

Guidance on Writing & Receiving References

This document provides guidance on providing references for current or former University employees in relation to job applications.

1. Legal Considerations

There is no legal obligation for the University to provide references for current or former employees, however consideration must be given to the likely implications or recourse of refusing to provide one, therefore it is the University's normal procedure that references are provided when a request is made.

The University may be held liable where the information provided in the reference has been relied upon to appoint/not appoint an employee and this information has been found to be negligent, false or misleading. Therefore

- any information provided in a reference must be accurate, factual and objective
- reasonable care must be taken not to give misleading information, and
- A reference must be fair to the individual in an overall sense and not misleading. You should not provide information in a manner which may give rise to false or mistaken conclusions by the recipient.

2. Who can provide a reference?

The line manager of the individual who is the subject of the reference should respond to a reference request for current and former employees as they have direct experience of that persons work.

References should only be provided once assurance is received that the request has come from a legitimate source (i.e. has the request come from a business email address with an official signature, is it on headed paper etc.). If there is any doubt about the legitimacy of a request you should contact the person making the request to verify its authenticity.

3. Obtaining Consent to Provide a Reference

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 for the purposes of data protection legislation. You should therefore ensure that the individual who is the subject of the reference has given their consent for a reference to be provided.

The prospective employer may enclose a photocopy of the individual's signed consent when sending the request. This will normally be sufficient confirmation to provide the information. If this is not available you should request it from them. Alternatively you may contact the individual to confirm that they wish the reference to be provided. You should obtain this confirmation in writing.

Do not provide a confidential reference unless you are confident that the individual has given their consent to your disclosure, either directly to you or to a legitimate third party.

4. Confidentiality & Access

Under data protection legislation, individuals have the right to request copies of information held about them. This legislation provides an exemption for any reference that is provided in confidence from being disclosed. Although these exemptions may apply, line managers

should still work on the basis that any reference provided by the University could potentially be seen by the individual in future.

5. Providing a Written Reference

References should be in writing to avoid any confusion and should always be marked as confidential.

In many cases the prospective employer may include a template for you to complete, if they don't then the reference should be written on University of Huddersfield headed paper or, if provided by email authenticated by use of an official University email address and email signature. If sending by email care should be taken to ensure it is directed to the correct email address.

Verbal references should not be provided.

6. Providing a Character Reference

Employees may receive requests to provide a character references for colleagues or former employees. In these circumstances the person providing the reference should ensure they make it clear that they are doing so as a personal acquaintance or friend and not as an employee of the University. Under no circumstances must University headed paper or a University telephone or email address be used in these circumstances.

7. Obtaining References for candidates

References in respect of candidates for job vacancies with the University will be requested by the Human Resources Department who will ensure that the appropriate consent has been obtained.

If you have any queries or concerns regarding reference requests please contact us hr@hud.ac.uk