done so in the past, it is important that a reference is also obtained from the most recent relevant employer (i.e. the employer by whom the person has been most recently employed by, working with children), even if this means requesting an extra reference.
 - 2.4 Personal or character references from family members, friends or associates are not acceptable.
 - 2.5 The WCC standard application form for support staff asks applicants if they wish to be consulted before each of their referees are approached. Applicants who have specified that they do not wish a referee to be contacted without their permission should be contacted to request permission before a referee is approached. If the named referee is unavailable (e.g. on holiday, left the organisation), you must refer back to the applicant to request another contact.

Please note the process for teaching staff is slightly different: WCC's Teacher application form states 'unless you specify otherwise, we will not consult you prior to approaching these referees'.

On the request of an applicant, only in exceptional circumstances should a reference be approached after interview. In these circumstances the candidate could be asked to provide some alternative evidence of employment history or performance, e.g. most recent performance management outcome, as an interim measure.

Where a reference has not been obtained on the preferred candidate before interview, the interviewer must ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed.

- 2.6 In view of the time required to request references (writing, posting and evaluating) the inclusion in the applicant's information pack of a clear description of how references are obtained optimises the notice that can be given to prospective referees (for example, see Appendix 9).
- 2.7 Once references have been received they should be reviewed by the recruitment panel in advance of the interview. This enables any areas of concern, which are revealed in the references to be probed further with the referee and taken up with the candidate at interview. This must be done with care to ensure:
- There is no risk of a breach of the confidential information provided by the referee.
 - Consistency is maintained between candidates, particularly if all references have not been received.

On a precautionary note, 'glowing' references received should not automatically go unchallenged.

- 2.8 If the reference has not been returned, within one week of the request, the referee should be contacted to chase it up (this can be done sooner if preferred). In cases where referees do not respond promptly, it is often also worth contacting the applicant to see if they can help to chase up the referee(s).
- 2.9 If a referee refuses to provide a reference, find out why and either seek an alternative referee or contact HR Consultancy for Schools for advice.

3. TELEPHONE AND EMAIL REFERENCES

- 3.1 References should only be sought in writing, in the first instance. Telephone references should only be taken in exceptional circumstances where there is no alternative due to time/other constraints. When a reference is taken over the telephone, all of the details should be written down, and the person taking it must sign and date this record. A copy should then be placed on the recruitment file or the applicant's personal file. The referee should be asked to provide a written confirmation of the verbal reference.

Email references are acceptable and should be printed and filed as with any other reference.

4. CANDIDATES SUPPLYING REFERENCES AND 'TO WHOM IT MAY CONCERN' REFERENCES

- 4.1 Do **not** accept references or testimonials provided by the candidate, or an open reference or testimonial, i.e. 'To Whom It May Concern'. The reference may not answer the questions you want to know if it is a general reference. In addition, there have been instances of candidates forging references.

5. CONTENT OF REFERENCE REQUESTS

- 5.1 A basic template (Appendix 2) is available for your use that provides the minimum standards of factual information that must be gathered. Alternative designs or variations on this template are acceptable, as long as these minimum standards are met. We would strongly recommend the use of a template, which asks specific questions pertinent to the post in question for both thoroughness and comparability. HR Consultancy for Schools have also developed four role-specific reference templates, namely, for Headteachers, Teachers, Teaching Assistants, Volunteers and a general one which can be used for support staff which incorporate the minimum standards required (see Appendices 2-6).
- 5.2 Taking references provides an excellent opportunity to verify information gathered from the application form, such as levels of responsibility or experience. The basic template (word document) provides space to add such questions. It is important that all questions asked are clearly relevant to the role. For example, it would be inappropriate to ask about team-working if the role is to be carried out entirely alone. Care should be taken to ensure that questions are not asked that may be directly or indirectly discriminatory on any of the grounds given in the WCC's or your own School's Equality and Diversity Policy.
- 5.3 **Safeguarding**
Reference requests addressed to a candidate's current or previous employer in work with children should also seek details of any disciplinary procedures that the applicant has been subject to involving issues related to the safety and welfare of the children or young people, including any which the disciplinary sanction has expired, and the outcome of those. Furthermore, references should seek details of any substantiated allegations that have been raised about the applicant that relate to the safety and welfare of children or young people, or behaviour towards children or young people.
- 5.4 The Equality Act 2010, states that you are **not** able to ask any questions relating to health or attendance prior to offering the individual a job. There are very limited exceptions to this; one exception is the requirement to establish whether the applicant will be able to carry out a function that is intrinsic to the work concerned, e.g. heavy lifting.
- 5.5 As a result of an amendment under The School Staffing (Amendment) Regulations 2012, you are able to ask maintained schools whether or not a teacher has been the subject of formal capability procedures within the preceding two years. The school must confirm whether this is the case and, if so, provide written details of the concerns which gave rise to the procedures; the duration of the proceedings and the outcome. This requirement is also being included in new funding agreements for Academies which have converted since 1st April 2013.
- 5.6 All reference requests should be accompanied by an up to date Job Description and Person Specification. Separate management guidance is available regarding 'Job Descriptions and Person Specifications' detailed in the HR guidance on 'Recruitment and Selection' document:
[Maintained Schools click here](#) / [Academies click here](#)
- 5.7 A covering letter to assist the process of requesting references is available in Appendix 7.

6. MAKING AND CONFIRMING AN OFFER OF EMPLOYMENT PRIOR TO THE RECEIPT OF REFERENCES

- 6.1 In accordance with the DfE guidance: 'Keeping Children Safe in Education' April 2014 (the statutory guidance for schools and colleges on safeguarding children and safer recruitment in education) it is never acceptable to allow an applicant to commence employment before satisfactory references have been received.

In extremely exceptional circumstances it may be necessary to embark upon the interview process prior to the receipt of references. If references are taken up after an offer is made, it would allow you to incorporate a question relating to health or attendance. In such cases it is essential that the references are received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed.

- 6.2 Until references have been received, an offer of employment must be expressly conditional on 'the receipt of satisfactory references'. This written offer would be confirming what the applicant had been advised verbally. **The applicant should not be allowed to commence work until satisfactory references are received.**
- 6.3 If such an offer has been made and the references that are received are unsatisfactory, consideration should be given to withdrawing the offer. If this is the case please seek the advice of HR Consultancy for Schools immediately.

7. ASSESSING THE SATISFACTORY NATURE OF REFERENCES

- 7.1 Legal precedent states that the 'satisfactory' nature of an employment reference is a subjective measure. The recruiting manager must exercise their judgement as to the definition of 'satisfactory'.
- 7.2 If a reference is received that raises concerns, the options available for further investigation should be discussed with HR Consultancy for Schools. For example, the referee may be contacted to investigate further. If this is done by telephone, the guidelines given above should be followed (see section 1 paragraph 3.1).
- 7.3 Where an offer has been made subject to references or medical check and concern about fitness to work is raised, it may be necessary to seek further medical advice.
- 7.4 In the event that one reference is considered unsatisfactory, but one is satisfactory, consideration should be given to the contents of both. One option is to consider asking the applicant for a third referee. In making a final decision on whether to employ the applicant, another option is to organise a meeting with the applicant to discuss the concerns (see section 8 below). The outcome of this meeting may also be considered as part of the basis of the decision.
- 7.5 If an offer of employment has been made, subject to satisfactory references, we advise the school writes to confirm their receipt to the successful candidate (and confirm starting details, e.g. proposed start date).

8. RIGHTS OF SUBJECT ACCESS (Data Protection)

- 8.1 In considering whether to allow an applicant access to a reference about them which was provided by a third party, you must balance your obligations to the provider of the information and the applicant. This applies if the applicant requests access, or if we wish to discuss the reference or elements of it with the applicant.
- 8.2 Care should be taken if you wish to discuss the contents of a reference with an applicant, e.g. if there are concerns regarding a particular issue. Usually a reference is provided in confidence and by discussing the contents you may be breaching data protection by releasing information provided to us by the referee without their permission. In many cases careful questioning at interview can clarify issues however, if this is not appropriate or successful we would recommend that you contact WCC's Information Access Officer for advice.
- 8.3 Ultimately applicants do have the right under the Data Protection Act to gain access to the content of references at their request. If any such requests are received please contact WCC's Information Access Officer for advice.

9. STORAGE OF REFERENCES

- 9.1 References include personal data and so they are subject to the Data Protection Act 1998. They must be kept securely to avoid their loss or any unauthorised access and they should never be passed on to any third party. They should be kept on the successful applicant's Personal File to avoid loss or unauthorised access. References for unsuccessful applicants should be retained in a recruitment file for 12 months and then destroyed.

SECTION 2 - PROVIDING EMPLOYMENT REFERENCES

Employment references should only be provided by those authorised to do so for former/current employees or volunteers. This guidance is intended to make referees aware of their obligations and to provide a framework for providing references. A quick reference checklist is provided in Appendix 10.

1. Legal Framework

- 1.1 There is no general legal obligation to provide a reference, but where one is given it must be 'true, accurate and fair'. It must not give a misleading overall impression or be negligent either in content or by omission. Although there is no obligation, refusal to provide a reference may need to be justified later at an Employment Tribunal or Court, especially where it is normal practice to provide references.
- 1.2 As a referee, you have a legal obligation to use due care when compiling a reference to **both** the person about whom you write (the former/current employee) and the potential employer.
 - If you breach your **duty of care to the former/current employee** by providing an inaccurate or misleading reference, they could take legal action
 - If you breach your **duty of care to the potential employer** by providing a negligent or careless reference that does not provide a true, accurate and fair impression of the person, they could sue for damages.
- 1.3 There have been a number of legal rulings that set rules which must be followed:
 - The former/current employee must already be aware of any adverse criticism or complaints made about them and mentioned in a reference
 - If the employment of a former employee is terminated during unresolved disciplinary proceedings, before divulging any unfavourable information you must "genuinely believe that the information is true, have reasonable grounds for that belief and have carried out as much investigation into the matter as is reasonable in the circumstances"
 - Never say to an employee "we will give you pay in lieu of notice and a good reference, if you go quietly" as this could be viewed as constructive dismissal. (Except if the arrangement for termination has been made as part of a formal settlement agreement.)
 - If an employee was dismissed, you should not provide a favourable reference associated with the grounds for dismissal. For example, you must not say in a reference that a former employee's conduct was good if they were dismissed on those grounds. (This is not to say that a favourable reference cannot be provided for a dismissed former employee, just that it must be reconcilable with the grounds for their dismissal.)

2. Guidance on Providing References

2.1 The guiding principle to remember is: be true, accurate and fair.

Consent

2.2 Only provide a reference where you are sure that the individual concerned has given consent. If in doubt, seek evidence from the person or organisation requesting the reference that the individual has given their consent, or ask the individual personally if they are happy for you to provide a reference.

Talk through the Reference with the Employee

2.3 It is good practice to talk through or show the employee the reference where practical. If you have followed the principle of being true, accurate and fair, you should have nothing to worry about. Information about employees should not be a shock or news to them (See section 2, paragraph 1.3).

Sources of Information/Consistency

2.4 Use factual information, preferably extracted from the relevant personal file, job description, and appraisal. You should look at the employee's file to check your information if in any doubt. Statements made in a reference must be consistent with statements made elsewhere about the employee and in any previous references that have been provided for the employee. In the rare event of significant new information concerning the employee arising between sending 1 employer reference and responding to another reference request it is advisable to make the employee aware of the difference in the references before the most recent reference is sent.

Confidentiality and Data Protection

2.5 All information provided should be treated as confidential and headed as such. You should be aware that under the Data Protection Act candidates may be able to gain access to the content of the reference at their request.

Relationship to Former/Current Employee

2.6 It is helpful to indicate your relationship to the former/current employee and confirm the capacity in which the reference is given, whether work-related or personal. Also indicate the timescale since you last had contact with them or managed them. This is particularly useful where several years have elapsed.

Giving Opinions

2.7 Take care when giving opinions. If opinions have to be given you must be able to substantiate them based on facts. If you do not feel that you are in a position to comment on part of a reference request that requires a subjective opinion, you are not obliged to do so. However, if you do not comment for this reason, you should make it clear that this is why you have not commented. This should prevent the recipient of the reference from assuming that you have not commented because of a problem. It is also important to ensure that by only responding to certain elements of the reference request, you do not present a misleading overall picture.

This paragraph is of particular relevance if you are asked to comment about whether you consider this person suitable to work with children.

Job/Duties of the Post in Question

2.8 If you do not know the job/duties of the post applied for, do not make assumptions, but rather request the Job Description and/or Person Specification. You can thus describe your direct experience of the person's knowledge, skills and abilities in relation to the requirements of the post. You may not be in a position to comment on the suitability of the former/current employee for the job if, for example, the

person changes career/profession. However, you could still provide information about knowledge, skills and abilities that are transferable, together with factual information about the person, such as their dates of employment, job title, etc.

Criminal Convictions

- 2.9 Unless you have the clear consent of the applicant, you should not refer to the reasons for any criminal convictions without the current/former employee's express written permission. (Although it is acceptable to refer to any disciplinary action or proceedings. Unless the post for which the reference has been requested is exempt from the Rehabilitation of Offenders Act, you should only mention any criminal convictions that are unspent or unfiltered spent convictions*. If you are in any doubt about this, always contact HR Consultancy for Schools for advice.

It is essential to be aware that if the applicant is applying for another role within a school, **all** posts in schools are exempt from the provisions of the Rehabilitation of Offenders Act 1974 as they involve working with children. You are therefore obliged to inform any future employing school of any unspent or unfiltered* spent criminal convictions, cautions, reprimands or formal warnings. Note that a previous conviction does not necessarily bar the applicant from appointment.

*Please see www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates for information regarding filtering of convictions.

Safeguarding Allegations

References provided for a current or previous employee who intends to work with children should include details of any disciplinary procedures that the employee has been subject to involving issues related to the safety and welfare of the children or young people, including any which the disciplinary sanction has expired, and the outcome of those. Furthermore, references should provide details of any substantiated allegations that have been raised about the employee that relate to the safety and welfare of children or young people, or behaviour towards children or young people.

Cases in which an allegation was proven to be false, unfounded, unsubstantiated, or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated, or malicious, should also not be included in any reference.

Sickness Absence/Attendance

- 2.10 The Equality Act 2010 states that employers are not able to ask questions in relation to health or attendance in references sought **prior** to appointment. If you are asked to answer such a question in these circumstances, please leave the question blank. However, if the reference is being sought **after** the job has been offered, you are in a position to answer the question with care. Reasons for absence should only be provided with the permission of the employee.

Capability Procedures (Teachers)

- 2.11 Following an amendment to The School Staffing (Amendment) Regulations 2012 which took effect from 1st September 2012, if a School or Academy where a teacher has applied for a post, requests confirmation of whether or not the teacher has been the subject of capability procedures within the preceding two years, maintained schools must answer this question and must provide written details of the concerns which gave rise to the procedures, the duration of the proceedings and the outcome. This requirement is also being included in new funding agreements for Academies converting from 1st April 2013. This refers to the formal Capability Procedure.

Providing a Reference where you were/are not the Line Manager

- 2.12 If asked to provide a reference for a person for whom you were not or are not the line manager, you must clearly state that you are providing a 'personal' reference and not one on behalf of the school. Any such reference must be provided on personal, **not** school headed, notepaper.

Open References - 'To whom it may concern'

- 2.13 We would advise against providing employees with open references "To whom it may concern" -
- (i) You should be able to give a more relevant reference if you know the details of the post for which the person is applying
 - (ii) A former employee may get into all sorts of situations and still make use of your reference
 - (iii) If you do agree to do so, you must clearly sign and date any such letter, denoting your position. Include the statement "**at this time, based on my experience of [person's name] as an employee during the period [X] and [Y]**" as a caveat to your comments.

Email References

- 2.14 If you are asked to provide an email reference, either provide this as a letter attachment on school headed paper (unless it is a 'personal' reference (see paragraph 2.12) or send a hard copy.

Verbal References

- 2.15 Avoid giving verbal references if at all possible. If you do not feel comfortable providing a reference verbally, you can insist on only providing a written reference. Offer to call back the inquirer or ask them to call again when you have had the opportunity to prepare the information and check files. You may wish to ask the recipient to read what they have written down back to you, or to send you a copy as you are relying on them to record the information that you have provided.

3. Providing References for Internal Vacancies

- 3.1 Where you are asked to provide a reference for an applicant to an internal vacancy within the school, you must make it clear in what capacity you are providing the reference i.e. as current line manager, previous manager, or a colleague.
- 3.2 You must only provide an employer reference where you are authorised to do so. If you are not clear in which capacity you are providing the reference you must seek clarification from the applicant.
- 3.3 Where you are the current line manager and also on the interview panel, you may wish to consider whether it is appropriate for you to provide a reference or not.

4. Storage of References

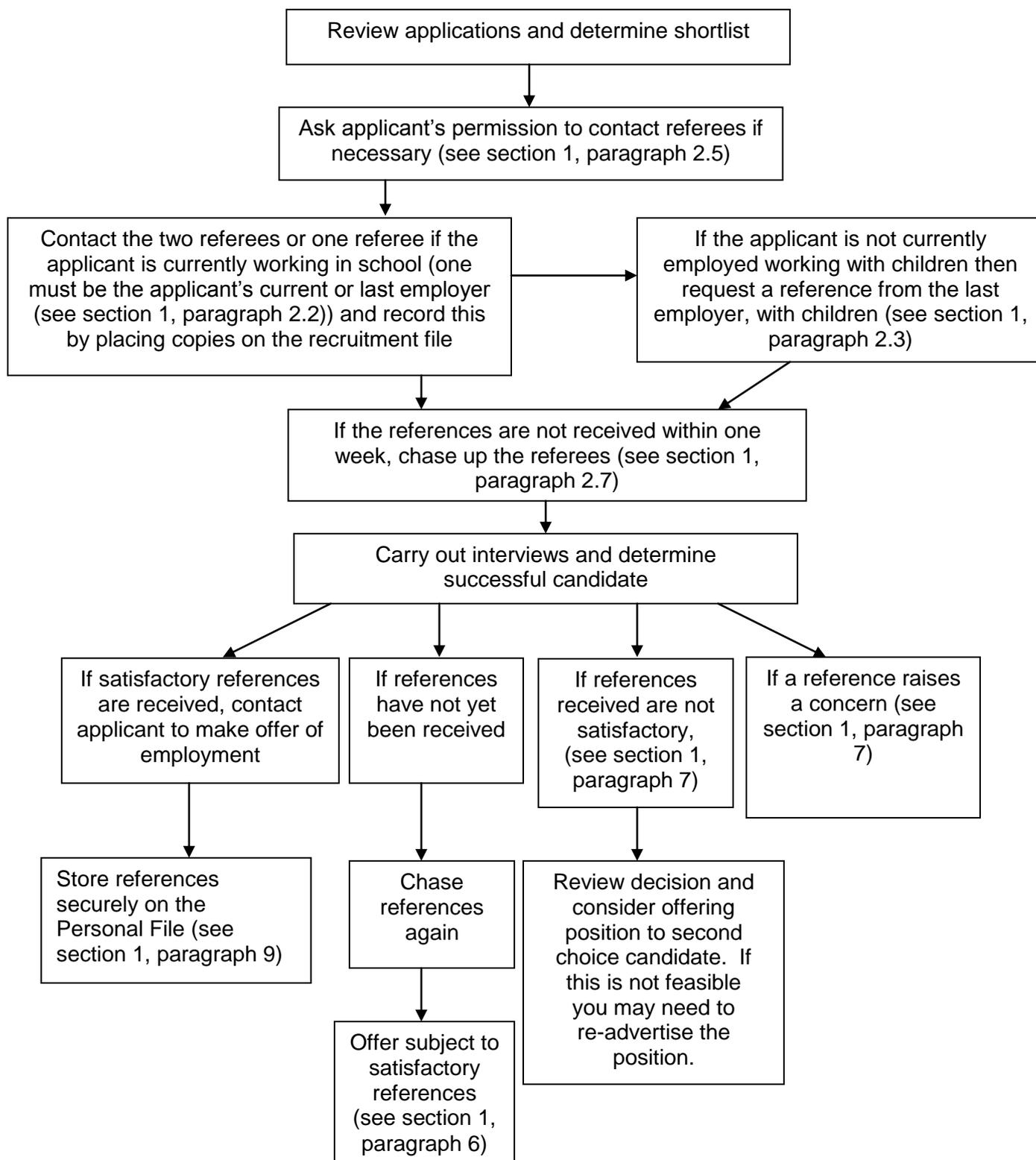
- 4.1 References that are provided for former/current employees should be stored on their Personal File.

5. Further Advice

- 5.1 If you are in any doubt whether you should provide an employment reference or about what you should and should not include, contact HR Consultancy for Schools for advice.

Flow Chart: The Procedure for Requesting, Receiving and Storing References

References should usually be sought in writing. However, if you decide to take a telephone reference, see paragraph 3.1 in section 1.



DO YOU KNOW OF ANY REASON WHY THIS APPLICANT SHOULD NOT BE EMPLOYED IN THIS POST?

NO **YES** If **YES**, please give details:

As the work of this post involves working with children it is therefore exempt from the provisions of the Rehabilitation of Offenders Act 1974. To the best of your knowledge, does the applicant have any unspent or unfiltered* spent criminal convictions, cautions, reprimands or formal warnings?:

*Please see www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates for information regarding filtering of convictions

FURTHER DETAILS:

PLEASE COMMENT ON THE APPLICANT'S ABILITY TO PERFORM THE DUTIES OUTLINED BY COMMENTING ON THE FOLLOWING AREAS (PLEASE REFER TO THE ATTACHED JOB DESCRIPTION AND PERSON SPECIFICATION):

AREAS OF ASSESSMENT – add your own areas of assessment relevant to the advertised position, e.g. punctuality, organisational skills, reliability, honesty:

AREAS OF STRENGTH:

AREAS OF WEAKNESS OR WHERE DEVELOPMENT IS REQUIRED:

RELATIONSHIPS – Please comment on this applicant's ability to build effective working relationships under the following categories:

Senior Staff:

Pupils:

Colleagues/Peers:

External Contacts: (e.g. Parents/Governors)

OTHER COMMENTS WHICH YOU FEEL WOULD BE HELPFUL OR RELEVANT:

SIGNED:

DATE:

NAME:

POSITION:

Thank you for taking the time to complete these details.
If you would like to make any other comments, please attach a separate sheet.

CONFIDENTIAL
WORCESTERSHIRE COUNTY COUNCIL
CHILDREN, FAMILIES AND COMMUNITIES
REFERENCE REQUEST – HEADTEACHER

SCHOOL:	
DATE OF INTERVIEW:	
NAME OF APPLICANT:	
NAME OF REFEREE:	

Please note under the Data Protection Act the content of this reference may be shown to the applicant at the applicant's request.

PERSONAL DETAILS:

DATES EMPLOYED AT YOUR SCHOOL:

FROM: / / (DD/MM/YY) **TO:** / / (DD/MM/YY) **OR present**

POST HELD: *(detail management/budgetary and curriculum responsibilities and information about school size etc).*

CAPACITY IN WHICH THIS REFERENCE IS GIVEN: e.g. Chair of Governors, School Improvement Adviser.	HOW LONG HAVE YOU KNOWN THE APPLICANT?
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AREAS OF ASSESSMENT - Please comment on the Applicant's ability to perform the duties outlined by commenting on the following categories.
(Please refer to the attached Job Description and Person Specification).

Management and Leadership Skills:

Financial Management:

Effective communication with all stakeholders:

Curriculum Development/Planning:

Team Working:
Teaching Ability:
Vision:
Strategic thinking and planning:
Ability to prioritise and delegate:
AREAS OF STRENGTH:
AREAS OF WEAKNESS OR WHERE DEVELOPMENT IS REQUIRED:
RELATIONSHIPS – <i>Please comment on this applicant's ability to build effective working relationships under the following categories:</i>
Senior Staff:
Pupils:
Parents:
External Contacts: (e.g. Governors/LA/Community)

FURTHER EMPLOYMENT DETAILS

To the best of your knowledge, did you find the applicant to be trustworthy and honest?

(please continue on additional sheet(s) if necessary)

HAS HE/SHE BEEN THE SUBJECT OF FORMAL CAPABILITY PROCEDURES WITHIN THE LAST TWO YEARS? If so, please provide details of the concerns which gave rise to this, the duration of the proceedings and the outcome.

Please provide details of any current disciplinary sanction against the applicant, including details of any investigations or unresolved matters, and the nature of the alleged offences:

Please provide details of any expired disciplinary sanction or substantiated allegations against the applicant, involving issues relating to the safety and welfare of children or young persons:

What was the applicant's reason for leaving the organisation (if appropriate) e.g. resignation, dismissal)?

If they were dismissed, what were the grounds?

REHABILITATION OF OFFENDERS ACT

As the work of this post involves working with children it is therefore exempt from the provisions of the Rehabilitation of Offenders Act 1974. To the best of your knowledge, does the applicant have any unspent or unfiltered* spent criminal convictions, cautions, reprimands or formal warnings?:

*Please see www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates for information regarding filtering of convictions

DO YOU HAVE REASON TO BELIEVE THIS PERSON POSE A RISK OF HARM IF THEY WORKED REGULARLY OR CLOSELY WITH CHILDREN?

NO YES If YES, please give details:

DO YOU KNOW OF ANY REASON WHY THIS APPLICANT SHOULD NOT BE EMPLOYED IN THIS POST?

NO YES If YES, please give details:

OTHER COMMENTS WHICH YOU FEEL WOULD BE HELPFUL OR RELEVANT:

--	--

SIGNED:	DATE:
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NAME:	POSITION:
--------------	------------------

**Thank you for taking the time to complete these details.
If you would like to make any other comments, please attach a separate sheet.**

CONFIDENTIAL

**WORCESTERSHIRE COUNTY COUNCIL
CHILDREN, FAMILIES AND COMMUNITIES
REFERENCE REQUEST – TEACHERS**

POST APPLIED FOR:		REF:	
SCHOOL:			
DATE OF INTERVIEW:			
NAME OF APPLICANT:			
NAME OF REFEREE:			

Please note under the Data Protection Act the content of this reference may be shown to the applicant at the applicant's request.

PERSONAL DETAILS:

DATES EMPLOYED AT YOUR SCHOOL/ESTABLISHMENT:

JOINED: (DD/MM/YY) / / **LEFT:** (DD/MM/YY) / / **OR** present

POST HELD:

(including details of any positions of responsibility, e.g. curriculum responsibilities, management responsibilities, cash/budget management responsibilities)

Current Salary:

CAPACITY IN WHICH YOU ARE GIVING THIS REFERENCE:

e.g. line manager, colleague, Headteacher

LENGTH OF TIME THE APPLICANT HAS BEEN KNOWN TO YOU:

FURTHER EMPLOYMENT DETAILS:

To the best of your knowledge, did you find the applicant to be trustworthy and honest?

(please continue on additional sheet(s) if necessary)

Please provide details of any current disciplinary sanction against the applicant, including details of any investigations or unresolved matters, and the nature of the alleged offences:

(please continue on additional sheet(s) if necessary)

Please provide details of any expired disciplinary sanction or substantiated allegations, against the applicant, involving issues relating to the safety and welfare of children or young persons:

(please continue on additional sheet(s) if necessary)

What was the applicant's reason for leaving the organisation (e.g. resignation, dismissal)?

If they were dismissed, what were the grounds?

(please continue on additional sheet(s) if necessary)

CONFIDENTIAL

As the work of this post involves working with children it is therefore exempt from the provisions of the Rehabilitation of Offenders Act 1974. To the best of your knowledge, does the applicant have any unspent or unfiltered* spent criminal convictions, cautions, reprimands or formal warnings?:

*Please see www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates for information regarding filtering of convictions

DO YOU HAVE REASON TO BELIEVE THIS PERSON WOULD POSE A RISK OF HARM IF THEY WORKED REGULARLY OR CLOSELY WITH CHILDREN? NO YES If YES, please give details:

DO YOU KNOW OF ANY REASON WHY THIS APPLICANT SHOULD NOT BE EMPLOYED IN THIS POST? NO YES If YES, please give details:

FURTHER DETAILS:

PLEASE COMMENT ON THE APPLICANT'S ABILITY TO PERFORM THE DUTIES OUTLINED BY COMMENTING ON THE FOLLOWING AREAS (PLEASE REFER TO THE ATTACHED JOB DESCRIPTION AND PERSON SPECIFICATION):

AREAS OF ASSESSMENT – *Please comment on this applicant under the following categories:*

Teaching Ability:

Organisation:

Preparation of Lessons:

Marking of Work:

Ability to Meet Objectives/Deadlines:

Reliability and Trustworthiness:

Punctuality:

Management Responsibilities:

Motivation/Use of Initiative:

Communication:

Professional Development:	
AREAS OF STRENGTH:	
AREAS OF WEAKNESS OR WHERE DEVELOPMENT IS REQUIRED:	
HAS THE TEACHER BEEN THE SUBJECT OF FORMAL CAPABILITY PROCEDURES WITHIN THE LAST TWO YEARS? If so, please provide details of the concerns which gave rise to this, the duration of the proceedings and the outcome.	
RELATIONSHIPS – <i>Please comment on this applicant's ability to build effective working relationships under the following categories:</i>	
Senior Staff:	
Pupils:	
Colleagues/Peers:	
External Contacts: (e.g. Parents/Governors)	
OTHER COMMENTS WHICH YOU FEEL WOULD BE HELPFUL OR RELEVANT:	
SIGNED:	DATE:
NAME:	POSITION:
<p>Thank you for taking the time to complete these details. If you would like to make any other comments, please attach a separate sheet.</p>	

CONFIDENTIAL
WORCESTERSHIRE COUNTY COUNCIL
CHILDREN, FAMILIES AND COMMUNITIES
REFERENCE REQUEST – TEACHING ASSISTANTS

POST APPLIED FOR:		REF:	
SCHOOL:			
DATE OF INTERVIEW:			
NAME OF APPLICANT:			
NAME OF REFEREE:			

Please note under the Data Protection Act the content of this reference may be shown to the applicant at the applicant's request.

PERSONAL DETAILS:

DATES EMPLOYED AT YOUR SCHOOL/ESTABLISHMENT:

JOINED: (DD/MM/YY) / / LEFT: (DD/MM/YY) / / **OR** present

POST HELD:
(including details of any positions of responsibility, e.g. curriculum responsibilities, management responsibilities, cash/budget management responsibilities)

Current Salary:

<p>CAPACITY IN WHICH YOU ARE GIVING THIS REFERENCE: <i>e.g. line manager, colleague, Headteacher</i></p>	<p>LENGTH OF TIME THE APPLICANT HAS BEEN KNOWN TO YOU:</p>
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FURTHER EMPLOYMENT DETAILS:

To the best of your knowledge, did you find the applicant to be trustworthy and honest?

(please continue on additional sheet(s) if necessary)

Please provide details of any current disciplinary sanction against the applicant, including details of any investigations or unresolved matters, and the nature of the alleged offences:

(please continue on additional sheet(s) if necessary)

Please provide details of any expired disciplinary sanctions or substantiated allegations against the applicant, involving issues relating to the safety and welfare of children or young persons:

(please continue on additional sheet(s) if necessary)

What was the applicant's reason for leaving the organisation (e.g. resignation, dismissal, completion of contract)?

If they were dismissed, what were the grounds?

(please continue on additional sheet(s) if necessary)

CONFIDENTIAL

As the work of this post involves working with children it is therefore exempt from the provisions of the Rehabilitation of Offenders Act 1974. To the best of your knowledge, does the applicant have any unspent or unfiltered* spent criminal convictions, cautions, reprimands or formal warnings?:

*Please see www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates for information regarding filtering of convictions

DO YOU HAVE REASON TO BELIEVE THIS PERSON POSE A RISK OF HARM IF THEY WORKED REGULARLY OR CLOSELY WITH CHILDREN?

NO YES If YES, please give details:

DO YOU KNOW OF ANY REASON WHY THIS APPLICANT SHOULD NOT BE EMPLOYED IN THIS POST?

NO YES If YES, please give details:

FURTHER DETAILS:

PLEASE COMMENT ON THE APPLICANT'S ABILITY TO PERFORM THE DUTIES OUTLINED BY COMMENTING ON THE FOLLOWING AREAS (PLEASE REFER TO THE ATTACHED JOB DESCRIPTION AND PERSON SPECIFICATION):

AREAS OF ASSESSMENT – Please comment on this applicant under the following categories:

Organisation:

Assistance in the Preparation of Lessons:

Ability to Meet Objectives/Deadlines:

Reliability/Trustworthiness:

Punctuality:

Specific Responsibilities e.g. SEN, Literacy, Numeracy:

Motivation/Use of Initiative:

Communication:

Professional Development:

AREAS OF STRENGTH:	
AREAS OF WEAKNESS OR WHERE DEVELOPMENT IS REQUIRED:	
RELATIONSHIPS – <i>Please comment on this applicant's ability to build effective working relationships under the following categories:</i>	
Senior Staff:	
Pupils:	
Colleagues/Peers:	
External Contacts: (e.g. Parents/Governors)	
OTHER COMMENTS WHICH YOU FEEL WOULD BE HELPFUL OR RELEVANT:	
SIGNED:	DATE:
NAME:	POSITION:
<p>Thank you for taking the time to complete these details. If you would like to make any other comments, please attach a separate sheet.</p>	

CONFIDENTIAL
WORCESTERSHIRE COUNTY COUNCIL
CHILDREN, FAMILIES AND COMMUNITIES
REFERENCE REQUEST – ENHANCED VOLUNTEER WORKING WITH CHILDREN

VOLUNTARY WORK APPLIED FOR:		REF:	
NAME OF VOLUNTEER:			
NAME OF REFEREE:			

The voluntary work that this person has offered to do will involve working with children.
CONCISE DESCRIPTION OF THE TYPE OF VOLUNTEER WORK THAT THE VOLUNTEER HAS OFFERED TO DO
 (attach Volunteer Task Description if appropriate):

PERSONAL DETAILS:	
CAPACITY IN WHICH YOU ARE GIVING THIS REFERENCE: <i>e.g. line manager, colleague, Headteacher</i>	LENGTH OF TIME THE APPLICANT HAS BEEN KNOWN TO YOU:

IF THIS PERSON WAS AN EMPLOYEE OR VOLUNTEER FOR YOU, BETWEEN WHICH DATES DID THEY CARRY OUT WORK FOR YOU:

JOINED: (DD/MM/YY) / / **LEFT (if appropriate):** (DD/MM/YY) / /

OTHER DATES, IF APPLICABLE:

PLEASE DESCRIBE THE WORK THAT THEY DO/DID FOR YOU:

WHY DOES THE PERSON NO LONGER DO WORK FOR YOU (e.g. resignation, dismissal, no more voluntary work available)?

IF THEY WERE DISMISSED, WHAT WAS THE REASON?

(please continue on additional sheet(s) if necessary)

DO YOU KNOW OF ANY REASON WHY THIS APPLICANT SHOULD NOT WORK AS A VOLUNTEER FOR US IN THE CAPACITY THAT IS DESCRIBED AT THE TOP OF THIS FORM?

NO **YES** If **YES**, please give details:

DO YOU HAVE REASON TO BELIEVE THIS PERSON POSE A RISK OF HARM IF THEY WORKED REGULARLY OR CLOSELY WITH CHILDREN?

NO **YES** If **YES**, please give details:

(please continue on additional sheet(s) if necessary)

AS THE WORK OF THIS POST INVOLVES WORKING WITH CHILDREN IT IS THEREFORE EXEMPT FROM THE PROVISIONS OF THE REHABILITATION OF OFFENDERS ACT 1974. TO THE BEST OF YOUR KNOWLEDGE, DOES THE APPLICANT HAVE ANY UNSPENT OR UNFILTERED* SPENT CRIMINAL CONVICTIONS, CAUTIONS, REPRIMANDS OR FORMAL WARNINGS?:

*Please see www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates for information regarding filtering of convictions

PLEASE PROVIDE DETAILS OF ANY CURRENT WORK-RELATED DISCIPLINARY SANCTION AGAINST THIS PERSON, INCLUDING DETAILS OF ANY INVESTIGATIONS OR UNRESOLVED MATTERS, AND THE NATURE OF THE ALLEGED OFFENCES:

(please continue on additional sheet(s) if necessary)

PLEASE PROVIDE DETAILS OF ANY EXPIRED WORK-RELATED DISCIPLINARY SANCTIONS OR SUBSTANTIATED ALLEGATIONS, AGAINST THE APPLICANT, INVOLVING ISSUES RELATING TO THE SAFETY AND WELFARE OF CHILDREN OR YOUNG PERSONS:

(please continue on additional sheet(s) if necessary)

DO YOU CONSIDER THIS PERSON TO BE RELIABLE (In terms of attending when they have offered to carry out work)?

ARE YOU AWARE OF ANY HEALTH ISSUES THAT MAY AFFECT THIS PERSON'S SUITABILITY TO CARRY OUT THESE TASKS, OR BE EXACERBATED BY THIS WORK?

(please continue on additional sheet(s) if necessary)

[You can insert any specific questions that are relevant to the type of work that the person is volunteering for here]

FURTHER DETAILS

OTHER COMMENTS WHICH YOU FEEL WOULD BE HELPFUL OR RELEVANT:

SIGNED:

DATE:

NAME:

POSITION:

**Thank you for taking the time to complete these details.
If you would like to make any other comments, please attach a separate sheet.**

The Rehabilitation of Offenders Act 1974

Under the Rehabilitation of Offenders Act 1974, a conviction will become 'spent' (i.e. treated as if it has never occurred) where the individual has not, after a period of time, committed another serious offence. Rehabilitation periods vary depending on the type and length of conviction originally incurred, for example:

- Imprisonment for between six and thirty months – Ten years
- Imprisonment, detention in a young offenders institution or youth custody for six months or less – Seven years
- Probation – Five years (if under 18, the longer of two and a half years or when the order ceases to have effect)
- Fine or community service order – Five years
- Absolute discharge (whatever age) – Six months
- Conditional discharge, bind over – The longer of one year or whenever the order ceases to have effect

However, this work is covered by the Rehabilitation of Offenders Act (Exemptions) Order 1975, so any convictions must be detailed, regardless of whether or not they are spent.

[Address of recruiting school]

[Name and address of referee]

[Date]

Dear *[Name of referee]*,

[Name of applicant] has provided us with your contact details and permission for us to contact you for an employment reference in relation to the post of *[add job title]*. I have enclosed a copy of the Job Description and Person Specification for your information.

I would be grateful if you could complete the form that is attached to this letter and return it to the address above, or by email to *[email address]* or by fax to *[fax number of school, if appropriate]*.

[Insert for those emailing the reference request - Please note if you are intending to complete and return the document electronically there are further instructions at the end of this email].

[Name of applicant] has been invited to attend an interview for this position on *[date]* and I would therefore be very grateful if you could reply before this date.

As the post of *[add job title]* is working with children / has contact with children* (*delete as applicable*) it is important that you disclose any information that you feel the school should be made aware of and that the reference provided is accurate and does not contain any misstatement or omissions. Please note that the content of the reference may be discussed with the applicant.

If you have any questions or are not able to provide a work-related reference for any reason, please contact me on *[telephone number]* as soon as possible.

Thank you in advance for your assistance.

Yours sincerely,

[Headteacher of recruiting school]

**Further instructions if you are intending to complete
and return the document electronically:**

1. Launch Document:

- Launch the document by double-clicking on the attachment in the usual way

2. Complete Document:

- Press tab to go from one insert to the next
- Note that the document will grow as you type
- When you get to the section "Do you have reason to believe this person pose a risk of harm if they worked regularly or closely with children?" right-click on the relevant box, select 'Properties' and under 'Default Value' click 'Checked'.

3. Save the Document:

- Save the completed form to your system

In line with GDPR regulations, please password protect the document. To Password protect the document:

- Go to the File menu (of your toolbar) or Office Button
- Select 'Prepare'
- Select 'Encrypt Document'
- Provide password to open
- Click 'OK'
- Telephone recruiting school/organisation and inform them of the password to enable them to open the document.

4. Send by email:

- Send as an attached document to an email in the usual way

REQUIREMENT FOR REFERENCES

Please see below guidance and information relating to the requirement for references.

- All candidates should provide details of two referees who are able to comment on your suitability for employment. Relatives or friends should not be provided as a referee.
- At least one of the referees should be your current employer. If you are unable to provide this, e.g. if you are joining us directly from the education system, at least one referee from a person in a position of responsibility, who has knowledge of you, should be provided. This could be your tutor or lecturer.
- If you are not currently working with children you should also provide details of a contact from your last post working with children.
(**N.B.** The interview will include a section where suitability for working with children will be explored, regardless of whether or not you have previously worked with children).
- References will be requested from referees for those applicants that have been shortlisted for interview. These will be requested prior to the interview.

If you are unclear as to who should be provided as your two referees, please do not hesitate to contact *[school contact name and telephone number]* for further guidance.

PROVIDING REFERENCES CHECKLIST

- Remember you have a legal duty of care to **both** the subject and recipient of the reference.
- Avoid giving verbal references (*for more information see paragraph 2.15 in section 2*).

Checklist

- Have you made your relationship to the individual and the context in which you are providing the reference clear?
(*for more information see paragraph 2.6 in section 2*)
- Is the information that you have provided in the reference consistent with the individual's records (Personal File, Performance Management Review, Job Description, etc.)?
(*for more information see paragraph 2.4*)
- Is the reference 'true, accurate and fair', and not misleading either in content or omission?
(*for more information see paragraph 1.2 in section 2*)
- If there is any information that could be viewed as negative, is the individual aware of these issues?
(*for more information see paragraph 1.3 and 2.3 in section 2*)
- You should **not** have referred to the reasons for absence levels or the reasons for criminal convictions.
(*for more information see paragraph 2.9 and 2.10 in section 2*)
- To the best of your knowledge has the individual any unspent or unfiltered* spent criminal convictions, cautions, reprimands or formal warnings?
*Please see www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates for information regarding filtering of convictions.
(*for more information see paragraph 2.9 in section 2*)
- Is the reference being sought *prior* to an offer being made? If so, you should not answer any questions relating to health or attendance.
(*for more information see paragraph 2.10 in section 2*)
- If the reference is for a Teacher ensure you provide information relating to any formal capability procedures in the preceding 2 years (*refer to 2.11 for more information in section 2*)
- If you are providing an open reference, e.g. 'To Whom It May Concern', have you included the caveat in section 2, paragraph 2.13?
- Have you considered responding using one of the existing reference templates?
- Have you checked the reference you have prepared does not discriminate on the grounds of sex, race, age, disability, religion/belief, marriage/civil partnerships, pregnancy/maternity, gender reassignment or sexual orientation?

If you are in any doubt, contact HR Consultancy for Schools for advice.