

REGULATIONS

E11 PROCEDURES FOR THE PREPARATION OF STUDENT REFERENCES

Introduction

The University offers a vital service to students, employers and other educational establishments by the provision of accurate, timely and balanced references. References are drafted by a range of staff, but usually the responsibility rests with personal tutors including liaison with employers or other educational organisations. The provisions of the Data Protection Act 1998 and the use of sensitive personal data, in particular, together with sector expectations on enabling student development and achievement as articulated in the UK Quality Code, form the basis of the procedure described below.

This procedure is concerned with processing requests for references, including those in the form of electronic 'tick box' questionnaires. Further guidance on writing student references is contained within the [Academic Advising website](#).

1. Reference requests

- 1.1. Reference requests will be processed for students who have completed a course of study or programme at the University which led to a designated award or accumulation of credit but without completing an award within the past 4 years for undergraduate and taught postgraduate students and 10 years for research degree students.
- 1.2. If a request for a reference is made by a former student which falls outside the time periods, the reference will be restricted to matters of fact, such as duration of the course or programme, confirmation of results and general progress. More detailed references may be produced, despite the passage of time, if tutors have access to sufficient detail and are able to follow the guidelines laid down in the Academic Advising website.
- 1.3. Reference requests may be received via email from a prospective employer or another educational establishment. In response to such a request it is acceptable to process a reference electronically subject to:
 - i. Confirmation that the member of staff has been cited as a referee by the student. Avoid unsolicited requests.
 - ii. Verification of the identity of the person or organisation requesting the reference by referring to the URL of the organisation or by other means
 - iii. Confirmation to the student that a reference has been despatched electronically and the name of the person to whom the reference was sent
 - iv. Retention of a printed copy of the reference.
- 1.4. References will be drafted within a reasonable time following receipt of a written request. This will normally be 28 days from the date of the written request. In circumstances when a student requires a reference urgently, the member of academic staff and the student will come to an agreement about a reasonable time scale.
- 1.5. Faculties may determine the precise administrative process for students to request a reference but, in any event, all course handbooks will include advice on the most appropriate members of

staff available to provide references together with the time scale which shall be consistently applied across the University.

2. Refusing a reference request

- 2.1. On rare occasions it is possible that a member of staff feels unable to write a reference and refuses to do so. The reasons for such a refusal might originate from a personal connection with the student, a dispute which has not manifested itself into a complaint, a conflict of interest, or a lack of knowledge about the student. Such a refusal is only permitted following agreement with the relevant Pro Vice-Chancellor/Dean of Faculty, or their nominee, and an alternative referee will be sought.
- 2.2. If a reference is refused for acceptable reasons and it is not appropriate or possible for an alternative referee to be appointed, the person or organisation requesting the reference will be informed, while ensuring that no negative assumptions can be made arising from the refusal, or any personal data released. Students will be informed of the refusal with the reasons given.

3. Drafting a reference

- 3.1. References will be prepared by members of the academic staff who have personal knowledge of individual students and are able to write a reference based on guidelines within the Academic Advising website. In cases when the member of staff acting as a referee has left the University, an alternative suitable member of staff will provide a reference.
- 3.2. Staff who may be the subject of a complaint by a particular student may not act as a referee for that student. In such circumstances an alternative referee will be appointed and the student informed of the change and the reasons for the change.
- 3.3. References should only be provided to named individuals or departments within named organisations. Testimonials or references headed 'To whom it may concern' are not permitted.
- 3.4. Telephone references are only acceptable when the telephone reference is supplementary to, or confirmation of, an official written reference, and should only be carried out with the consent of the student. The identity of the caller must be confirmed to the satisfaction of the member of staff and a written record of the telephone conversation should be taken and retained with the reference file copy. Unless explicit consent has been received by the student, the referee has the right to refuse to answer questions which might relate to the definition of 'sensitive personal data' as follows:
 - i. racial or ethnic origin
 - ii. political opinions
 - iii. religious beliefs
 - iv. trades union activities
 - v. physical or mental; health
 - vi. sexual life
 - vii. details of criminal offences
- 3.5. To ensure that the reference, written or oral (supplementary), complies with data protection legislation, referees must ensure that there is a clear distinction between opinion and fact. For example, an opinion might be that a student was expected to achieve a certain level of performance. A fact would be the actual marks achieved.
- 3.6. Referees may not express opinions or cite facts when they are not qualified to do so. If a referee is unable to substantiate an opinion, or perceived fact, the limitation shall be noted within the reference and the student informed.

- 3.7. The University takes the view that references will be subject to disclosure under section 7 of The Data Protection Act should a student make a subject access request. References should therefore be drafted on the basis that students will be given full access.
- 3.8. In circumstances when students request staff to write a personal character reference as a friend rather than in their capacity as a member of the University academic staff, the status of the referee must be made clear within the body of the reference itself. Personal references may not be produced on university headed notepaper.
- 3.9. Information on Students who have been subject to disciplinary action and issued with a penalty specifying that the student's disciplinary record may be referred to in confidential references are held on file in the Faculty and/or Academic Registry records. Tutors preparing references should therefore consult the relevant file and when appropriate refer to the disciplinary offence in the reference.
- 3.10. Student conduct issues not subject to the above penalty but nevertheless recorded within the student file should not normally be referred to within the reference. An exception to this rule is in instances when reference requests are received from students studying programmes governed by professional codes of conduct determined by statutory bodies, such as the Nursing and Midwifery Council. The University's duty of care to patients and other vulnerable groups is paramount in these circumstances and references will be drafted to incorporate matters of concern which may, in the judgement of the relevant Faculty, be serious enough to compromise the safety of vulnerable people.

4. Retention

- 4.1. References will be retained by Faculties for a minimum period of four years following the student's departure from the University, although a longer minimum period may be applied to references for research students, at the discretion of the Faculty (up to a maximum retention period, for all references, of ten years). References should be stored securely either electronically and/or on paper by the Faculty office with a record of the date of the request, the author of the reference, and an on-going schedule of to which organisation/s or individual/s the reference was sent.
- 4.2. References must remain relevant and accurate. In circumstances where references are retained for longer than the period specified, Faculties must ensure that the references are not routinely re-issued without scrutiny from the original author or, where appropriate, another member of staff competent to make a judgement on the reference.

For further information about these regulations, please contact the Academic Registrar.

Updated by S. Marshall, Academic Registrar, September 2005

Reviewed and updated by Information Compliance Officer and University Records Manager), July 2016