

POLICY / PROCEDURE TITLE		DATE OF APPROVAL
Existing and Former Student Reference Procedure		May 2024
APPROVED BY	VERSION NO.	VALID UNTIL
Executive Board	2	May 2027

OWNER	Director of Assurance & Risk		
GROUP EXECUTIVE LEAD	Chief Finance Officer		
DOCUMENT TYPE	Policy <input type="checkbox"/>	Group Procedure <input checked="" type="checkbox"/>	Local Procedure <input type="checkbox"/>
PURPOSE	NCG and its colleges aim to provide accurate and meaningful references for current and former students to enable them to progress successfully into employment, training and further or higher education opportunities. The purpose of this document is to standardise the way in which staff respond to requests for references across NCG's colleges.		
APPLICABLE TO	All NCG employees.		
EQUALITY ANALYSIS COMPLETED [POLICIES ONLY]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	(If EA not applicable, please explain) Not applicable because this document is a Group procedure and not a policy.		
KEY THINGS TO KNOW ABOUT THIS POLICY	<ol style="list-style-type: none"> 1. This document aims to ensure that accurate and meaningful references are provided for both current and former students. 2. This document aims to ensure that the data which we disclose within a reference is shared in accordance with the relevant legislation, such as the Data Protection Act (2018) and the UK General Data Protection Regulation (GDPR). 		
EXPECTED OUTCOME	Readers are expected to understand the organisational procedure on providing accurate and meaningful references for current and former students and to understand their responsibilities in relation to the policy and comply with the terms of the policy.		

MISCELLANEOUS	
LINKED DOCUMENTS	<ul style="list-style-type: none"> • Information Governance Policy • Information Policy • Freedom of Information and Environmental Information Regulations Policy • Data Protection Policy
KEYWORDS	<ul style="list-style-type: none"> • References

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| | <ul style="list-style-type: none">• Data Protection |
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1. INTRODUCTION

NCG intends to provide accurate and meaningful references for its current and former students upon request, to help assist with successful progression into employment, training and further or higher education opportunities where possible. To enable this, references will be provided by relevant staff from the Group where possible.

2. PURPOSE

The purpose of this document is to provide procedural guidance to NCG staff when responding to requests for references to ensure data which we disclose is shared in accordance with the relevant legislation.

3. SCOPE

The procedures apply to both existing and former students and potential employers of students seeking references from NCG. Former student refers to an individual who has previously enrolled at one of our colleges but is no longer enrolled. Whilst there is no strict legal obligation on NCG to provide a reference to a third party, NCG recognises it has a duty to treat students fairly and will strive to provide references.

Normally NCG is asked to provide references for students for employment purposes. However, references may be provided for other purposes, for example: in support of an application to enter higher education. The principles outlined in this document apply to all references.

4. RESPONSIBILITIES

The Director of Assurance and Risk is responsible for the management of this procedure.

All staff have a responsibility to comply with this procedure. Referees have a responsibility to be truthful, not to be malicious and to include only what is accurate, true, fair, and reasonable.

NCG has a duty of care to its students (both current and former) and to third parties to whom it supplies references. This duty of care requires that references are provided in good faith and are fair, reasonable, true, and accurate as well as not being misleading when considered overall.

PROCEDURES

5. OBTAINING CONSENT

We encourage students to obtain permission from the member of staff before sharing their contact details for a reference.

Once a request for a reference has been received, the referee should ensure that the student to whom the reference request relates to, has given their consent for a reference to be provided. Colleges must ensure consent provided by students is in written form (such as an email). This record must be provided to the Data Protection Officer at DPO@ncgrp.co.uk for record keeping purposes.

If there is any doubt regarding whether the individual has given consent for NCG to provide a reference, the relevant member of staff will contact the individual to check whether they consent to a reference to be provided.

6. VERIFYING A REQUEST FOR A REFERENCE

Staff must ensure all requests for references are obtained in writing and not orally. Unless the organisation or individual requesting the reference on behalf of the student is already known, all staff shall verify the requester's identity. This can be achieved by undertaking the following checks:

- Performing an internet search to verify that the organisation making the request exists.
- Confirming that the contact details in the requester's email matches those which are provided on the company website.
- Calling the company's switchboard to confirm that the requester works for the company.

If it is not possible to confirm the identity of the requester, then consent should be sought from the student where possible. If that is not possible consult the Data Protection Team via DPO@ncgrp.co.uk.

Once the requester's identity has been confirmed, the referee should always ensure that the information released is in relation to the correct student. This can be done by following a 3-question-check prior to providing a reference. The 3-question-check involves checking the student's name provided in the reference request as well as 2 further pieces of information that we hold on file and are / were true at the time of their study for example:

- Email address.
- Home address and postcode.
- Telephone number.
- Date of birth.
- National Insurance number.
- Student number.
- A copy of the student's photographic ID (e.g. driving license or passport).

The above pieces of information shall be used for identification purposes only.

7. TIMING

Wherever possible, the responsible referee will meet the deadlines given by the individual or organisation seeking the reference. If this is not possible the referee will inform the requestor and confirm the timescale for providing the reference.

Where the individual or organisation seeking the reference does not provide a deadline, the referee will provide the reference without any undue delay.

8. PROVIDING A REFERENCE

Referees must ensure the following when providing a reference:

- The reference must be provided in writing only. Reference **must not** be provided orally.

- The reference **does not** contain an inaccurate, false, or unsubstantiated statement which damages the reputation of the individual.
- The reference **must not contain** a false statement which is made with the intention that the person receiving the reference will act on the false information.
- References shall create a fair impression overall. This might mean putting certain factual matters into context where not to do so would create a misleading impression.
- All facts included within the reference have been checked for accuracy, and reasonable care has been taken in the preparation of the reference.

As required by the UK GDPR, records should only be kept for as long as they are needed. For this reason, once references have been shared with the requestor the reference should be deleted by the referee.

Staff members should be aware that the contents of any reference they provide may have to be disclosed to the subject of that reference in the event of them submitting a formal request to NCG under the Data Protection Act 2018. Staff should therefore always write references on the assumption that the subject could request to review them.

When providing a reference relating to a current student, the reference should always be provided using the template in **Appendix A**. When providing a reference relating to a former student, the reference should always be provided using the template in **Appendix B**. When using either template, it will be noted to the individual or organisation that the reference is provided using our standard format. If the college is unable to supply additional information for a former student, we should supply the factual information identified in the first section only (see Appendix B).

Some organisations may respond to the template and insist that NCG complete the organisation's own template; in which case, these templates must be forwarded to the Data Protection Team via DPO@ncgrp.co.uk for review.

Commonly references are provided by email, this should be accompanied by an official NCG or college staff email signature.

The reference must also be sent in a format which is not easily subsequently edited – e.g. portable document format (pdf) and the document must be password protected. The password to open the document must be sent in a separate email.

If the data is not available in the current student record system, but is available in older systems, then a helpdesk call should be raised once the request has been validated as normal.

9. LANDLORDS AND FINANCIAL OR SIMILAR INSTITUTIONS

If it is considered to be helpful to the student, factual and verifiable references may be provided to landlords and financial or similar institutions. These references must also be verified in the manner above however, such references should be referred to the Data Protection Team via DPO@ncgrp.co.uk in the first instance.

10. UCAS

In the case of UCAS academic references, UCAS deadlines will be met in line with the provided deadlines for completion once all necessary sections in UCAS have been met by the student.

Where a UCAS reference is requested by an existing or former student who has attended an NCG college in the last 3 years, the reference should be provided in the staff section of UCAS. Staff writing a UCAS reference should refer to the guidance on the UCAS section. The reference should provide an assessment of the suitability of the student for the higher education courses that they have applied for and where possible, include the following points:

- Existing achievement, with particular reference to subjects relating to the courses for which they are applying.
- Motivation and commitment towards the chosen course(s).
- Any relevant skills achievement, whether certificated or not.
- Potential (other than predicted grades).
- Powers of analysis and independent thought.
- Relevant curriculum enrichment and other activities.

- Relevant work experience, such as work placements, voluntary work and so on.
- Proposed career plan.
- Information about any special needs and other requirements. Staff must not give information about the student's (data subject's) health / disability, race, ethnicity, religion, sexual orientation, or political opinion without their explicit agreement.

11. DEALING WITH DIFFICULT CASES

In the circumstance where the student has been or is currently in bad standing with the college such as disciplinary or safeguarding issues, care should be taken in any reference provided.

Referees should avoid explicitly mentioning the issue unless their view is that it is directly relevant to the job or course that the student is applying for. If the prospective job or course entails significant levels of responsibility and personal integrity, it may be necessary to disclose it under the lawful basis of public interest.

Where the circumstances outlined above apply, staff must consult with the Data Protection Team at DPO@ncgrp.co.uk, prior to providing or refusing a reference.

12. DATA PROTECTION

NCG owes a duty of confidentiality in respect of personal information which it holds about its students and has a duty under the UK GDPR and Data Protection Act (2018) to process data fairly and lawfully.

Should members of staff be in any doubt as to whether they are authorised to provide a reference, they should consult with the Data Protection Officer at DPO@ncgrp.co.uk to obtain the correct advice before taking any further action.

Referees should ensure that they **do not** supply any Special Category data without the written permission from the student. UK GDPR and the Data Protection Act (2018) defines Special Category data as personal data which reveals information relating to race, ethnic origin, politics, religion, trade union

membership, genetic data, biometric data (where used for ID purposes), health and sexual orientation.

13. STATEMENT ON IMPLEMENTATION

Upon approval, this procedure will be uploaded to the policy portal and communicated to staff via The Executive Update. This procedure will also be cascaded to all staff by Principals.

14. STATEMENT ON CONSULTATION

This procedure has been reviewed in consultation with the Policy Review Council prior to being approved by Executive Board.

VERSION CONTROL				
Version No.	Documentation Section/Page No.	Description of Change and Rationale	Author/Reviewer	Date Revised
1	New policy	N//A	NCG Data Protection Officer	March 2019
2	Refreshed version	Transferred to new template	Director Assurance & Risk	April 2024

APPENDIX A

REFERENCE FORM FOR A CURRENT STUDENT

Private and Confidential

For the attention of: [Insert name of individual from organisation requesting the reference]

Date:

To Whom It May Concern:

<p>Name of Student:</p> <p>Student's DOB:</p> <p>I can confirm without prejudice, that the above student is attending the following course/s at [Insert College]. Details of the course/s are as follows:</p> <p>Start date:</p> <p>Expected End date:</p> <p>Course/s:</p> <p>Full-time/part-time (delete as applicable)</p> <p>Attendance (%):</p> <p>Confirmation and/or forecast of examination results (if applicable):</p>

Name of Referee:

Signature:

Whilst pleased to provide this reference, it is given on the understanding that this is done in good faith and without legal responsibility and with the exclusion of legal liability on the part of, and in respect of, the author and [Insert College]

**APPENDIX B
REFERENCE FORM FOR A FORMER STUDENT**

Private and Confidential

For the attention of: [Insert name of individual from organisation requesting the reference]

Date:

To Whom It May Concern:

<p>Reference as requested for: [Name of Former Student]</p> <p>Student DOB:</p> <p>I can confirm without prejudice, that the above student attended the following course/s at [Insert College].</p> <p>Details of the course/s are as follows:</p> <p>Start date:</p> <p>End date:</p> <p>Course/s:</p> <p>Full-time/part-time (delete as applicable)</p> <p>Attendance (%):</p> <p>Confirmation of examination results (if applicable):</p>

Name of Referee:

Signature:

Whilst pleased to provide this reference, it is given on the understanding that this is done in good faith and without legal responsibility and with the exclusion of legal liability on the part of, and in respect of, the author and [Insert College]