**Getting References Policy**

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| Risk Owner | Director of People and Culture |
| Supported By | Employee Relations and Policy Manager |
| Date Approved | 01.07.24 |
| Date for review | 01.07.27 |
| Distribution | Internal - non confidential |

1. Purpose

Barnardo’s policy ensures the charity adopts strong safeguarding practice and robust pre-employment checking to maintain an appropriately skilled and qualified workforce. We will:

* Set minimum standards for recruiting to roles within Barnardo’s under the [Recruitment and Selection Policy Statement](https://inside.barnardos.org.uk/employee-and-volunteer-support/recruiting-employees-and-apprentices/recruitment-and-selection).
* Ensure as far as is reasonably possible that the information provided by candidates during the recruitment process is correct.
* Assess the candidate’s suitability for the role applied for and previous work record such as performance in the job, absence record, conduct issues.
* Assess a candidate's suitability to work with children and/or adults at risk if this forms part of the role.
* Take account of relevant safeguarding and statutory guidance.
* Ensure references are processed in accordance with data protection legislation.
1. Policy

The line manager and the Recruitermust ensure that any job offer is made using the appropriate template conditional offer letter which it makes clear that the offer is made subject to all required pre-employment checks which includes receipt of satisfactory references.

References will be requested once a candidate has accepted a conditional offer of employment, except for roles based in one of our schools, where references will be requested before interview, in line with the statutory guidance for schools [Keeping children safe in education](https://assets.publishing.service.gov.uk/media/64f0a68ea78c5f000dc6f3b2/Keeping_children_safe_in_education_2023.pdf) prior to making a conditional offer of employment.

Barnardo’s will decide if references are satisfactory and may withdraw job offers if a reference is deemed unsatisfactory or where full references are not received.

Satisfactory must meet the following criteria:

**2.1** **For all regulated activity/work roles:**

A **minimum of two references** covering at least the **previous** **five years** must be supplied (for Family Placement roles please also refer to section **2.2** below).

If an applicant has relevant work experience going back further than 5 years, the recruiting manager should consider getting references from the relevant employer, including the reason(s) for leaving, in addition to the two references within the last five years.

At least **one** referee must provide comment on an applicant’s previous work with children, young people and their families/adults at risk and their suitability to work with children/adults at risk, which may mean going back further than the previous 5 years.

Where an applicant’s last employment in education/working with children and/or adults at risk was over five years ago, relevant references must be obtained from that employment including the reason(s) for leaving. Barnardo’s reserves the right to take up additional references as appropriate outside of the five-year reference period if the applicant has previously worked in a relevant field.

Where an applicant has worked in two (or more) positions at the same time working with children and/or adults at risk, the recruiting manager should obtain references from both employers.

**2.2** **Regulated activity/work roles in Family Placement**

References covering an applicant’s **full** employment/work history (including volunteering) from when they started working with children/adults at risk must be supplied, including the reason for leaving(s). see also [Additional Reference Requirements](https://inside.barnardos.org.uk/sites/default/files/uploads/Additional%20reference%20requirements.pdf) on Inside.Barnardo’s).

**2.3** **Regulated activity/work roles and additional referencing requirements**

There are ‘[additional reference requirements’](https://inside.barnardos.org.uk/sites/default/files/uploads/Additional%20reference%20requirements.pdf) to be undertaken to ensure compliance with professional standards for posts covered by the:

* National Care Standards in Scotland;
* Adoption and Fostering National Minimum Standards;
* Children’s Homes: National Minimum Standards;
* Roles working with children and young people in Northern Ireland;
* Statutory Guidance - Keeping Children Safe in Education

**2.4** **For non-regulated activity roles**:

* A minimum of two references covering the previous two years must be supplied.

**2.5** **For roles working within Retail and Trading:**

* Two references must be supplied.

**3.** **References requirements applicable to all roles:**

At least one referee must be the line manager or Human Resources contact

for the current or most recent employment. One referee can be a personal contact who can provide a character reference, but they must not be related to the candidate, or live at the same postal address.

Factual references that only confirm dates employed are acceptable if

they state that it is company policy to just provide that level of information (and the specific requirements for regulated activity posts have been met by other references).  If it does not state that it is normal company policy, then the line manager should go back to the referee to clarify this with them and try to ascertain why they have only provided factual information.

In all cases where reference information is vague or insufficient information is provided, the line manager should contact the referees to clarify the content.

**4.** **Circumstances requiring specific consideration**

If a candidate has never worked before, a course tutor or head teacher can be provided as a referee or someone who has supervised them in some way such as a youth group leader or scout leader. If the candidate has worked in a voluntary or unpaid capacity e.g. as a member of a Parents Teachers Association, then the Chair of the committee can be included as a referee or the main point of contact at the relevant charity hosting the volunteering activity.

For apprenticeships in regulated activity where it may not be possible to obtain

relevant references covering the full previous 5 years e.g. such as a school leaver, a minimum reference period of two years may be accepted, supported by a robust risk assessment (the ‘[General Risk Assessment’](https://inside.barnardos.org.uk/people-and-culture/health-and-safety/general-risk-assessment-form) form can be used for this purpose) to help inform any hiring decision, together with the outcome of all other checks.

To ensure effective recruitment decisions and safeguarding of children and/or adults at risk strict adherence to satisfactory referencing is required. However, Barnardo’s will be sensitive and reasonable where applicants cannot meet our full referencing requirements due to lived care experience, career breaks or absence from the workplace related to disability, caring responsibilities or gender reassignment. Where this applies, a risk assessment will be undertaken (see the ‘[General Risk Assessment’](https://inside.barnardos.org.uk/people-and-culture/health-and-safety/general-risk-assessment-form) form can be used for this purpose) to consider the gaps, the reasons for them and what the applicant can reasonably provide to support their application, to help inform any hiring decision, together with the outcome of all other checks.

**5.** **Existing colleagues already employed by Barnardo’s changing roles or**
 **taking up new roles internally**

For existing colleagues moving internally from a non-regulated role to a regulated role where they will be engaging in regulated activity/work with children and/or adults at risk, the referencing requirements detailed at Section **2.1** will apply.

For other colleagues changing roles internally or taking up new roles, a factual reference check will be undertaken (see [Getting References Procedure](https://inside.barnardos.org.uk/employee-and-volunteer-support/recruiting-employees-and-apprentices/getting-references-policy)). In some instances, further additional referencing information may need to be sought from the line manager or to ensure compliance with professional standards where relevant (see Section **2.3)**.

 6. Scope

This policy and the accompanying procedure applies to all job applicants (including existing agency workers) who are made a conditional offer of employment/engagement, regardless of their contract status or role within Barnardo’s.  It also applies to existing employed colleagues who apply for new roles within Barnardo’s (see Section **5**).

**7. Definitions and Key Concepts**

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| **Definitions and Key Concepts** |
| A regulated activity post | Is any post which is required to have the minimum of an enhanced disclosure check. |
| Recruiter | Is the **Recruitment Team** for roles in England and Wales including Children Services, Family Placement and Retail for all Nations, and the local Recruitment Advisor for Children’s Services roles based in Scotland and Northern Ireland. |

**8.** **Roles and Responsibilities**

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| Roles | Responsibilities  |
| Risk Owner | Ultimately accountable for ensuring the risk is managed appropriately and responsibilities include keeping this policy remains fit for purpose, ensuring training is delivered, risk reporting is undertaken, and the risk register is kept current. |
| Line Managers   | Line managers are responsible for following this policy and the accompanying procedure and for:* pre-employment checking and ensuring selected candidates are suitable;
* deciding if references are satisfactory before job offers are confirmed;
* liaising with the People Team where full references are not received, unsatisfactory references are received or there is a need to withdraw a job offer if the reference criteria is not met;
* verbally confirming information with referees where this is a requirement for the post, or if considered necessary to obtain clarity and ensuring a full written record is kept.
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| People Team | Are responsible for following this policy and accompanying procedure and for advising recruiting managers on the interpretation of this policy and acceptable standards of referencing to ensure compliance with statutory and legal obligations, and for supporting managers in the withdrawal of job offers. |
| Business Services Hub, People  | Are responsible for completing the existing colleague sign-off form and returning this to the Recruiter. |
| People Strategy & Projects Team | Are responsible for reviewing this policy and accompanying procedure at 3 yearly intervals, however, any legal or organisational developments may prompt more frequent reviews.  Any statutory changes will be incorporated automatically. |

**9.** **Associated Legislation, Guidance, References and Documents**

**Legislation:**

* Data Protection Act 2018
* Information Commissioner’s Office guidance ([What other exemptions are there? | ICO)](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/what-other-exemptions-are-there/#exemption15)
* Statutory Guidance - Keeping Children Safe in Education [Keeping children safe in education - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)

**Guidance, References and Documents (all available on** [Inside Barnardos)](https://inside.barnardos.org.uk/)**:**

* Additional Referencing Requirements
* Guidance on access to references
* Agency Worker Guidance

**10.** **Compliance and Oversight**

In addition to the compliance and oversight arrangements set out under Roles and Responsibilities, the following applies:

* The Risk Owner will ensure that management information demonstrating adherence to and compliance with this Policy is produced and provided to relevant parties as required and on request complete a business self-assessment.
* The Audit and Assurance Team will periodically and independently review adherence to and compliance with this Policy and associated procedures and processes across the Charity in line with their approved audit and inspection plans.
* Recruitment Centre and People Teams monitoring of general adherence to policy.

**11. Version History**

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| Document History | Date | Author | Comments | Approval |
| 2 | 01.07.24 | People Strategy & Projects Team | Policy transferred into new template. Inclusion of exception relating to those with lived care experience  |  |