

**ACADEMIC GUIDANCE 7:**

**THE PROVISION OF ACADEMIC REFERENCES FOR  
STUDENTS**

**2011-2012**

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# GUIDELINES FOR STAFF ON THE PROVISION OF ACADEMIC REFERENCES FOR STUDENTS

These guidelines have been drawn up in discussion with the University's Data Protection Officer and approved by the Academic Directorate (September 2006).

## Background

- 1 The guidelines on student references need to take account of the University's duty of care to any employer or other body requesting a reference and our obligation to provide accurate and fair information about students. The main issues are:
  - references can be the subject of actions for negligence and defamation. Students can claim negligence by a member of staff if they lose a reasonable chance of employment or admission to a further course of study owing to inaccurate or inappropriate information in a reference
  - the duty of care also relates to those requesting the reference if a material fact was not disclosed
  - although the terms of Data Protection Act 1998 cover references, the sender is not obliged to disclose the content. However, the person receiving the reference may decide to disclose and so references, especially negative ones, should normally be shared with the student.

## Purposes of providing a reference

- 2 The University can be asked to provide references for students:
  - to verify facts
  - to provide an opinion on their suitability for admission to a programme of study, to take up employment, to be admitted to a professional body.
- 3 In the case of the former, staff should:
  - take care to ensure that data is accurate
  - provide only data requested unless there is a significant and serious matter that should be disclosed for the safety and security of the person or persons requesting the reference. However, such disclosure should be exceptional and handled with care.
- 3 In the case of the latter, staff should be clear that any statement can be substantiated on reasonable grounds. For example, if students have been penalised for late submission of work on a number of occasions and an opinion is sought on their ability to meet deadlines, a negative opinion can be made with good reason.

## Guidelines

- 4 No reference that requires an opinion should be provided after 18 months from the date of graduation or termination of registration unless it is for exceptional reason such as postgraduate research grant applications or to meet statutory or professional body requirements.

- 5 Telephone references should be avoided, if possible. If it is given, a contemporaneous note must be made of what was said and retained on file.
- 6 References should normally be disclosed to the student. However, if this is not deemed to be appropriate, they should be marked “private and confidential” and “for the benefit of the addressee only”
- 7 All references should carry the following disclaimer:  
*“The University accepts no liability, in negligence or otherwise, for the statements or information contained in this reference although they are provided in good faith”*
- 8 This will not necessarily prevent a challenge in court, but might reduce the number of nuisance claims. If a reference is challenged, staff must not admit liability, but refer the matter immediately to the University Secretary.
- 9 A copy of any reference should be kept on the student file (and only on the student file) until the file is destroyed in a safe and confidential manner. This will be done six years later which is after the statutory time limit for any claim for negligence.
- 10 Information concerning misconduct where the penalty has been paid should not normally be provided unless it is a factual response to a direct question. For example, if plagiarism resulted in a discounted mark for a module and a reference request specifically asks the reason for the result, a simple factual statement indicating that this was a penalty for admitted plagiarism in a piece of coursework is sufficient.
- 11 Students should be informed of the University’s policy on providing references by referring them to [Student Space](#).

***Last updated: September 2006***