

## **Holbeach Parish Council Employment Reference Policy**

### **Reference for Staff leaving the Council**

1. There are two principal reasons why an employer normally requests a reference on a prospective employee: a) To confirm the accuracy of statements made in his/her application, and b) To provide opinions as to the candidate's suitability for the post in question and his/her potential for the future.
2. There is no legal requirement for an employer to provide a reference for a current or past employee. However, there is an expectation that employers will provide references and it is Holbeach Parish Council's (HPC's) policy to provide references on request. A refusal to provide a reference may be unhelpful to other employers and is likely to be interpreted as an indication that there was a problem with the individual, which might then disadvantage them.
3. Reference requests for current and past employees will normally be handled by the Clerk/HR, H & S and Data Protection Committee and it will be the Council's practice to provide a standard letter containing factual information only as set out in the attached Appendix A.
4. If Officers are asked to provide a reference in a personal capacity (e.g. as a friend) they must make this clear in the reference and not under any circumstances use the Council's headed paper. No liability will attach to the Council for staff acting as a personal referee.
5. Reference requests from banks, building societies or other potential lenders should be directed to the Clerk/RFO for response. Reference requests which relate to an employee who has been dismissed or who has been subject to disciplinary sanctions or whose performance is under review should be referred to the Clerk.
6. If there is any doubt over any aspect of this policy, guidance must be sought from the Clerk.
7. Telephone or verbal references will not be given.

### **Duty of Care and General Approach When providing references**

8. The Council owes a duty to the recipient (usually a prospective employer) and to the employee. The duty is to take reasonable care and to provide information



that is true, accurate, fair and non-discriminatory. The reference given does not have to be full and comprehensive, but it must not give a misleading impression.

9. It is therefore essential that the reference is based only on facts which can be backed up by evidence if challenged. Opinions and subjective personal views which cannot be substantiated must not be included.

#### **Confidentiality and disclosure of references**

10. All references are given in confidence but the Council or the recipient may be required to disclose a reference under certain circumstances, such as a request for disclosure by an Employment Tribunal or a Court dealing with a negligence or defamation case. References received from another person are likely to be covered by the Data Protection Act 2018 (DPA).
11. An individual can have access to information which is about them, but not necessarily have access to information about other people.

#### **Unsolicited references.**

12. The Council will not provide unsolicited references addressed 'to whom it may concern'.

#### **Requesting references for prospective Holbeach Parish Council employees**

13. It is the Council's policy to always take up references for prospective employees and contracts will only be issued on receipt of two positive references. If work references are unavailable (e.g. due to a person's age or employment history) then personal references will be acceptable, but only if work related references are unavailable for an appropriate reason.
14. The Council will use the attached proforma in Appendix B.

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## APPENDIX A

### WITHOUT LEGAL RESPONSIBILITY

Date

### STRICTLY PRIVATE & CONFIDENTIAL

Name Address

Dear (Name)

### EMPLOYMENT REFERENCE FOR (STAFF NAME)

Thank you for your recent letter concerning STAFFNAME. I am pleased to confirm details of employment with us as below:

Job Title: ROLE

Salary: FIGURE

Start Date: DATE

Leaving Date: DATE

Days sickness in past two years: FIGURE

Please note it is our policy to only provide this basic information for employment reference purposes.

In accordance with Holbeach Parish Council's normal practice this reference is given in good faith and in confidence, without legal liability on behalf of the author or the Council.

Yours sincerely

## Appendix B

Applicant name:	
Applicant Job Title:	

The above named applicant has applied for a role with Holbeach Parish Council. The applicant has indicated that you would be willing to give a reference. We have attached a copy of the job description for your information. Please answer all questions as honestly and accurately as you can:

Specific dates of employment:	From: (DD/MM/YYYY)	To: (DD/MM/YYYY)
Job title:		
Nature of work		
Reason for leaving employment?  <b>If dismissed please supply details:</b>		
During employment was applicant the subject of a Disciplinary procedure?  Yes  No <b>If yes, please supply full details and outcome</b>		
How many days sick leave has the applicant had over the last two years?		
Would you re-employ applicant?		

<p>Yes</p> <p>No</p> <p><b>If no, please state reasons why:</b></p>	
<p>Do you have any other information you feel would be relevant to an employer?</p>	

)

Signature:	
Date:	
Print Name:	
Date:	
Company name:	
Position Held:	
Telephone number:	
Address:	

We very much appreciate your time in completing this form, please do not hesitate to contact us if you have any questions.

Please note that this reference may be disclosed to the applicant if requested.



Version	Date Approved	Amendments Made	Next Review Date
1	08-04-24		April 2025