

Employment history and reference checks standard

June 2024

About us

NHS Employers is the employers' organisation for the NHS in England. We support workforce leaders and represent employers to develop a sustainable workforce and be the best employers they can be. We also manage the relationships with NHS trade unions on behalf of the Secretary of State for Health and Social Care.

There are six employment check standards that employers must undertake as part of their recruitment processes.

Read the background information about the purpose of the standards, who they apply to and how to meet compliance. We also recommend viewing our frequently asked questions.

We regularly review and update the standards in line with policy and legislation changes. A summary of updates history can be found at the bottom of this page.

This standard outlines the requirements for seeking references to verify a candidate's employment and/or training history.

Introduction

1.1 What is an employment history and reference check?

1.1.1 An employment history and reference check is the process to verify information provided by an individual as part of their application. It provides employers with a better picture of the individual's previous employment, training and/or other activities undertaken out in the community, such as volunteer work, which can help confirm a recruitment decision.

1.2 Importance of an employment history and reference check

1.2.1 While there is no legal requirement for employing organisations to provide references about people who are or were in their employment, employers have a duty of care to both patients and staff to ensure that all reasonable checks are undertaken to ascertain a person's suitability for the role.

1.2.2 Over the years, data protection law has significantly impacted the type of information employers are likely to agree to provide in response to a reference request. Employers have a duty to ensure that any information they share about workers and former employees is a fair and true reflection of their performance and suitability (for example, does not include personal opinions or views which may be regarded as subjective). This standard outlines the minimum information employers should aim to request or provide as part of a factual employment history and/or other reference request.

1.2.3 To comply with data protection under the General Data Protection Regulation (GDPR) 2018, employers should ensure that all workers are aware that it is the organisation's policy to only provide factual references.

1.2.3 Employers may also want to take the opportunity to clarify what type of information might be shared about individuals as part of a reference, for instance this could be explained to the individual when conducting an exit interview.

Minimum requirements

2.1 When to seek a reference

2.1.1 Factual references should be routinely sought as part of the selection process for all appointments in the NHS.

2.1.2 Reference requests should be made after the interview process has taken place and once a provisional offer of appointment has been made. In certain circumstances it may be deemed reasonable and proportionate to seek references prior to interview, for example, when making senior appointments, such as medical consultants or board members. Applicants must be informed in writing when obtaining references at an earlier stage in the recruitment process.

2.1.3 In all cases, the new employer must seek the individual's permission before obtaining a reference from their current employer, as they may not have informed them of their intentions to leave the organisation.

2.1.4 References should never be used as the sole grounds for assessing an individual's suitability for a post. Decisions to appoint should be made based on the wider range of information gathered as part of the recruitment process. This may include interviews, psychometric tests or other forms of selection assessments that may be relevant and proportionate to the role being appointed to.

2.2 How to seek a reference

2.2.1 Employment and/or training history should be obtained in writing (either via hardcopy, email, or fax). Emailed confirmation

from employers/charity bodies or training institutions should be sent from a recognised email address.

2.2.2 All references must include the referee's name, job title and a main landline number, so you can be assured that both the referee and the organisation are bona fide.

2.2.3 Using a standardised reference request template can help referees to identify what information they need to provide more easily. This can significantly reduce the time it takes them to provide a response and speeds up the new employers' ability to appoint. It can also help ensure a level of consistency of information provided about each applicant, and in ensuring information is relevant, factual, and justifiable in all cases.

2.2.4 Employers must also make sure that any questions posed about an individual's health or disability are in line with the provisions outlined in the Equality Act 2010, see further information in the [work health assessments standard](#). There are several template documents provided which are intended to help employers avoid any challenge of discrimination in this regard. These can be found in section 7 of this standard (**Other resources**) under 'Templates'.

2.2.5 Employers may set up the reference interface provided by their preferred recruitment software, such as NHS Jobs, TRAC or electronic staff record (ESR), to reflect the suggested templates.

2.2.6 For board member appointments, NHS England has issued a standard reference template that employers are required to use after a provisional offer of employment has been made. Refer to [section 2.7](#) on senior appointments for additional guidance.

2.3 Information to be sought

2.3.1 The NHS application form should require individuals to outline their full employment and/or training history. It should also

require them to explain any gaps between periods of employment and training. Any unexplained gaps or discrepancies in employment or training history should be explored during the interview process.

2.3.2 Clause 2.3.1 does not apply to those undertaking voluntary roles, due to a change in legislation (January 2024) which removed the statutory requirement for obtaining a full employment history in respect of volunteer workers. However, employers can still request a full employment history from volunteers should they deem it appropriate to. See the supporting guidance for further detail. The legislation amendment does not apply to reference checks and so references should still be sought, as outlined in this standard.

2.3.3 For new appointments from outside of the NHS, employers should seek the necessary references to validate a period of three consecutive years* of employment and/or training immediately prior to the application being made. The number and type of references obtained for each applicant may vary, depending on whether the individual has held employment or has studied for a consecutive period of three years and/or how many episodes of employment or training they may have had during this time. See section 3 for more information on the other types of references that may be required under specific circumstances. *Please note there are different validation requirements for board member appointments, see section 2.7.

2.3.4 References should aim to provide details of:

- where the individual has been employed/volunteered, or has studied
- the dates of employment/volunteering, or duration of study
- the position held or, course undertaken
- any recent or ongoing disciplinary action or referrals

- the reasons for leaving employment, training or study (where this is known).

2.3.5 Additional guidance is provided in [section 2.8](#), if, for any reason, it is not possible to validate a consecutive period of three years employment and/or training.

2.3.6 For board member appointments, NHS England has issued a standard reference template that employers are required to use. Additional guidance is provided in [section 2.7](#) on senior appointments.

2.4 Moving from one NHS organisation to another

2.4.1 If an individual is moving from another NHS organisation, employers must, as a minimum, seek to obtain a reference from the individual's current or last NHS employer. Employers may decide to obtain additional references covering a longer period where this is relevant and likely to add value in confirming their recruitment decision. There is an element of discretion here for employers to do this should they choose.

2.5 Existing staff changing roles internally

2.5.1 If the individual is changing roles internally within the same organisation or is working in the organisation's internal staff bank, all effort should be made to minimise risk. The recruiting manager should contact the human resources department to verify that all details recorded about the individual on the electronic staff record (ESR) / or other personnel management system are up to date, and that there is no relevant information on their personnel record

that may need to be considered against their suitability for the new role. Additional information may be sought through their current line manager, where this is regarded as necessary to confirm the recruitment decision.

2.6 Doctors in training

2.6.1 Doctors on rotational training programmes are regarded as being in continuous employment for their full period of training. Employers should use their discretion when deciding the frequency and number of references required when seeking ongoing assurances about a doctor's conduct. Employers may find it useful to obtain information from the most recent Record of In-training Assessment (RITA) or Annual Review of Competence Progression (ARCP). Obtaining additional references should be proportionate to risk.

2.7 Senior appointments

2.7.1 Under the fit and proper person requirement (FPPR) available on the [CQC website](#), organisations must be able to demonstrate that the necessary pre-employment checks have been undertaken on all staff in senior level positions.

2.7.2 The [NHS England fit and proper person test framework](#) (the FPPT framework), launched in August 2023 in response to [The Kark review](#), sets out what is specifically required of organisations to confirm that an individual in a board member position is fit and proper, including the provision and uptake of references.

2.7.3 Under the FPPT framework, organisations are required to complete and retain a [board member reference \(standardised template issued by NHS England\)](#) when an individual leaves a board member role whether or not it has been requested by a new organisation. It is expected that a future update to ESR will

enable the reference to be retained in the system but until such time it should be retained in a relevant personnel management system. Further guidance about providing a board member reference under the requirements of the FPPT framework is available on the [NHS England website](#).

2.7.4 When appointing to a board member position, under the FPPT framework you are required to seek references to validate a period of six consecutive years of employment immediately prior to the application being made. Organisations must use the [standard board member reference template](#) issued by [NHS England](#). Further scenario-based guidance about obtaining board member references under the requirements of the FPPT framework is available on the [NHS England website](#).

2.7.5 In addition, for all senior level appointment the NHS Standard for employment history and reference checks recommends carrying out a free online check against the Companies House register and the Charity Commission's register of removed trustees. These checks can be used to provide assurances that individuals have not been disqualified and/or are not subject to restrictions which would prevent them from being considered for a director level position.

2.7.6 You may also wish to carry out a finance check when considering senior appointments. It is important to note that interpreting the implications of financial information will require a far greater degree of judgment than the checks outlined in the NHS Employment check standards. We would therefore recommend that any such checks are managed under the organisation's local security policy. Further information on finance checks can be found in the employment history and reference checks FAQ section on the [NHS Employers website](#).

2.7.7 For more information about the requirements of the FPPT framework additional guidance is available on the [NHS England website](#).

2.8 Agency workers

2.8.1 Individuals working with an agency may experience frequent role moves/placements. In such cases, employers will need to make a judgement call as to whether taking up references from all the organisations the candidate may have worked with within the last three years, is relevant and proportionate to the role being applied for. It may be advisable that employers seek a reference from the agency, as opposed to each and every placement the candidate may have held.

2.9 What to do if an employer reference is unobtainable

2.9.1 There may be a number of reasons as to why an individual cannot provide you with a referee from a previous employer. For example, this may be because the individual has never worked before, or they have not worked for some considerable time, or their previous employer has ceased trading. In such cases, we would recommend that you seek a reference from their last known employer and source additional character or personal references to validate the required three-year period.

2.9.2 If the individual's previous employer refuses to provide a reference, you may seek the necessary assurances by obtaining a character or personal reference. Where limited references are available, the decision to appoint must be based on what the individual can reasonably provide to support their application.

2.10 Negative references

2.10.1 Where negative issues are included in a reference, information should be carefully considered and weighed up

against the wider range of evidence gathered as part of the recruitment process.

2.10.2 It's important to note that an individual's circumstances may change over time and no assumptions should be made about the individual's suitability for another role in a different setting.

2.10.3 Employers should aim to investigate negative information by sensitively raising it with the individual concerned, giving them opportunity to explain the situation in more detail and/or, where appropriate, give them chance to outline any learning from past mistakes or experiences to obtain the necessary assurances about their suitability for a role.

2.10.4 Where, necessary, employers may wish to seek additional references, as outlined in [section 3](#), to help validate their decision to appoint.

Other types of reference

3.1 Character/personal references

3.1.1 Character and personal references can provide invaluable information to help build up a picture of the individual's reliability, social skills, and experiences. They may also be useful to further support an application if the individual has a previous criminal record history or where they genuinely cannot provide a previous employer reference, for example, because their previous employer has ceased trading. They can also provide additional information to support an individual's application where the employer reference outlines that the individual has left because of an irretrievable breakdown in relationships.

3.1.2 Asking specific questions will be helpful in ensuring the referee provides you with accurate and factual information. These questions could include how long they have known the applicant, in what capacity they have known them, and what skills/experience the individual has demonstrated that might be regarded as valuable attributes for the position they are applying for.

3.1.3 Character and personal references should be sought from personal acquaintances who are not related to the individual, and who do not hold any financial arrangements with the individual. Personal acquaintances may include professors, academic advisors, or someone of some standing in the individual's community. Further guidance about persons of some standing in the community can be found on the [gov.uk website](https://www.gov.uk).

3.1.4 If an employee of your organisation is approached to give a character or personal reference, it is advisable for them to clarify that the information they are providing is based on their

relationship with the applicant in a personal capacity. Such references are not required to be presented on headed paper or with the organisation's stamp.

3.2 Volunteer activity reference

3.2.1 Where the individual has indicated that they have undertaken volunteer work, references may be sought through the relevant charity body or organisation hosting that activity.

3.3 Training history reference

3.3.1 If the individual has indicated that they have left or are leaving full-time education, references to validate their training history should be sought from the individual's professor, academic tutor or head teacher using [template 4](#) as an example.

3.4 Self-employment reference

3.4.1 For periods of self-employment, references should be sought to confirm that the individual's business was properly conducted. This may include seeking information from customers or clients, bankers, accountants, HM Revenue and Customs, or Companies House.

3.5 Overseas references

3.5.1 As part of the application process, individuals should be required to give a reasonable account of any significant periods of time spent overseas. A significant period is defined as a continuous period of six months or more spent overseas.

3.5.2 If the individual has declared that they have been employed (including volunteering activities or time served in the armed forces), or have trained overseas, every effort should be made to seek adequate references from the relevant body as early in the recruitment process as possible to prevent any unnecessary delays in making the appointment.

3.5.3 In some European countries, employees are provided with a government-issued labour book which contains information about their employment history. If an individual presents a labour book, employers can accept the information detailed within this document instead of seeking a separate reference directly from their employer.

3.5.4 Confirmation of dates should be cross-referenced with documentary evidence provided by the individual such as a passport, work permit or other documentary evidence confirming their travel and immigration status.

3.5.5 Every effort should be made to ensure that documents presented by individuals are verified as bona fide through the relevant issuing body. Where this is not possible, these may be verified through the country's relevant UK embassy or consulates. Further information can be found on the [Foreign, Commonwealth and Development Office website](#) or by telephoning 020 7008 1500.

3.5.6 If an individual is unable to provide sufficient documentary evidence of time spent abroad, employers will need to consider what additional assurances may be gained at interview, or through evidence of other relevant training and experience in the UK. Where the necessary checks cannot be undertaken, or sufficient assurances are not available, it may not be possible to employ the individual. Employers will need to have policies in place to manage any withdrawal of an offer of employment.

3.5.7 Employers are advised to allow extra time in their recruitment process when requesting references from overseas

as they may need to be translated.

3.6 Armed forces references

3.6.1 Individuals from the armed forces should possess a Certificate of Service under cover of an official letter. Where the individual can present this, employers may accept this instead of needing to request a separate factual reference.

3.6.2 Certificates of service contain security marks such as holograms and therefore employers should verify these in the same way as any other official documentation.

Retaining and recording information

4.1.1 Information relating to an employee's appointment must be recorded on the electronic staff record (ESR) or another relevant personnel management system in line with current data protection law.

4.1.2 Any information gathered must be retained for the minimum periods outlined within the codes of practice for handling information in health and social care which can be found on the [NHS England website](#).

4.1.3 There are many reasons why a reference may be labelled as confidential, e.g. it may contain details of disciplinary action, misconduct, or safeguarding concerns. If a reference is marked as confidential, data protection law creates an exemption enabling both the employer who issued it and the employer receiving it not to share a copy of the reference with the applicant.

Discrepancy in information provided

5.1.1 From time to time the information provided in a reference may contradict the information provided by an individual in their application. There may be a reasonable explanation for apparent discrepancies and employers should proceed sensitively to seek the necessary assurances directly with the individual.

5.1.2 In exceptional circumstances where there is serious misdirection, employers may feel it appropriate to report their concerns to the NHS Counter Fraud Authority. Employers can:

- call the NHS Fraud and Corruption Reporting Line on (freephone) 0800 028 40 60 (lines are open 8am–5pm Monday to Friday)
- fill in the online reporting form on the [NHS Counter Fraud Authority website](#)
- ask their organisation's local counter fraud specialist (LCFS) for advice. Each organisation should have a nominated LCFS.

Responding to requests for information

6.1.1 Requests for employment history should be dealt with by the human resources department or other relevant personnel function. This is to remove the risk of an individual directing the new employer to someone who may provide inaccurate or fraudulent information.

6.1.2 Should additional information be required to verify skills and experience (due to the nature of the job being applied for) this should be indicated on the reference request and the human resources department should refer this to the right person in the organisation who can provide this information.

6.1.3 It is recommended that employers provide information about their policy on providing references on their main website and intranet. This should set out who can provide references, in what circumstances, and the type of information that will be provided.

6.1.4 Setting up a dedicated email address for incoming reference requests will be helpful to avoid any unnecessary delays in managing and responding to reference requests which may otherwise be misdirected to line managers.

6.1.5 Any local policy should be well communicated to all workers so that they understand what information will be shared about them, and who they can nominate as a referee when they apply for a job.

Other resources

Templates

Four reference templates which outline the minimum data set that should be sought or provided in response to reference requests accompany the standard:

- Template one: confirmation of employment (with absence request). To be used after a conditional offer has been made.
- Template two: confirmation of employment (without absence request). To be used where requesting information prior to a conditional offer being made.
- Template three: personal statement template.
- Template four: confirmation of training request template.

Please note that NHS Employers does not hold any information about individuals who are working or have worked in the NHS. All reference requests should be sent to the HR or personnel department at the relevant NHS organisation directly. Reference requests sent to employmentchecks@nhsemployers.org will not receive a response.

Further guidance and links

- See the list of recognised persons of some standing in the community who may be asked to provide a personal or character reference, if a candidate is genuinely unable to provide you with the necessary employment and/or training for the prescribed three year period.
- Access further information about meeting the fit and proper person requirements for director level positions.

Summary of updates

View updates

June 2024

- New paragraph (2.8) to outline guidance on references for agency workers.

January 2024

- Addition of new guidance (para 2.3.2) regarding the removal of the statutory requirement to obtain a full employment history for volunteers.

August 2023

- Addition to sections 2.2.6, 2.3.2, 2.3.5 and 2.7 - new information relating to senior appointments based on [NHS England's fit and proper person test framework](#), launched in August 2023 in response to [The Kark review](#).

April 2023

- Addition to **Section 4: Retaining and recording information** - addition of paragraph containing information about confidential references.
- Standard reformatted to make it easier to refer to. Wording changed to make requirements clearer. Links updated throughout.

March 2022

- Standard reformatted to make it easier to refer to. Wording changed to make requirements clearer. Links updated throughout.

- Section 'how to seek a reference' moved to earlier in the document.
- Reference templates made into separate, editable documents.

April 2019

- Pages 3 - 4: clarified guidance outlining how employers can use the most recent reference to NHS to NHS moves, rather than gaining employment history for the past three years.
- Page 9: a new section on armed forced references and using certificate of service as a potential reference.
- Page 9: updated section to highlight how employers should report any serious concerns on discrepancies in information provided to the NHS Counter Fraud Authority.



NHS Employers
2 Brewery Wharf
Kendall Street
Leeds
LS10 1JR

0113 306 3000
www.nhsemployers.org
@NHSEmployers