

Referencing Policy

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Referencing Policy

1. Introduction

BrisDoc's primary objective is to provide high quality, safe patient care by staff members who are able to meet the requirements of their role and discharge their duties safely. It is BrisDoc's policy to recruit the best person with the right skills into the right job, ensuring an excellent service is provided to patients. BrisDoc adheres to the NHS Employers Safer Recruitment Guidelines, and complies with standards set out by the Care Quality Commission (CQC). As part of this, BrisDoc ensures new recruits, and staff moving into new roles within the organisation, have the necessary checks to ensure our patients and staff are not put at risk. In line with our Recruitment & Selection Policy, we verify employment history and suitability for the role via a robust recruitment process, that includes obtaining qualitative references.

2. Purpose

The BrisDoc Reference Policy provides guidance on seeking references as part of our recruitment and selection process, together with advice on providing references for existing/former employees (including bank staff).

3. Scope and Summary

In order to comply with both NHS safer recruitment, and CQC regulations for a robust recruitment procedure, BrisDoc conducts employment history and reference checks as part of our recruitment and selection process.

BrisDoc also recognises the need to provide out-going references for staff in line with these guidelines. This policy creates standards of practice across the organisation, so that there is parity for both information asked for, and information managers give to third parties. This policy also highlights the importance of data protection with regards to references.

In order to comply with NHS safer recruitment, BrisDoc will continue to ask for (and therefore provide) qualitative information in references. All references, both incoming and outbound, must be on a BrisDoc template (see example Appendixes at the end of this policy) and pass through the Workforce team.

It is essential that information given in a reference is true, accurate, and fair. This will usually include positive commentary, but may, on occasion, include comment on areas in which the staff member could improve, so long as all information is true, accurate and fair. In the absence of such care, the employer could be liable for negligent mis-statement and could be ordered to pay compensation if the former employee or the recipient of the reference suffers damage as a result of the employer's negligence.

Managers must ensure that any reference they give is not discriminatory and does not amount to victimisation. Employers can be liable for discrimination against a former employee even if it occurs after the employment has ended. Therefore, references should not refer to any of the nine protected characteristics under the Equality Act 2010:

- age
- disability
- gender reassignment
- marriage and civil partnership

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- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

A staff member who provides a reference when not authorised to do so may be liable to action under BrisDoc's Disciplinary Policy.

4. Data Protection

The Data Protection Act 2018, and the subsequent General Data Protection Regulation (GDPR), requires the information contained in references to be handled confidentially at all times. Copies of references should not be made; and the original should be securely retained, and used for recruitment purposes only. It is important that no employee details are given out over the telephone. Generally, employees have the right under the General Data Protection Regulation (2016/679 EU) (GDPR) to access information that organisations hold about them. However, there is an exemption under schedule 2 to the Data Protection Act 2018 (which supplements the GDPR) that allows employers to refuse to disclose a confidential employment reference to an employee or former employee if they request access to it.

5. Roles and Responsibilities

5.1 Requesting References for New Employees

As part of the recruitment checks for any new starter, the Workforce Team will issue all reference requests on behalf of the Recruiting Manager, ensuring the requests comply with our Recruitment & Selection policy.

References must be obtained from the current or most recent employer of the applicant, and should give information about the dates employed and job title, together with details of the post and performance in main duties and responsibilities. At least one reference received during recruitment must be from the candidate's line manager, or line manager's manager, but cannot be from a relative. For clinical staff, referees may include a Clinical Supervisor. The references must be considered satisfactory to BrisDoc before a person commences employment.

Verbal references should not normally be accepted. However, if a verbal reference is given, no statement should be made that the referee would not be willing to make in writing. If taking a verbal reference, the standard reference form should be used as a pro-forma to record the details of the conversation with a referee, clearly stating that it was a verbal reference. The form should then be emailed or faxed to the referee for signature. If a referee refuses to give a reference, the Recruiting Manager must discuss this with the candidate and ask them to provide details of another referee. Where limited references are available, the decision to appoint must be based on what the applicant can reasonably provide to support their application. For example, this may be because the applicant has never worked before, has not worked for some considerable time, or their previous employer has ceased trading. In such cases, BrisDoc will seek a reference from their last known employer and/or source additional character or personal references in order to obtain the requisite reference checks.

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Where negative issues are included in a reference, information should be carefully considered and weighed up against the wider range of evidence gathered as part of the recruitment process. It is important to note that an individual's circumstances may change over time, and no assumptions should be made about the applicant's suitability for another role in a different setting. BrisDoc may elect to note negative comment in a reference but take no further action. If further investigation is deemed necessary, the matter will be handled sensitively with the individual concerned, giving them opportunity to explain the situation in more detail and/or, where appropriate, give them the chance to outline any learning from past problems or experiences in order to obtain the necessary assurances about their suitability for a role. If a reference is received which indicates the applicant has a high level of sickness absence, in the first instance the Workforce Team will cross-check the interview questions (specifically the question: 'Is there anything else we should be aware of, of that might come up in a reference'), before speaking to the Recruiting Manager. The Recruiting Manager should discuss the sickness with the applicant to give them the opportunity to expand on any underlying reason for their absences (e.g. an applicant may have required extended sickness absence to recover from a planned operation). Any offer of employment is made subject to Occupational Health clearance and this should be made clear to the applicant. The Recruiting Manager can seek advice from the Workforce Team and/or Occupational Health at Work in relation to each individual's circumstances. It may be necessary for the Recruiting Manager and/or Workforce Department to meet with the applicant to raise their concerns and to explain BrisDoc's expected level of attendance which will be monitored from the applicant's start date. If the past sickness level, and its likely continuation, are at such a level that doubt is cast on whether the individual could undertake the required duties, then BrisDoc reserves the right to review the employment offer. Any offers are made subject to satisfactory references – after adherence to the guidelines above, where references are not considered satisfactory, an offer of employment may be withdrawn.

5.2 Providing References for current/previous employees

It is essential that information given in a reference should be true, accurate, and fair. Any requests for a reference received by a Line Manager should be forwarded to the Workforce Support team care of workforcesupport@brisdoc.org. After linking in with the Workforce Team, the appropriate Line Manager will be responsible for completing information relating to skills, ability and experience for staff in their teams, using the BrisDoc standard reference form. This form will then be finalised by the Workforce Team, who will add factual information (start/end date; number of sickness absences etc.) to the reference. The Workforce Team will then be responsible for sending the reference to the requestor. If any other BrisDoc employee or clinician is approached to give a personal or character reference they can do so, but this but this may not be attributable to BrisDoc Healthcare Services. Such a reference may not be made using BrisDoc headed documentation, should not be sent from a work email address, and must state it is a personal response to a request that does not represent the views/opinions of BrisDoc.

6 Processes

6.1 Requesting References

The BrisDoc Workforce Team regularly requests references as part of the recruitment and selection process (Recruitment and Selection Policy November, 2018; 4.10.1). These follow

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Conditional Offers of employment, which are made subject to satisfactory references and other pre-employment checks.

References must be obtained from the current or most recent employer of the applicant, and should give information about the dates employed and job title together with details of the post and performance in main duties and responsibilities. At least one reference received during recruitment must be from the candidate's line manager, or, line manager's manager, but cannot be from a relative. For clinical staff, referees may include a Clinical Supervisor. The references must be considered satisfactory to BrisDoc before a person commences employment.

Any gaps between periods of employment or training should be explored during the interview process. The number and type of references obtained may vary depending on whether the individual has held employment or studied for a consecutive period of three years and / or how many periods of employment they may have had during this time, If a referee refuses to give a reference, the recruiting manager must discuss this with the candidate and ask them to provide details of another referee. Reference requests (see Appendix 1, [BrisDoc standard Reference Request](#) forms) will be sent by the Workforce Team to a corporate email address and not personal emails. If there is no response after one week, a follow-up request will be sent. A phone call or email to the candidate asking them to remind their referee of the request often assists at this stage. If no response is received following these actions, Workforce will link in with the candidate to ask for an alternative referee. It is not uncommon for organisations and employment agencies to seek permission from a candidate prior to providing a reference for them. Therefore, when the Line Manager is making a conditional offer, it would be helpful to suggest that they contact their referees in order to help move the process along. BrisDoc has different reference forms for different roles i.e. operational / clinical / work experience so the examples in Appendix 1 are a sample only. All template outgoing reference request forms can be found in S:\HR\HR Folder\Recruitment\Reference requests\Templates

6.2 Providing References

Managers at BrisDoc are regularly asked by external organisations for pre-employment references. All outgoing references must be written on the [BrisDoc Outgoing Reference](#) form (Appendix 2) and should be managed via the Workforce Team.

The Workforce Team will check the information provided by the line manager, complete official start/finish dates and any other relevant information requested which is held by the Workforce Team. Once complete, the reference will be sent to the requesting individual/organisation by the Workforce Team.

- BrisDoc provides references for all employed members of staff, unless they have requested that no references be provided, or has a note on record that no reference should be provided.
- As BrisDoc asks for qualitative references, it is right that BrisDoc provide qualitative references for those who work in our services.
- References **should not** be provided for workers engaged through an agency. Any request for a reference for an agency worker must be forwarded to the agency.

When a reference request is received, managers should link in with the Workforce Team in order to complete the request.

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Any reference should not include information that the staff member is unaware of. A referee (Line Manager) should discuss any information they feel could be received negatively (i.e. high sickness absence) with the staff member prior to writing the reference.

The reference should only disclose basic information of any live disciplinary warnings on the employee's personal file (e.g. 'final written warning for IG breach'). Where an employee has left whilst disciplinary or capability proceedings were not concluded, this should be stated without reference to the nature of the alleged misconduct.

6.2.1 Reference Portals

If the request for reference is made using an online portal, respond to the request with the following:

Dear (insert name of requestor)

The reference request for (insert name) has been received. As per BrisDoc policy, all references are issued using a standardised reference template. This has been designed to ensure clarity of information provided and data protection for all parties.

Your reference request will be completed in due course and will be emailed back to you by a member of the Workforce Team.

If you have any questions about the above, please contact workforcesupport@brisdod.org

Many thanks

(Manager's name)

The member of the Workforce Team who sends the final reference onwards must also save a copy of the reference in the in the following location: S:\HR\HR Folder\Misc letters\A to Z of References provided

6.2.2 Verbal References

BrisDoc Managers must not provide references over the telephone. If a telephone reference is requested, managers should refer the caller to the Workforce Team, who will advise the caller of company policy and an appropriate course of action.

6.2.3 Testimonials

Testimonials are reference documents, often worded 'to whom it may concern'. BrisDoc staff must not provide testimonials and should always respond to reference requests according to this policy. Although candidates may provide testimonials in support of applications, references must always also be sought.

6.2.4 Appraisal Reports

GPs are required to undergo annual appraisals as part of their fitness to practise process. A senior BrisDoc GP may be asked to complete an appraisal report, particularly for an Independent GP who works predominantly for the IUC Service and who has no regular salaried role. Typically, these reports refer to performance of clinical care as evidenced through clinical audit, and include information on any complaints/incidents related to the GP. There is a standard template provided through the appraisal process for these requests.

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7. Related Policies and Procedures

- Recruitment Policy
- Employment Rights Act 1996
- Equality Act 2010
- Equality and Diversity Policy

8. Change Register

Date	Reviewed and amended by	Revision details	Issue number
28/02/2024	MD	Changed owner and job title of M Duncan	1.1

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Appendix 1

Reference Request Letter and Pro-Forma

Note: the type of pro-form used is dependent upon role i.e. operational; clinical; GPs – *please refer to S:\HR\HR Folder\Recruitment\Reference requests\Templates Recruitment Reference Requests*

Dear

RE: REFERENCE REQUEST

Applicant's name:
Position applied for:

The person named above has been offered the above position, and has given us your name as a referee.

I am enclosing a copy of our standard Reference Form and would be obliged if you would kindly complete the form as fully as possible, giving additional information where relevant.

I would be extremely grateful if you could endeavor to return this reference back to us as soon as possible, preferably by XX/XX/XXXX. You can return the reference by email via workforcesupport@brisdac.org

Please note that in order to protect the public, the post for which application has been made is exempt from Section 4 (2) of the Rehabilitation of Offenders Act 1974 by virtue of the Exemptions Order 1975. It is not, therefore, in any way contrary to the Act to reveal any information you have concerning convictions that would otherwise be considered 'spent'. Any such information will be kept in strict confidence and used only in consideration of the suitability of the applicant for a position where such exemption is appropriate.

Should you wish to see a copy of the job description in order to complete the form, please do not hesitate to contact me on any of the details below.

Your reference will not be acknowledged, so may I take this opportunity of thanking you in anticipation of your kind assistance and prompt response.

Kind regards

Yours sincerely

Workforce Support

T: 0117 937 0901

A: Unit 21, Osprey Court, Hawkfield Business Park, Whitchurch, Bristol, BS14 0BB

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Thank you very much for taking the time to complete this form.
Please e-mail it back to workwithus@brisdodc.org



REFERENCE REQUEST FORM (Operational Role)

Name of Applicant						
Applicant employed as						
Applicant's salary (on leaving) (please state if this is pro rata or FTE)						
Start date:			Leaving date:			
Knowledge	Excellent	Good	Average	Below average	Unable to assess	
Telephone manner						
Communication skills						
Computer literacy						
Relationships						
Colleagues						
Customers						
Personal Qualities						
Attitude						
Reliability						
Flexibility						
Punctuality						
Overall, how do you rate this applicant compared to others in the same position?						
Did the applicant resign voluntarily? Yes <input type="checkbox"/> No <input type="checkbox"/>						
If no, why did the applicant leave their job?						
How many days absence did this applicant have during the last 24 months of his/her employment?						
Year 1 _____ - No. of days ____ over ____ periods of absence						
Year 2 _____ - No. of days ____ over ____ periods of absence						
<i>(If this is unknown, please comment on their general sickness absence record?)</i>						
Please provide comments on the applicant's suitability & capability of this post:						
Has the applicant been subject to any formal or informal disciplinary action over the last 12 months?						
Yes <input type="checkbox"/> No <input type="checkbox"/>						
If yes, please give details:						
Owing to the vulnerability of people receiving health care, the post applied for may be exempt from the provisions of Section 4(2) of the Rehabilitation of Offenders Act, 1974. Are you aware of any previous convictions (spent or otherwise) to disclose?						
Yes <input type="checkbox"/> No <input type="checkbox"/>						
Would you re-employ this person? Yes <input type="checkbox"/> No <input type="checkbox"/>						
If no, why not?						
Form completed by			Job Title			
Relationship to Applicant						
Signature					Date ___/___/___	

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Thank you very much for taking the time to complete this form.
Please e-mail it back to workwithus@brisdodc.org



REFERENCE REQUEST FORM - Clinical

Name of Individual						
Employed as						
Start date:						Leaving date:
Applicant's salary (on leaving) (please state if this is pro rata or FTE)						
How long have you known the applicant?						
In what capacity?						
Clinical Skills	Excellent	Good	Average	Below average	Unable to assess	
History taking						
Physical examination						
Investigation & diagnosis						
Patient management						
Clinical judgement						
Knowledge						
Basic Science						
Clinical						
Computer literacy						
Relationships						
Colleagues						
Patients						
Communication skills						
Personal Qualities						
Attitude						
Reliability						
Flexibility						
Punctuality						
Overall, how do you rate this nurse compared to others in the same position?						
Please provide comments on the applicant's suitability & capability of this post (including whether you believe he/she is a safe and competent clinician):						
How many days absence did this applicant have during the last 24 months of his/her employment? Year 1 _____ - No. of days ____ over ____ periods of absence Year 2 _____ - No. of days ____ over ____ periods of absence (If this is unknown, please comment on their general sickness absence record?)						
Has the applicant been subject to any formal or informal disciplinary action over the last 12 months? Yes <input type="checkbox"/> No <input type="checkbox"/>						
If yes, please give details:						
Owing to the vulnerability of people receiving health care, the post applied for is exempt from the provisions of Section 4(2) of the Rehabilitation of Offenders Act, 1974. Are you aware of any previous convictions (spent or otherwise) to disclose? Yes <input type="checkbox"/> No <input type="checkbox"/>						
Would you re-employ this individual? Yes <input type="checkbox"/> No <input type="checkbox"/> If no, why not?						
Form completed by						
Job Title						
Signature						Date ___/___/___

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Thank you very much for taking the time to complete this form.
Please e-mail it back to workwithus@brisdoc.org



REFERENCE REQUEST FORM - GPs

Name of Doctor							
Doctor employed as (e.g. salaried GP, locum GP)							
Start date:						Leaving date:	
Applicant's salary (on leaving) (please state if this is pro rata or FTE)							
How long have you known the applicant?							
In what capacity?							
Clinical Skills		Excellent	Good	Average	Below average	Unable to assess	
History taking							
Physical examination							
Investigation & diagnosis							
Patient management							
Clinical judgement							
Knowledge							
Basic Science							
Clinical							
Computer literacy							
Relationships							
Colleagues							
Patients							
Communication skills							
Personal Qualities							
Attitude							
Reliability							
Flexibility							
Punctuality							
Overall, how do you rate this doctor compared to others in the same position?							
How many days absence did this applicant have during the last 12 months of his/her employment? No. of days ___ over ___ periods of absence (If this is unknown, please comment on their general sickness absence record?)							
Please provide comments on the applicant's suitability & capability of this post (including whether you believe he/she is a safe and competent clinician):							
Has the applicant been subject to any formal or informal disciplinary action over the last 12 months? Yes <input type="checkbox"/> No <input type="checkbox"/>							
If yes, please give details:							
Owing to the vulnerability of people receiving health care, the post applied for is exempt from the provisions of Section 4(2) of the Rehabilitation of Offenders Act, 1974. Are you aware of any previous convictions (spent or otherwise) to disclose? Yes <input type="checkbox"/> No <input type="checkbox"/>							
Would you re-employ this doctor? Yes <input type="checkbox"/> No <input type="checkbox"/> If no, why not?							
Form completed by							
Job Title							
Signature						Date ___ / ___ / ___	

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Appendix 2

Outgoing Reference Pro-Forma

Note: the type of pro-form used is dependent upon role i.e. operational, clinical, GPs etc - *please refer to S:\HR\HR Folder\Recruitment\Reference requests\Templates References (employment) provided by BrisDoc*

CONFIRMATION OF EMPLOYEMENT (WITH SICKNESS ABSENCE)

The information below is provided in confidence.

This form contains personal data as defined by the Data Protection Act 2018 (as amended by the General Data Protection Regulation 2018). This data has been provided by the BrisDoc Workforce Department exclusively for the purpose of recruitment. The receiving organisation of this form must protect any information disclosed within this form and ensure that it is not passed to anyone who is not authorised to have this information.

Date: _____ Name of Line Manager: _____

Employee Name: _____ Date of Birth: _____

Employment dates

From: _____

To: _____

Most recent job title: _____

Reason for leaving BrisDoc (if known): _____

1. Absence:

Days absence (other than annual leave) over the last two years of their employment _____
in _____ episodes.

2. Disclosure and Barring Service (DBS)

Date of last DBS completed _____

Level of DBS check undertaken _____ (basic/standard/enhanced)

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3. I can confirm that the applicant **has / has not been*** subject to any formal or informal disciplinary action over the last 12 months.

***delete as appropriate.** *Where the applicant has been subject to, please give basic information only below:*

4. Performance

	Excellent	Good	Average	Below average	Unable to assess
Clinical Skills					
History taking					
Physical examination					
Investigation & diagnosis					
Patient management					
Clinical judgement					
Knowledge					
Basic Science					
Clinical					
Computer literacy					
Relationships					
Colleagues					
Patients					
Communication skills					
Personal Qualities					
Attitude					
Reliability					
Flexibility					
Punctuality					

With kind regards

Workforce Support

T: 0117 937 0901

A: Unit 21, Osprey Court, Hawkfield Business Park, Whitchurch, Bristol, BS14 0BB

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