



## Provision of References

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<b>Policy Owner</b>	Head of People and Development
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<b>This document has been assessed for:</b>	
Compliance with Legislation	<input checked="" type="checkbox"/>
General Equality Duty Assessment	<input checked="" type="checkbox"/>
Freedom of Information issues	<input checked="" type="checkbox"/>
Human Rights compliance	<input checked="" type="checkbox"/>
Health and Safety	<input checked="" type="checkbox"/>
Risk Management	<input checked="" type="checkbox"/>

# Provision of References

## 1. Policy statement

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Cleveland Police recognise the importance of the provision of accurate references to those to whom it refers and also to potential employers and has set out this policy to ensure all act in a fair way, providing information that is factually correct and that the provision of references does not contravene regulations, home office guidance, or breach any legislation. Ensuring that the Force is not open to claims of maliciously defaming the subject or of intending to deceive the potential employer, or that the necessary duty of care was not applied.

## 2. Purpose

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To provide advice and guidance to those who are and might be called up on to provide references for employment purposes and to provide to those leaving the force clarity around the references that will be provided. The Policy will also provide clarity as to who will provide references on behalf of the force and set out guidelines for those asked to provide a personal reference. All are reminded of the need to comply with the code of ethics, code of conducts that exist and for officers the need to comply with the guidance on standards of professional behaviour within the code of ethics

## 3. Underpinning procedures

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### 3.1 Provision of Employment references

In order to ensure that only accurate and up to date information is provided in references, only written references will be provided and all employment references will be written centrally by People Services in the Shared Service Centre (SSC), any reference request received should be sent to the SSC by internal post or scanned to the SSC to help facilitate a prompt response, the team complete all such requests within 5 working days.

The People Services Team when drafting such references will follow best practice and current advice.

References provided will only include information that is known to be correct and can be supported, this way it will be possible to provide a document that is true, fair, reasonable and not misleading in the overall impression given to the recipient. Force HR systems will be used to provide this information

In this regard references will include:-

- Start date of employment with the force
- End date of employment for ex officers and ex police staff of the force. For those who have TUPE transferred to another employer who work in partnership with the force, any reference request will be sent on to their employer for completion as they will hold the necessary information.

- The job title the person was /is employed in / title of last post
- The reason for leaving for ex officers and police staff e.g. medical retirement / dismissal
- For those ex - officers who left due to regulation A19, any reference provided will advise the reason for leaving as being retirement

References will NOT provide a detailed summary of every post held , skill attained nor will they detail the number of days sickness or reasons for sickness with out the individuals consent , as that information is classified as 'sensitive personal information under the Data Protection Act 1998' and any subsequent revision to the act. If an individual applicant advises in writing that they wish the force provide that information then it will be released. This must take the form of an e-mail or hand written letter

It is important to note that references are not confidential; therefore it should be assumed that the person to whom the reference applies will view their reference at some point in time.

### **3.2 Reference requests for officers transferring to other forces**

When an officer applies to transfer to another force or to become a rejoiner, then People Services will provide the appropriate force with all information requested with the applicants knowledge this will normally include :-

- The officers start date with Cleveland Police
- If applicable the officers leaving date
- The start date with any previous force
- Details of their current posting

A copy of the officers computerised personal record including sickness and also including initial training reports (if IDLDP has been undertaken in Cleveland) and the latest Personal Development Review documents sourced from supervision will also be provided. Where there are no outstanding complaints or other disciplinary matters this will be confirmed by People Services, if however there are outstanding complaints or disciplinary matters then these will be communicated to the prospective new force by S&E

### **4.0 Other Types of References requested**

#### **4.1 Reference request pro-formas / 'tick-box' references**

Many employers send requests for 'tick-box' references to be completed. These should not be completed, but a reference as detailed above will be provided.

The purpose of this is to ensure consistency across the Force for the provision of references. This will ensure fairness to individuals and minimise the risk of providing potentially libellous information.

#### **4.2 Verbal/Telephone references**

Managers and staff members/officers should never get drawn into providing verbal references or references over the telephone. During these conversations it is possible that managers/ employees could be led to disclose inappropriate personal information

about the subject of the reference. Information provided over the telephone could lead a prospective employer to either not offer, or withdraw an offer, of appointment, and therefore the Force would be vulnerable to a claim.

It is equally important for all members of the Force to be mindful not to provide any information about colleagues/former employees to a third party. This extends to casual comments about colleagues or ex-employees, as information provided in this way could be used as a character reference by the other party involved, with or without consent.

### **4.3 Financial References**

Unless it is a request for information from a Government Department, no personal or financial information should be provided unless signed approval has been received from the existing or former member of staff in question.

The People Services and Payroll Services teams in the Shared Service Centre will respond to all such requests providing confirmation of salary details for building societies, mortgage applications, property rental etc. and all applications of this nature should be forwarded to the Payroll Services III Acres with out delay.

### **4.4 References for the purpose of Adoption, Fostering or undertaking Further Education**

These can be completed by the individuals line manager in conjunction with People Services, care should be taken as Cleveland Police may still be liable for the content of the reference, such references should be completed in line with the nine principles of the code of ethics - prior to sending such references off they must be shared with People Services who will keep a record of the reference and provide advice if the reference is considered to have become opinionated as opposed to providing specific knowledge. Such references must not be discriminatory, nor breach the data protection act or omit important facts that would lead to an unfair or inaccurate reference.

### **4.5 Vetting References**

If a reference request relates to the vetting of individuals e.g. applying to join the armed forces the matter should be passed to the Force Vetting Unit.

### **4.6 Character References**

Police officers and police staff may provide a character reference for work Colleagues or friends. The reference must only be given in the officer's or staff member's personal capacity (i.e. not as a police officer, or police staff, but from his/her home address) and must not be on Cleveland Police headed paper, or bear any reference to Cleveland Police. The information provided must make clear that what is provided is a personal view gained from first hand knowledge of the applicant's character

There is an obvious particular danger in police officers stating their occupation as those persons reading the reference may assume a trust and confidence in the information provided above that of other referees. Officers should not place themselves in a position where their impartiality and credibility could be challenged. The recipient of

any reference must not be able to assume formal endorsement of the applicant by Cleveland Police.

Police systems should not be used to provide information on matters such as the person's sickness record or any disciplinary matters that may have arisen.

Police officers and other professionals within the organisation (e.g. members of police staff with a professional qualification) are often asked by members of the public known to them to complete official forms such as passport applications to confirm the individual is who they say they are. In these circumstances it is for the individual officer or member of staff concerned to be satisfied that the person is known to them and that they are who they say they are. Officers and staff are reminded that they must not use Force systems to verify the identity of members of the public for this purpose.

In line with the standards of professional behaviour expected from all, where instances arise that it is clear that an inaccurate or misleading reference has been provided such matters will be subject to consideration by the Standards and Ethics Department for potential disciplinary action to be taken.

#### **4.7 Character References for court/ misconduct proceedings**

Whilst the provision of character references is allowed officers and staff providing such information should only ever do so after giving due regard to the nature of the misconduct or criminality alleged in that case. Failure to do so may cause compromise to the provider and or may conflict with the nature of the allegations faced in that case.

In cases where police officers and police staff are requested to provide a character reference for individuals in relation to court or misconduct proceedings then advice must be sought from the Head of Standards and Ethics to ensure the appropriateness of the character reference being provided. This will allow a broader understanding of the case thereby giving the opportunity to provide a more insightful and meaningful reference in each case.

If you are called by any party, at a criminal, or civil court, to give evidence of fact regarding an individual's character and you are not a witness to an actual incident or crime, then:

- your attendance will be in your own time;
- your line manager will, however, facilitate your request for annual leave/time off, if it falls on a working day;
- you must give full consideration to what factual evidence you can give;
- you will not attend in uniform. However, if you are returning to work you must be ready for deployment as soon as you are released from court, i.e. able to deal with any incident that arises in or around the court buildings;
- any Criminal Justice Act statement that you provide as a character witness not as a representative of Cleveland Police nor will it be on Cleveland Police stationery; and
- prior to giving any evidence of an individual's character you must seek permission from the Head of Standards and Ethics who will give due consideration to the request based on the circumstances

#### **4.8 References in support of the granting of a licence e.g. to hold firearms/ serve alcohol**

In such cases it is necessary to liaise with Standards and Ethics before completing any such reference

#### **4.9 References for those seeking to become UK citizens / seeking to bring family to the UK**

No references should be provided in regard to applications seeking to obtain citizenship of the UK by naturalisation or registration

The force will provide a reference for the home office advising on dates of employment and role of employee if they seek to bring family members to the UK, if accompanied by a consent from the employee then information concerning their basic salary can be provided. No additional information will be provided.

### **5. Appendices**

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**There are no appendices**

<b>Appendix</b>	<b>Description</b>
1.	

### **6. Compliance and monitoring**

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The Head of People and Development is responsible for the accuracy and integrity of this document. This policy will be continuously monitored, and updated when appropriate, to ensure full compliance with legislation.

The Head of People and Development in Conjunction with Standards and Ethics will review this process to ensure that all aspects are being adhered to in accordance with the framework of this policy.

### **7. Version control**

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This policy will be reviewed and updated at least every two years by the owner, and more frequently if necessary.

The Performance, Quality and Review Team will ensure this document is available on the Force intranet, including any interim updates.

The following identifies all version changes.

<b>Version</b>	<b>Date</b>	<b>Reason for update</b>	<b>Author</b>
0.1	June 2017	New Policy	██████████
0.2	Aug 2017	Revised in line with consultation results	██████████
0.3	October 2017	Amendments after management board	██████████
1.0	October 17	Published policy following amends and approval at Management Board	██████████