KALEIDOSCOPE
Multi Academy Trust

Reference Policy

Based upon the North Somerset Model Policy

Approved by:	Kaleidoscope Trust Board	**Date:**	November 2025
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REFERENCE POLICY

1. POLICY OVERVIEW

1.1 Kaleidoscope Multi-Academy Trust (KMAT) and its schools are committed to recruiting and retaining the best people to ensure that we achieve KMATs and the school's objectives. It is recognised staff turnover is normal for a healthy organisation and that referencing is part of the management/leadership role. This policy outlines the use of references in supporting fair and reasonable recruitment and exit processes.

1.2 It also describes:

- the procedure for requesting references
- the procedure for providing references

2. REFERENCE POLICY

2.1 All line managers within the KMAT are authorised to provide references for current or ex-employees. References must be provided for ex-employees for as long as practicable after the employee has ceased to work for the school,

2.2 Personal references will not be provided in any circumstances e.g. court hearings, by the Headteacher/Executive Headteacher/Head of School/line managers acting on behalf of KMAT or its schools.

2.3 There is no law which requires employers to provide references, except for those companies covered by the rules of the Personal Investment Authority. However, there is certain reciprocity in giving and receiving references and the consequences of not doing so can be serious for the employee. Most employers like to confirm their interview impression of a candidate by checking out facts and opinions with someone who knows them well. It is therefore our policy to provide references in all but very exceptional circumstances.

2.4 As an employer we do have the duty to take reasonable care in the preparation of references and we are liable in negligence if the reference we provide is inaccurate and the employee or prospective employer suffers damage because of it.

2.5 All references are provided in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

2.6 If the Headteacher/Executive Headteacher/Head of School or the relevant line manager is unsure as to whether to provide a reference the Schools HR Team should be contacted for clarification.

2.7 All references provided should be factually accurate and contain only statements which can be verified.

3 PROCEDURE FOR REQUESTING REFERENCES

3.1 In accordance with national safer recruitment and selection guidance, once a candidate has been shortlisted for a position (and prior to interviews taking place), the relevant line manager will seek references from those stated on the job application form (including internal candidates), using the model Reference pro-forma (see Appendix 2) or an equivalent that requests the same information from the referee. The model or its equivalent will be used because it has been drawn up in line with the national safer recruitment guidance. A copy of the job description and person specification for the post will be included with the reference request whenever possible.

3.2 Two references must be sought for all candidates. One referee should be the current or most recent employer, and if possible, one should be from an employer for whom the individual worked with children. The reference should be completed by a senior person with appropriate authority and the reference should be confirmed by the headteacher/Executive Headteacher/Head of School as accurate in respect to disciplinary investigations. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained from the school or other organisation at which they were employed.

3.3 If the applicant is a school leaver or has not been in work for some time, a character reference may be sought. The model character reference pro-forma (see Appendix 3) or an equivalent that requests the same information from the referee will be used.

3.4 References will always be sought and obtained directly from the referee. The school will not accept references or testimonials provided by the candidate, or on 'to whom it may concern' (sometimes called 'open') references and testimonials. If you have any questions relating to a 'to whom it may concern' reference or testimonial you may have received, please contact Schools Human Resources. Where electronic references are received, the school will ensure they originate from a legitimate source. Information will be verified with the person who provided the reference as necessary. Referees should be contacted to clarify content where information is vague or insufficient information is provided.

3.5 References should be obtained before interview to allow any concerns they raise to be explored further with the referee and taken up with the candidate at interview.

3.6 References will be passed to the line manager.

3.7 The selection panel will review the references received. References should be scrutinised and any concerns resolved satisfactorily before the appointment is confirmed, including for any internal candidate. On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily. If all questions have not been answered or the reference is vague or unspecific, the referee should be contacted and asked to provide written answers or further information as appropriate. The contents of references will also be checked against the information supplied on the application form, scrutinised for any discrepancies / issues of concern and any such discrepancies / concerns noted down and taken up with the candidate. Information will be verified with the person who provided the reference as required. If the reason for the candidate

leaving their current or most recent post this should be established. it is not clear from the application form or reference. The suitability of the candidate for the post will be assessed (with particular regard to their suitability to work with children). Any information about past disciplinary action or allegations should be considered carefully when assessing the applicant's suitability for the post and in light of the circumstances of the individual case (please see paragraph 9.1 for guidance on the disclosure of past disciplinary action or allegations).

3.8 Having reviewed the references of each shortlisted candidate, the selection panel will devise / revise specific interview questions to follow-up on contents of reference(s) as necessary and ask these at interview.

3.9 Preferably, all references will have been received before interview, but, in the event the references of all the shortlisted candidates are not received before interview the line manager should not review those references that have been received before interview; instead:

- each candidate should be asked 'if there is anything they wish to discuss / declare in light of the questions put to their referees' and
- once the interviews have taken place and a candidate provisionally appointed, the references of the successful candidate should be reviewed as soon as possible after interview in order to assess the suitability of the candidate for the post (with particular regard to their suitability to work with children) and the prospective employee asked any follow-up questions that may be necessary prior to confirming the appointment.

3.10 Once the appointment has been made, copies of the two references should be kept in the personnel file together with the remainder of the appointment paperwork.

4 UNSATISFACTORY REFERENCE

4.1 In some circumstances it may be necessary to contact the referee for clarification of comments made. It may also be necessary to contact the candidate to give them the opportunity to discuss any concerns which the reference has raised about their ability to carry out the role successfully (see points 2.7 and 2.8 above).

4.2 The Schools HR Team can provide support to the Headteacher/Executive Headteacher/Head of School/line manager in these circumstances. If the decision is made not to appoint the candidate on the basis of an unsatisfactory reference, the line manager must make a note on the recruitment file as to the specific reason for non-appointment, and the school will normally seek the advice of Schools HR before making the decision not to appoint on the basis of a reference.

5 PROCEDURE FOR PROVIDING REFERENCES

5.1 Before providing a reference the Headteacher/Executive Headteacher/Head of School/line manager should ensure that they have obtained the written consent of the individual concerned. This is necessary to comply with the requirements of the General Data Protection Regulation (GDPR). A model Employee Consent proforma which may be used for this purpose is attached as Appendix 1.

5.2 The Headteacher/Executive Headteacher/Head of School/ line manager may not wish to provide a reference or may have difficulty in answering some of the questions asked by a new employer. In these cases, advice should be sought from the Schools HR Team.

5.3 The Headteacher/Executive Headteacher/Head of School/ line manager providing a reference may wish to use the Reference pro-forma in Appendix 2, which should cover the information a prospective employer requires (this pro-forma should be used as part of the school's own recruitment process, see above). Alternatively, the Headteacher/ Executive Headteacher/Head of School/ line manager may wish to write a letter-formatted reference covering the specific points asked for. The Headteacher/ Executive Headteacher/Head of School/ line manager may also have been provided a pro-forma reference to complete.

5.4 When asked to provide a reference, the Headteacher / line manager providing a reference will ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide information relating to any substantiated safeguarding concerns/allegations that meet the harm threshold provided that the information is factual and does not include opinions. They should not include information about safeguarding concerns/allegations which do not meet the harm threshold or which are unsubstantiated, unfounded, false, or malicious. Any repeated safeguarding concerns or allegations which do not meet the harm threshold or which have all been found to be false, unfounded, unsubstantiated or malicious should not be included in any reference. (Please see paragraphs 9.3 and 9.4 for further information.) References should be provided in a timely manner and not hold up proceedings.

5.5 The Headteacher /Executive Headteacher/Head of School line manager may be asked to provide a reference for staff who are applying for a post in which the Headteacher /Executive Headteacher/Head of School line manager is involved selecting for. In these circumstances it is absolutely vital that managers follow the guidance in this policy in order to demonstrate that a fair and equitable recruitment and selection process has taken place.

6 STANDARDS OF REFERENCE

6.1 The basic information which needs to be included in a reference relates to skills, knowledge, experience and safeguarding children (for posts involving work with children) as well as personal characteristics. On drafting a reference, if you are unsure about whether or not to include a comment about the employee, leave it out. There is a risk of the school being liable for inaccurate or misleading references and therefore references should include only verifiable statements. General comments may be given with care if the general tone is a positive one and limited to the Headteacher's/ Executive Headteacher's/Head of School's/ line manager's knowledge of the employee (e.g. while working for us X has been a hard-working, conscientious employee). Before sending the reference, it should be confirmed that the employee has given their written consent for personal data to be released.

5.2 If the reference request relates to work in a school or with children generally, the information provided in the reference should be equivalent to the information we seek as a school in our reference requests.

7 CONFIDENTIALITY OF REFERENCES

7.1 Individuals have no automatic legal right to see what is written about them in a reference but they may gain access to the reference through the courts by taking legal action or, because of our policy of accessibility to personal files, it may well be that the reference is made available through that route in any case. They may also gain access to the reference through their new employer. It is therefore viewed as best practice if the reference is openly shared with the employee or ex-employee before it is sent to the person requesting the information. That is not to say that the reference needs to be agreed, but comments should be taken on board by the Headteacher/ Executive Headteacher/Head of School/ line manager providing the reference and if agreement is not reached the reasons for non-agreement should be discussed and recorded.

8 CRIMINAL OFFENCES AND REFERENCES

8.1 Information regarding criminal offences would not normally be included in references. In particular, information from CRB disclosures must not be included in references. If the school is considering including any information relating to a criminal offence received from any other source, advice must be sought from the Schools HR Team.

9 EMPLOYEES SUBJECT TO DISCIPLINARY ACTION AND/OR WHERE THERE ARE SAFEGUARDING CONCERNS

9.1 The disclosure of any information about past disciplinary action or allegations (including allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people) should be considered in the circumstances of the individual case.

Disciplinary action involving children's safeguarding issues

9.2 With regard to past disciplinary action and/or allegations in connection with the safety and welfare of children or young people or behaviour towards children or young people, the following should be included **(subject to paragraph 9.3 below)**: details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired, and the outcome of those and details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved.

9.3 Information relating to allegations found to be false, unfounded, unsubstantiated or malicious should **not** be included in a reference. Information relating to any repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc. should also **not** be included in any reference. Substantiated allegations should be

included in references provided the information provided is factual and does not include opinions and the outcome should be made clear when providing references to prospective employers. This is particularly important where the person is applying to move into another position working with children. The information should be factual and not include opinions.

9.4 Any information about past disciplinary action or safeguarding allegations should be considered in the circumstances of the individual case. 'Low level concerns' (i.e. safeguarding concerns that do not meet the harm threshold as defined in Part Four of *Keeping Children Safe in Education*) should not be included in references unless they relate to issues which would normally be included in the reference (i.e. misconduct or poor performance). However, where a low-level concern (for example a pattern of behaviour) has moved from being a concern to meeting the harms threshold, has been referred to the LADO and found to be substantiated it should be referred to in a reference.

9.5 If you are not sure in a particular case as to whether to include an allegation please contact the Schools HR Advisory Service.

Disciplinary action not involving safeguarding issues

9.6 With regard to disciplinary action not involving children's safeguarding issues, only action in respect of which penalties or sanctions are current should be included.

9.7 As employers we should not mention concerns or allegations which have not yet been investigated.

General – Employees Subject to Disciplinary Action

9.8 In cases where a settlement agreement has been made, the provision for the supply of a reference is often included. Where this is the case it should be ensured that the exact wording of a fair and accurate reference is fully discussed, clearly agreed and carefully recorded in writing in any compromise agreement at the same time as other severance terms. In such cases the Schools HR Team and Legal Service will provide advice. Please note that settlement agreements should not be used where there are allegations that indicate the person is a risk or poses a risk of harm to children or is deemed not suitable to work with children.

9.9 Referees must provide an oral or a written reference for an employee or ex-employee in an objective manner and avoid providing a reference that reflects their personal beliefs about the guilt of that employee or ex-employee concerning an allegation of misconduct.

9.10 The Headteacher/ Executive Headteacher/Head of School/ line manager should also avoid mentioning any performance issues which were not discussed with the employee during their employment.

10 TELEPHONE REFERENCES

10.1 Although many referees are more relaxed about giving information over the telephone than in written form it should be recognised that there still exists a duty of care as an employer. It is therefore advised that telephone references are only asked for and given in the following circumstances:

- When the appointment is time critical
- When a written reference needs clarification

10.2 In both circumstances written notes must be taken and placed on the employee's personal file.

11 EQUAL OPPORTUNITIES

11.1 In accordance with the school's Equal Opportunities Policies and Equality Legislation, line managers must be careful not to discriminate on the grounds of race, gender, disability, sexual orientation, religion or belief, age or other grounds covered by statute when operating the council's Reference Procedure.

12. GENERAL DATA PROTECTION REGULATION

11.2 All references are provided in accordance with the General Data Protection Regulation (GDPR).

11.3 The Headteacher / line manager who receives a reference request must ensure that they have the individual's written consent to provide personal information in order to comply with the Regulation.

13. OTHER RELEVANT POLICIES

Capability Policy and Procedure
Disciplinary Policy and Procedure
Probationary Policy and Procedure
Disclosure Policy

All our policies and guidance can be found at www.supportservicesforeducation.co.uk

APPENDICES

APPENDIX 1 - Pro-forma for Employee to Consent to Provide a Reference

I give my consent for an employment reference to be provided and agree to the release of personal information for that purpose.

Signed:. . . . . .

Name:. . . . . .

Position with the School:. . . . . .

Date:. . . . . .

Privacy Statement

The School is registered with the Information Commissioner's Office for the purposes of processing personal data.

The information your referee will provide will be held and used in accordance with the requirements of UK and European data protection law. The information provided will form part of your personnel file, which, in accordance with Section 2 of the Limitation Act 1980, will be stored securely until six years after the termination of your employment period.

The purpose of the processing of this data is to ensure that the school is able to assess your suitability for employment in the role for which you have applied at the school. The processing of this information is lawful as we are obtaining your explicit consent to process the data (GDPR Article 6 (1)(a)).

If you have any questions or concerns about the way we process your personal data, please contact our Data Protection Officer through the School.

APPENDIX 2 – Model Reference Request Form

PRIVATE AND CONFIDENTIAL

Name of applicant	
Position applied for	Job Reference

Confirm dates of employment	From To
Capacity in which employed and/or job title	
Main responsibilities	
Full time or part time If part time, number of hours per week for which employed	
Salary/wages	

Assessment of Performance

Please comment on the following:

Skills and abilities	
Behaviour of employee with colleagues, clients, children/young people and management	
People management skills (if any)	

Quality of work	
Quantity of work i.e. tasks completed within agreed timescales	
Are you satisfied that the applicant is suitable to work with children?	Yes/No
Has the applicant ever had a safeguarding allegation made against them that met the harm threshold (as set out in Part 4 of *Keeping Children Safe in Education*) and which was found to be substantiated? (This includes any concern' that was originally a 'low-level concern' (see Part 4 of *KCSIE*) that moved from being a concern to meeting the harms threshold and was found to be substantiated.) If yes, please give full details of the nature and date(s) of the allegations, by whom they were investigated, what conclusion was reached as a result of the investigation, whether any action was taken and if so what that was? *<u>Please note</u>: **no** allegation (or repeated allegations) found to be unsubstantiated, unfounded, false or malicious should be included in any reference*	Yes/No
Has the applicant been the subject of any disciplinary action(s) in respect of which penalties or sanctions remain in force? If yes, please give full details of the nature and date(s) of the misconduct	Yes/No

and of the penalty or sanctions still in force.	
Has the applicant been the subject of any disciplinary action(s) relating to safeguarding in which penalties or sanctions were imposed but have since expired? If yes please give full details of the nature and date(s) of the misconduct and of the penalty or sanctions that were imposed.	Yes/No
If the person has left your employment, were they the subject of any disciplinary action(s) relating to safeguarding during their employment with your organisation OR any disciplinary action(s) <u>not</u> relating to safeguarding in respect of which penalties or sanctions would remain in force had they remained in your employment? If Yes, please give details.	Yes/No/Not applicable
Is the applicant currently under a warning to improve their performance under the terms of your Capability Policy/ Procedure? If yes, please state the nature of the capability issues recorded and when this occurred.	Yes/No
Teaching Posts only: Has the applicant been subject to capability procedures within the past two years? If yes, please provide the details of the concerns which gave rise to this, along with the duration of the proceedings and their outcome.	Yes/No
Where appropriate does the person hold a clear DBS Disclosure with your organisation?	Yes / No / Not applicable
If no longer in employment please confirm:	

Date of leaving	
Reason for leaving If dismissed, reason for dismissal	
Would you re-employ him/her?	Yes/No
Do you know of any reason why we should not employ him/her? If Yes, please specify.	Yes/No

Please add any further information or comments which you wish to offer about him/her bearing in mind the post for which he/she has applied:

Signed by referee	
Name (please print)	
Date	
Position/Job title	
Telephone number and extension	
Email address	
Name and address of company/organisation	

Please provide adequate evidence that you are providing this reference on behalf of your company e.g. a covering letter on headed paper, a compliment slip or company stamp.

Please note that this organisation operates an open reference policy, which means that employees have the opportunity to see references supplied for them. (This should not be confused with providing 'open references' in the sense of providing 'to whom it may concern' references.) By providing a reference you are considered to also be giving permission for it to be seen by the employee concerned. You may therefore wish to discuss the reference with them prior to it being sent.

APPENDIX 3 – Model Character Reference Request Form

PRIVATE AND CONFIDENTIAL

Name of Applicant
Position applied for

Relationship (i.e. personal friend, colleague etc)	
Duration of relationship	From To
Personal Qualities	
Your assessment of their suitability to work as a XXXX [post title]	
Your assessment of their suitability to work with children in a school, with particular reference to the requirements of safer recruitment	
Do you know of any reason why we should not employ him/her? If Yes, please specify.	Yes/No
Any general comments you think relevant	

Signed by referee	
Name (please print)	
Date	
Position/Job title	
Telephone number and extension	
Email address	
Name and address of company/organisation *(if relevant)*	

Please note that this organisation operates an open reference policy, which means that individuals have the opportunity to see references supplied for them. (This should not be confused with providing 'open references' in the sense of providing 'to whom it may concern' references.) By providing a reference you are considered to also be giving permission for it to be seen by the individual concerned. You may therefore wish to discuss the reference with them prior to it being sent.