

EXECUTIVE BOARD

19.11.18

EMPLOYMENT REFERENCES - GUIDANCE

Purpose: Guidance for requesting and providing references

Recommendations / key decisions required:

For information

Updated Guidance to reflect changes in practice and recent changes to Data Protection legislation.

Relevant scrutiny committee to be consulted

NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

Directorate: Chief Executives

Name of Head of Service:

Paul Thomas

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Report Author: Alison Wood

Designations:

Assistant Chief Executive

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EXECUTIVE SUMMARY

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EMPLOYMENT REFERENCES - GUIDANCE

Background

The Council's recruitment process is designed around safe recruitment practice. This is considered a priority and this guidance and associated processes are put in place to ensure that any risk associated with recruiting people is minimised. References are one part of the pre-employment checking process, sitting alongside interviews, "right to work checks" and DBS checks where relevant.

This revised Guidance is aimed at managers involved in the recruitment process and provides a guide to receiving and providing references. ACAS have recently published updated guidance on this subject and this has also been reflected in this Guide.

The main changes are:

Relaxing the requirement for 2 references to be sought for all internal applicants (non "safeguarding" jobs). Taking account of feedback from managers via the "what wastes your time" process, we are recommending that one reference only is requested from the current line manager for internal applicants (current employees). In addition, if the Recruiting Manager is also the current line manager then no references are required.

Strengthening the Guidance around data protection and reflecting recent GDPR changes providing for express consent to be provided by applicants before referees are approached.

Clarifying the Council's position in relation to releasing references if requested under "subject access" provisions of data protection regulations. (paragraphs 25 – 27).

It is intended that this Guidance is updated as required and will be available to access via the HR pages on the intranet.

DETAILED REPORT ATTACHED?

Yes

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas

Assistant Chief Executive

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	None	None	YES	YES	NONE

1. Policy, Crime & Disorder and Equalities

Change to existing Guidance.

2. Legal

The Guidance reflects current legal/statutory requirements and ACAS advice.

5. Risk Management Issues

There are risks associated with providing references. This Guidance helps managers understand their responsibilities and aims to mitigate those risks.

7. Staffing Implications

The Guidance will be part of a suite of HR employment Guidance. Changes to recruitment processes are already underway.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas

Assistant Chief Executive

1. Scrutiny Committee None

2. Local Member(s) Not applicable

3. Community / Town Council Not applicable

4. Relevant Partners Not applicable

5. Staff Side Representatives and other Organisations No applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE