Staff Guidance – Providing References for Students

Summary

Academic members of staff are responsible for providing students with academic and character references. Currently there is no clear guidance to academic members of staff on providing references to students. It has been proposed that a guidance document be circulated across Schools and City’s webpages to ensure staff are appropriately supported in providing character and academic references to students.

The enclosed document has been compiled in consultation with the Information Compliance Officer, Careers Consultant at the Centre for Careers and Skills Development, and Employer Engagement Manager at Student and Academic Services, Heads of Schools and is presented here for approval.

Requested Action

Educational Quality Committee is asked to

- consider and approve the guidance
City, University of London
Staff guidance - providing references for students

Scope
This guidance relates to references written by members of staff, acting in their capacity as employees of City, regarding current or previous students of City. It does not extend to references for staff or references written in a private capacity.

Purpose
These guidelines provide advice on the content of references and good practice. The purpose of this guidance is to sign-post staff and students to the relevant policies and procedures as well as to additional support available. This is guidance only and each request for reference should be considered individually, any complex request should be referred to the Information Compliance Officer to ensure staff abide by the Data Protection Act (DPA) and General Data Protection Regulation (GDPR).

To be read in conjunction with
The guidance must be used in accordance with the Data Protection Act and General Data Protection Regulation (GDPR). More detailed information about City and the GDPR can be found on City’s website: http://www.city.ac.uk/about/city-information/legal/data-protection and https://www.city.ac.uk/library/about/policies/personal-data-and-online-resources

Related information:
- Personal Tutoring Policy
- How to access information
- Terms and conditions

Contact:
For questions regarding this guidance please contact Student Voice, Student Experience & Engagement on ace@city.ac.uk
For questions regarding Data Protection and sharing information please contact the Information Compliance Officer on dataprotection@city.ac.uk

Note: GDPR has replaced the Data Protection Act 1998 (DPA) and applies to all countries holding personal data of EU nationals. The implementation will require comprehensive changes to the way in which City collects, uses and transfers personal data. GDPR defines personal data as any information relating to an individual, whether it relates to his or her private, professional or public life. Staff should see https://staffhub.city.ac.uk/information-governance-gdpr-awareness for further information.
Types of reference

a) Academic references (confirming facts) are usually verification of the individual’s education. This may include confirmation of their academic qualification, start and end dates and mode of study. Student records can provide this reference. Academic staff who receive a request to provide an academic reference can forward the request to reference@city.ac.uk who will be able to supply the reference. Students can email or advise their employer to email reference@city.ac.uk.

b) Character references (providing opinion) are defined as a statement of a person’s good qualities, written by someone who knows the person well, that is sent to a future employer.

Character references may be provided by academic staff such as the student’s personal tutor, supervisor, programme director or other suitable academic member of staff, for example a lecturer who has been substantially involved in teaching the student. If references are requested from staff who did not have substantial contact with the individual (minimum of two years) the reference should only relate to confirming facts supported and evidenced by material on file, such as that of an academic reference (see above). Electronic/automated online reference forms may be used by employers.

All types of references fall under the definition of personal data and sometimes sensitive personal information (e.g. relating to health) under the General Data Protection Regulation (GDPR). Staff should therefore ensure that they are fully aware of the implications of the GDPR when providing references.

Responding to a reference request

a) Personal data should not be disclosed without the consent of the student or unless a condition or exemption within the Data Protection Act applies (for example where students are subject to PSRB requirements and information must be disclosed due to the PSRB requirements i.e. FIP concerns). Staff responding to a reference owe a duty of care to the person requesting the reference, the subject of the reference and to the recipient of the reference.

b) All subjects have the right to see any reference written about them, they may request to see a copy from the company who requested it. Staff should write a reference with the knowledge it may be seen by the subject of the reference. Staff should be aware that individuals have the right to claim against City and/or the author of the reference.

c) References are not, in the main, confidential. If a student wishes to receive a copy of the reference written by a member of staff, they can submit a subject access request to the Organisation City has sent the reference to. City is permitted under DPA to refuse to disclose a copy of the reference sent or if chooses can provide a copy of the reference to the student. If subject to a request under the Data Protection Act, references will usually be released. It is best to assume that the student will see a copy of the reference at some point. Therefore you should not write anything you are not prepared for the subject of the reference to see.

d) When responding to a reference request staff should take into account;

- They use reasonable skill and care
- The information is true, accurate and relevant
- It does not give an overall unfair impression
- They are competent to provide the reference (appropriate writing skills and knowledgeable about student)
- Avoid ambiguous or coded language
• They do not discriminate in any way i.e. making comments about performance, attendance or sickness where there is a risk that such comments may be discriminatory on the grounds of disability
• Must be defensible and justifiable comment
• Sensitive data is not provided (i.e. health) unless there is explicit consent or is obligatory due to the requirement of the professions (i.e. professions with PSRBs such as nursing which require staff to disclose certain information)
• Does not mention spent convictions

Disclosing information

a) If a student has provided the name of a referee, we may interpret them as having given their consent for the disclosure of personal information in the form of a reference.

b) If staff are intending to release sensitive personal information (e.g. relating to health, race, religion etc) they should always seek explicit consent from the student. If it is not possible to obtain explicit consent, staff should refuse to provide the information unless it is material.

It is not compulsory for staff to disclose sensitive personal data in a reference. Staff should use their judgement to determine whether it is relevant and fair to disclose it. For instance if a student has been given extended deadlines for assignments because of a learning disability but the essential criteria of the job they are applying for states the candidate needs to be able to write quickly and under pressure, you might want to mention this. As a general advice, staff should discuss the content of their reference with the subject and always seek explicit consent.

c) A pro-forma signed by the subject permitting you to disclose information in the form of a personal reference may be submitted as a request for reference. Staff should be able to confirm the validity of the request and person making the request before providing the reference. You may want to seek confirmation through writing.

d) If you receive an email request for a reference from a known source or company (a request received from an established company email address such as Morgan Stanley, Amazon or NHS), you should process the request but you may wish to reply in written format to a known postal address for the organisation. If the email address is not familiar, you are advised to investigate further. If there are any doubts about the legitimacy of an organisation asking for a request (not had any information from student, request is vague etc.) then seek further evidence of consent before providing a reference.

c) It is advised that staff decline telephone references, unless there are exceptional circumstances. If so, staff should limit these to facts and follow up in writing. Companies should be asked to submit a reference request in writing.

d) If there is good reason why staff do not feel able to provide a reference for a student, this should be communicated carefully without implying a negative reference (i.e. if the alumni was a student many years ago and the current staff were not familiar with them). City should respond to all genuine reference requests, with the minimum of the student’s academic reference, this information is available from Student Records.

e) Generally it is advised that staff do not mention disciplinaries or financial issues unless there is a relevant duty of care (relevant to the job or course/ PSRB requirements). Staff can seek advice from the Data Protection Officer.
f) City will usually decline reference requests from solicitors. However, if staff are willing to consider such a request, the reference should be restricted to verifiable facts only. It is important to note that some data protection subject access requests are sent via a solicitor and the Information Compliance Team may respond to them if the request is accompanied by a signed consent declaration from the individual and are satisfied it is a genuine request. So if in doubt please contact the Information Compliance Team on dataprotection@city.ac.uk for further advice.

g) Disciplinary proceedings in which the allegations were dismissed should not be mentioned.

h) If attendance is a requirement of the course then this should be written in the course/assessment regulations and these should make it clear that poor attendance may be referred to in references. Registers should be used to verify attendance and to deal with problems as they arise, rather than at the reference stage. If, however, attendance is not mandatory (only whether the student passes or fails the course) it may not be legitimate to refer to attendance.

i) If the referee lacks recent knowledge of the applicant, this should be stated clearly at the beginning of the reference. In these cases references are more likely to be purely factual, although referees may wish to ask the candidate for an update on his/her activities since graduating.

Sensitive data

a) Where reference forms request information relating to sensitive data e.g. sickness, mental health problems, staff should not supply such data unless this is explicitly requested (in writing) by the data subject. A suitable response would be, "I am not in a position to comment regarding X's health/sickness". If a reference is to include sensitive information then the permission of the subject should first be obtained, and this will be true on each separate occasion a reference is generated. In some areas, e.g. health students, there are requirements to report on sickness etc as part of the wider duty of care to the recipient and in such cases students should be informed that reporting on sickness absence is a routine part of references.

b) Standard policy on references for students is not to respond to queries about any possible criminal convictions or cautions. Such information is sensitive personal data and cannot therefore be divulged without the explicit consent of the student. It is reasonable to expect that employers will conduct self-declaration checks and/or DBS checks themselves.

Practicalities

a) References provided or received in relation to students should be retained in departmental student files, if possible. Staff may not receive copies of online reference forms used by some companies.

b) If a member of staff is challenged over a reference they have given, they must never admit liability. The matter should be referred to Information Compliance/ Legal Services on dataprotection@city.ac.uk.

Staff should note under DPA and GDPR, individuals have the right to complain if they feel the reference given is inaccurate and/or misleading. If students are dissatisfied with City’s response to their complaint, they can complain to the Information Compliance Team (ICO) who investigate all complaints as appropriate with Dr William Jordan and Legal Services.
## Layout of your reference

Standard headings could include;

1. Time management (should relay factual information based on student’s attendance record at tutorials/lectures etc)
2. Motivation
3. Academic ability
4. "Other" (special incidents/events)
   a) Extracurricular activities
   b) Voluntary activities
   c) Professional/ work based placements
   d) Whether they were a student representative
   e) A student ambassador/ buddy
   f) If they took part in any University initiatives

## Content of your reference

Staff should include;

1. In what capacity they are providing the reference/ their relationship to the subject
2. How long they knew the subject
3. Confirmation that the student is on a specific course
4. Facts about the student’s career and opinion of suitability/ ability should be differentiated – must be qualified to provide opinion and reasoning should be clear. May need to provide evidence to support view if challenged. Must be defensible and justifiable comment.
5. If there is any particular concern as to a lack of knowledge, a phrase such as "to the best of my knowledge" and "it is my true belief" may be advisable.
Appendix 2

What to include in your reference

**Important:** staff should verify whether the subject has provided consent for the reference. Staff can do this by requesting consent from the student through a verified email address.

1. Opening sentences could include;
   a) I am responding to your request for a reference for X
   b) I am writing this reference in my capacity as X’s Personal Tutor. I acted as Personal Tutor for X from [insert dates e.g.2014 - 2016].

In general terms, the referee should always state the context in which the reference is given so that it will be clear if the referee has a limited acquaintance with the student/employee.

If there is any particular concern as to lack of knowledge, a phrase such as “to the best of my knowledge” and “it is my true belief” may be advisable.

2. Phrases could include;
   a) ‘it is my true belief’
   b) ‘to the best of my knowledge’
   c) I consider X to be well suited to the post for which he/she has applied, and am happy to support his/her application"
   d) "I know nothing which would lead me to question X’s honesty

3. Academic aptitude.

4. Personal qualities;
   a) Team work
   b) Organisational ability
   c) Problem solving
   d) Communication
   e) Time management

Example: It is my belief, Sophie has an array of strengths to offer an employer. She demonstrated excellent organisational skills, always handing in her well-written work on time or early.
5. Draw on evidence to support your statement i.e.:

   a) Extracurricular activities
   b) Voluntary activities
   c) Professional/ work based placements
   d) Whether they were a student representative
   e) A student ambassador/ buddy
   f) If they took part in any University initiatives

Example: Sophie’s ability to lead successfully was shown as she volunteered to be Student Representative Officer for her programme, attending University committees and representing the voice of her peers each time.

6. Specific points highlighting the student’s suitability for the position.

7. How closely the student’s skills and qualities match those needed for the job.

8. An indication of the student’s potential for development, backed up by evidence drawn from university performance.

Appendix 3

Example reference request (from employer)

I would therefore be most grateful if you would comment on the following points:

- How long have you known the applicant and in what capacity?
- The candidate’s academic record at university, and their expected class of degree.
- Their personal characteristics and abilities and their ability to do the job they have applied for.
- Whether the applicant would be suited to a job which requires a major commitment to exam preparation.

Anything else you feel we should consider.
## Appendix 4

### Example of employment reference form

<table>
<thead>
<tr>
<th>Applicant name:</th>
</tr>
</thead>
</table>

**Please answer all questions honestly and accurately:**

<table>
<thead>
<tr>
<th>Specific dates of employment: (Please use exact dates)</th>
<th>From: (DD/MM/YYYY)</th>
<th>To: (DD/MM/YYYY)</th>
</tr>
</thead>
</table>

| Nature of work, Specific duties, responsibilities: |

<table>
<thead>
<tr>
<th>Was applicant honest and trustworthy at all times?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>If no please supply full details:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Would you re-employ applicant?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>If no, please state reasons why:</td>
</tr>
</tbody>
</table>

| Do you have any other information you feel would be relevant to an employer? |

**Please tick which box accurately applies to the applicant:**

<table>
<thead>
<tr>
<th>General Conduct</th>
<th>Excellent</th>
<th>Good</th>
<th>Satisfactory</th>
<th>Below Average</th>
<th>Poor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work Performance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attitude to Work</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Initiative</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Time Keeping</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relationships with: Colleagues:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relationships with: Customers:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
If you indicated applicant is “Below Average” or “Poor” for any category please state your reasons below:

<table>
<thead>
<tr>
<th>Signature:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>Print Name:</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>Company name:</td>
<td></td>
</tr>
<tr>
<td>Position Held:</td>
<td></td>
</tr>
<tr>
<td>Telephone number:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
</tbody>
</table>
## Example reference

**CITY HEADED PAPER**

Food Company  
10 Supermarket Lane  
London  
F01 0DD

12th January 2018

Dear Alice Barnes

Reference for Sophie Stevens

I have known Sophie from 2014 - 2016 in my capacity as Personal Tutor on the Bachelor of Science (Hons) Sociology degree in the School of Arts and Social Sciences at City, University of London. Jessica earned a BSc (Hons) Sociology upper second class degree and graduates with this award in June 2016.

Sophie attended lectures and tutorials I led during her second and third year at City. Her attendance was excellent in my modules, it is evident from the sign in sheets Sophie attended every lecture and tutorial over the two years I was her tutor. Sophie actively participated in the course and often led discussions in group seminars. When Sophie was asked to lead a seminar as part of her assessment, she had a confident manner and clear speaking voice and was able to disseminate difficult concepts in a way that ensured audience members could grasp them.

It is my belief, Sophie has an array of strengths to offer an employer. She demonstrated excellent organisational skills, always handing in her well-written work on time or early. Her ability to lead successfully was shown as she volunteered to be Student Representative Officer for her programme, attending University committees and representing the voice of her peers each time. Sophie has a strong interest in data and has expressed an interest in entering a career in data management. She volunteered to be team leader of a research group at the university which focused on x, requiring strong quantitative and qualitative skills and she was able to solve any problems encountered quickly and effectively while listening to others.

In conclusion, I consider Sophie would be well suited for the post of Data Team Lead and am happy to support her application.

Yours sincerely

Bill Davies  
Personal Tutor