

# BPP University – University Policies and Procedures

## Student Reference Policy



<b>Scope</b>	Students/Staff/External Agencies
<b>Approved Date</b>	July 2024
<b>Approving Authority</b>	Education and Standards Committee
<b>Date Effective</b>	September 2024
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<b>Document Owner</b>	Proctor's Office
<b>Purpose</b>	Outlines the University's policy, procedure, and position on the issuing of student references.

### *Regulatory Mapping*

<b>BPP University General Academic Regulations</b>
Section C: Registration, Engagement, Progress, and Conduct

**BPP University**  
**University Policies and Procedures**  
**Student Reference Policy**

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**1. Introduction**

- 1.1. The Student Reference Policy outlines the circumstances under which the University will provide references for students, the information that they can provide in those references, and the limitations with respect to providing and/or the content of those references.
- 1.2. Student references are provided under the auspices of the General Academic Regulations (GARs) Section C, Registration, Engagement, Progress, and Conduct.
- 1.3. It is the University’s policy that it will provide references with respect to its current or past students, and that these references will conform to the guidelines outlined in this policy. Where a form of reference is not specified in this policy, the University will not be able to provide this.

**2. Key Principles**

- 2.1. The member of staff writing the reference has a responsibility and duty of care to the student they are writing the reference for. The reference should be true and accurate but must not give an overall unfair impression.
- 2.2. References that are inaccurate may result in a claim from the student that the staff referee has been negligent, and has failed to fulfil their duty of care to the student. A student does not need to demonstrate an actual loss as a result of an

inaccurate reference, but rather a loss of a reasonable chance at obtaining employment/a voluntary position/a place to study at an institution.

- 2.3. Statements in references that could disparage the student's reputation could also give rise to a claim from the student that this has been damaging to them, and should therefore not be included. From a moral and professional point of view, in addition to a duty of care to the student, such statements should be strictly avoided.
- 2.4. References should not in any circumstances discriminate against the student, and significant care should be taken when making comment on performance, attendance, or sickness, where there is a risk that such comments may be discriminatory.
- 2.5. A duty of care is also important for the recipient of the reference, who may be able to bring a case of negligence against the author or the University where the reference has been relied upon and causes loss or damage to them as a result of the information provided being inaccurate or misleading.
- 2.6. There is usually no legal obligation to provide a reference for a student. If a member of staff has a concern about writing a reference for a current or past student, advice should be taken from the Proctor's Office in the first instance. This is especially relevant if you believe you cannot attest to support the student through a reference. Before accepting or declining a reference, staff with concerns must address those with the Proctor's Office, who may seek advice from the BPP Legal Team.

### **3. Policy and Procedure for Student Referencing**

- 3.1. There are two particular areas a reference should seek to achieve:
  - a) Confirming the accuracy of information a student has made in an application, and those statements must be provided to you in order to focus on this in the reference.
  - b) Give support for the student's suitability for the employment post/programme/position.
- 3.2. The University, or any entity of the BPP Education Group, should only be associated with the reference if you are writing in your capacity as a BPP

employee, commenting on that student's suitability. If you write a reference in a personal capacity, you must make it clear that you are providing the reference on that basis and not the University, or BPP Education Group.

3.3. The following information should be/is normally included in the reference, but please ensure that you only provide the information required by the individual requesting the reference. Please also note that where you have concern about the detail or subjectivity of the information being requested, please consult with the Proctor's Office on the suitability of providing this information:

- How long you have known the student, and in what capacity?
- Only factual information about the student should be included, and if you cannot verify or substantiate those facts, you must not include this in the reference.
- If an opinion on the student's abilities or potential is required, the referee must be qualified to give this opinion, and the reasoning for providing that opinion must be included. It should be based on objective evidence and information.
- Where the student is not known to the referee, care should be taken to provide an objective overview of the information available to you with respect to the student.
- Where there are questions about the honesty or integrity of a student opinion or subjective information should not be included here. A clear statement of "I know nothing which would lead me to question X's honesty" is sufficient. Where you have concern about the honesty or integrity of the student, you should seek advice on the appropriacy of giving the reference from the Proctor's Office.
- A disclaimer should be provided at the end of the reference as follows, although it must be emphasised that this disclaimer does not negate the duty of care to be exercised when issuing a student reference:

*"This reference is strictly confidential, and relates specifically to, and should only be used in relation to [Name of Student]. This reference is given in confidence and good faith, but no responsibility can be accepted for any errors, omissions, or inaccuracies in the information provided, or for any loss of damage that may result from reliance being placed upon it."*

The reference should be marked as Confidential, and where it is a reference made in BPP's name, a file should be held on the relevant School file and retained in line with the limit on retention of data by BPP. All student references are considered as confidential and should be issued as such.

- 3.4. Where a member of staff is challenged on the content of a student reference, the member of staff should consult the Proctor Office for advice and guidance, who where appropriate will consult the BPP Legal Team, and not be drawn into a discussion about it with the student or associated parties.

#### **4. Rules on Suspected and Actual Student Reference Fraud**

- 4.1. Where the University has concerns that a student may have forged a reference in the University's name, the student will be investigated under the terms of the Student Conduct Policy.
- 4.2. It is an offence under the Student Conduct Policy to engage in fraud, and students who have been found to do so (including fraudulent references) will be sanctioned under the terms of the Student Conduct Policy, and the University will also be duty bound to inform the individual(s) or organization(s) the reference has been provided to, that the reference is a product of fraud.
- 4.3. Where the University, or any BPP entity's name is used in a fraudulent way by students, BPP Education Group and any of its associated entities will refer the case to its Legal Team for consideration of legal action in addition to any action taken under the terms of the Student Conduct Policy.

#### **5. Rules on Data Protection and Confidentiality in Student Referencing**

- 5.1. Student references must be compliant with GDPR legislation, and the legal basis for processing personal data on the student are in the legitimate interests of the third party recipient of the student reference.
- 5.2. Sensitive details regarding the student should not be included in the reference such as special category data (e.g., information about the student's ethnic origins, politics, religion, trade union membership, genetics, biometrics, health, sex life or sexual orientation), nor should they be required for a student reference. If such information is required, then staff must consult with the BPP Legal Team

on this request for advice and guidance. There may for example be reasons why such special category data may be required (e.g., a student's lower than expected examination grades may have been due to health issues). In such a situation, you must consult with the Proctor's Office on the student reference required.

- 5.3. References should not include information about a student's criminal convictions and offences, and comment should not be made on these in a student reference, even if requested by the reference request. Where criminal convictions are being requested, advisement must be taken from the Proctor's Office as to the reasons for this and whether it is permissible.
- 5.4. Disciplinary action (academic, research and scholarly, or non-academic) taken by the University should not be mentioned, unless they are substantiated and upheld, and advisement must be taken from the Proctor's Office on whether these matters require to be disclosed.
- 5.5. Telephone or verbal references should be declined, unless there are exceptional circumstances, and should a request for a telephone or verbal reference be sought, you must consult the Proctor's Office on this matter. Telephone or verbal references have the potential to be misconstrued, and therefore written verified references should be issued instead. If a telephone or verbal reference is permitted to proceed, the member of staff making the reference must hold in mind that any statement they make should be a statement they would be willing to make in writing.

## Policy Revision History

<b>Version Number</b>	<b>Description</b>	<b>Author</b>	<b>Reviewed by</b>	<b>Date</b>
1.0	New Policy introduced.	Director of Academic Governance & Proctor	Dean of Academic Quality & Policy	July 2024