# References

**References (Policy & Procedure)**

<table>
<thead>
<tr>
<th>Publication Scheme Y/N</th>
<th>Can be published on Force Website</th>
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<tr>
<td>Department of Origin</td>
<td>HR</td>
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<tr>
<td>Policy Holder</td>
<td>Head of HR</td>
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<td>Author</td>
<td>Head of Employee Relations</td>
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**Related Documents**

- Data Protection Act 1998
- Equality Act 2010

**Date First Approved at BMG**

November 2004

**This Version**

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**Date of Next Review**

17/08/2018
Policy

Statement

Merseyside Police understand that current and former Police Officers and Police staff may on occasion want confirmation of their employment by way of a reference for good reason. Although the Force has no legal obligation to provide a reference to a third party, it recognises that it does have a responsibility to treat staff fairly and a failure to provide a reference may have adverse consequences for the individual. Merseyside Police will therefore endeavour to provide references for employment and financial purposes in respect of its current and former staff where records exist.

Individual staff members may on occasion be nominated to act as a referee on a personal basis and so all staff must be aware of and abide by the procedures associated with character references.

Aims

The policy aims to ensure that all reference requests are provided in a fair and consistent manner and to an agreed format. It aims to ensure that references given are completely factual and in no way misleading.

The policy sets out the procedures and guidance relating to the provision of employment, financial and character references for current and former Police Officers and Police Staff.

Objectives

a) To ensure references are provided in a consistent manner and to an agreed format,
   b) To limit the risk of any potential liability claim.
   c) To provide clear procedures where individuals may be asked to provide a character reference.

Application and Scope

All police officers and police staff, including the extended police family and those working voluntarily or under contract to Merseyside Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

Under no circumstance will a Police Officer or Police Staff member be authorised to provide an employment or financial reference regarding a current or former staff member. All such requests must be referred to HR Shared Services.
Outcome Evaluation

HR Shared Services are responsible for monitoring objective a) and b) on a regular basis in order to ensure compliance with the policy.

Area Commanders and Departmental Heads will be responsible for monitoring c) where their consent has been granted/refused to disclose the identity of the organisation in the giving of a character reference by ensuring that the policy and procedure is fully adhered to.
Procedure

1. Principles in supplying References

On the completion of the retirement or resignation e-forms, Police Officers and Police Staff will be asked to indicate whether they wish to grant consent for Merseyside Police to provide employment references to future employers.

1.1 All requests for employment and financial references for current and former staff must be referred to HR Shared Services who will respond on behalf of the Force.

1.2 All references must be supplied in writing and marked 'confidential'. References must not be given orally or via electronic mail.

1.3 It is vital that information contained in any reference is consistent, true, factual, fair and non-discriminatory in order to eliminate any potential liability claim against the organisation. Where an officer or staff member resigns ahead of a misconduct/disciplinary investigation/hearing and they give their consent for a reference, the information provided will be factual. This may include a reference that had the individual not resigned they would have been subject to an investigation/hearing. Prior to sending such a reference, advice should be obtained from the HR Employee Relations Consultancy Advisor/Head of Employee Relations. When an officer or police staff member resigns ahead of an investigation/hearing and has requested a reference, they should be informed of the information contained in the reference. Each case should be dealt with on an individual basis taking account of all of the circumstances and with the appropriate advice.

1.4 All references must have a disclaimer statement inserted as follows, 'this is a confidential reference and is given in good faith in order to assist you. Care has been taken to ensure its accuracy and is supplied without legal liability on behalf of the author or the Force/Police & Crime Commissioner'.

1.5 In certain circumstances the force reserves the right not to provide a reference.

1.6 The principles of this policy will apply to any other forms of references requested.

2. Employment References

2.1 Merseyside Police will not complete any questionnaire about a current or former staff member as part of an employment reference, but will instead supply a employment reference letter which will include the following information only:

- Confirmation of employment dates
- Confirmation of job title
- Reason for leaving (if ex-staff member)
- Any disciplinary/misconduct issues of note
2.2 Merseyside Police will not as a matter of policy discuss in any employment reference any personal observations about an individual's skills and abilities nor make any statement about an individual's ability to carry out the role for which they have applied.

2.3 Where a potential employer seeks additional information as part of their selection process these requirements will be reviewed and addressed on a case-by-case basis by the Head of HR with the consent of the individual. This will only apply in circumstances where the non-disclosure of requested information may have adverse consequences for the individual.

2.4 In order to ensure that any employment reference remains true, factual and fair a discipline check will be made on Origin and with the Professional Standards Department (PSD) to ensure there are no outstanding issues of note, which may affect the reference request.

2.5 Should any issues of note arise, advice and guidance should be sought from an Employee Relations Consultancy Advisor, who will advise what information is disclosable in the reference. Each case will be assessed on its merits taking into consideration the nature of the information received following discipline checks. Factors relevant to disclosure may include the nature of any allegations concerning an individual, whether the individual has had the opportunity to respond, whether allegations have been proven and the impact any disclosure or non-disclosure may have on the nature of the role applied for.

3. Financial References

3.1 Financial references for current and former staff must not be given unless it is certain that the individual has given their written consent to disclose the information. However references from a government department may not require consent as the Force has a statutory duty to provide the requested information, e.g. Child Support Agency (Child Support Act 1991).

3.2 Merseyside Police will not complete any questionnaire about a current staff member as part of a financial reference request, but will instead supply a financial reference letter which will include the following information only:

- Confirmation of employment dates
- Employment status
- Confirmation of job title
- Earnings (Police staff only)

3.3 Merseyside Police will not disclose financial information in respect of its Police Officers as this information is within the public domain. The Council of Mortgage Lenders is aware of this.
4. Character References

4.1 Police Officers and Police Staff may be asked to provide a character reference for an individual who is not employed by Merseyside Police or for a colleague. This type of reference may be given but only in a purely private capacity and provided that it does not contain any information that would identify the rank, role or organisation of the reference provider.

4.2 If the reference provider wishes to state their rank, role or organisation, then consent to provide the reference must be obtained from the Head of PSD. Under no circumstances should any police officer or member of police staff write, sign or give any testimonial of character or other recommendation supporting any person for any purpose without prior consent.

4.3 Permission or refusal to provide a character reference should be transmitted to the police officer or support staff in writing and all correspondence must be placed on the individual's personal file.

4.4 Where permission is granted to the individual to provide a character reference, the Head of PSD must advise the individual to make it clear that the reference has been given in the individual's private capacity, and does not, in any way, reflect the views of Merseyside Police.

4.5 Letter headed paper, or any other stationery supplied by Merseyside Police, must not be used.

4.6 Character references must not be given where the application concerns the following:
- Liquor licenses
- Betting and gaming licenses
- Refreshment house licenses
- Hackney carriage licenses
- Private hire licenses
- Applications in respect of employment connected with any of the above that would subsequently lead to such an application for any of the above licenses.

4.7 Where staff meet the criteria to act as a counter signatory Police Officers and Professional Police Staff are authorised to validate passport applications/photographs, as this signature is purely to certify that the photographs are a true likeness of the individual and does not declare anything about their character. This applies to similar situations where likeness is certified e.g. driving license photographs.
5. **Character References – Compulsory Redundancy**

5.1 Police Officers and Police Staff may be asked to provide a character reference for an individual who is or about to be made compulsory redundant by Merseyside Police in order to support a job application.

5.2 If the reference provider wishes to state their rank, role and represent Merseyside Police when providing any form of testimony then consent to provide the reference must be obtained from the Head of HR. Under no circumstances should any police officer or member of police staff write, sign or give any testimonial of character or other recommendation supporting any person for any purpose without prior documented consent.

5.3 The request to provide a reference in these circumstances should be made via e-mail to the Head of HR and include following; full details of the prospective employer, the nature of the work to be undertaken and a brief summary of the intended testimony.

5.4 Before approving any such request the Head of HR will ensure checks are completed with Professional Standards Department and the Performance Improvement Unit to ensure the organisation is safeguarded.

5.5 When permission to provide a character reference is approved, all correspondence must be forwarded to HR Shared Services by the referee for inclusion on the individual’s personal file.

5.6 If permission is refused to provide a character reference this will be communicated to the member of staff in writing by the referee and all correspondence must be forwarded to HR Shared Services for inclusion on the individual’s personal file.

6. **Adoption and Fostering References**

6.1 All requests to supply references regarding adoption or fostering for a Police Officer or Police Staff member must be forwarded to HR Shared Services. These requests will normally come from local authorities and other agencies involved in the adoption/fostering process.

6.2 Written consent from the individual must be sought prior to any information being provided for the reference.

6.3 Only information regarding the employment of the individual will be provided. Under no circumstances will Merseyside Police comment on the individual’s suitability or ability to look after children.
7. Disclosure of a reference to the individual

a. Under the Data Protection Act 1998 individuals are not entitled to have access to any reference given by Merseyside Police which has been given in ‘confidence’. However in order to demonstrate transparency and adherence to this policy all references on behalf of Merseyside Police should be disclosed to the individual upon request.

b. A copy of any reference request and subsequent reference response will be retained in HR Shared Services and retained for a period of 12 months.