

Reference checking

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As an employer, we rely heavily on the information we collect about the employees we hire, and also place into the practices and organisations of our clients. It's frustrating that employers feel they are not able to speak freely, but I am also acutely aware the impact false and incorrect information passed from one employer to the next, hence making candidates wary of providing what we need.

In large organisations reference checking is usually referred to the HR department or outsourced to a third party. Not the case with small business. With an increasingly litigious workforce, managers and business owners need to consider the legal issues surrounding references, prior to giving, and conducting references on previous and potential employees.

It has been reported that up to 30% of resumes contain inaccurate information, or have at least distorted the truth in some way. This usually relates to previous positions, and education that has been undertaken.

Checking references and qualifications remains one of the most widely used selection methods, probably number two after interviews.

First thing to remember is that reference checking is one element of the overall selection process. This means that it has to be placed in the context of other information collected from other avenues, such as face-to-face interviews or various types of tests.

What to be wary of:

Checking a reference may alert to certain problems but rarely will you get the full picture. Previous employers are usually happy to recommend good employees, but understandably cautious regarding problem ones.

Before you check a reference:

Firstly, you need permission from the candidate before you collect any personal information about them. You can easily download a form from the internet designed for this very purpose. Once you have signed consent, legally, you have your bases covered.

Secondly, you should not contact any individual not listed on the candidate's referee list. What do you do if you're not satisfied with the list of referees? It's simple. Ask or nominate who you wish to speak to. If they say no, then that will give you the opportunity to ask why. If there is a valid reason, an honest candidate will be up front. It is highly likely that any individual, will at some point in their career, will leave a position under unfavourable circumstances and should not be disadvantaged by this.

We regularly have situations where we receive conflicting information from referees in the same practice or organisation, are given false information

about a candidate which is unfair, and favourable references where the candidate's underperformed. So how do you find out the truth?

Difference between fact and opinion:

In most cases, defamation occurs when opinions are passed which reflect poorly on the individual. If you're conducting pre-employment checks, you need to be able to tell the difference between a fact and an opinion, and assess accordingly.

A fact is something that can be recorded, which the candidate has seen or been made aware of while under their/your employ. If you performance manage your employee effectively, you will have notes to support these facts. Punctuality, attendance, presentation, communication, and performance benchmarks are things that you can comment on that are not necessarily your opinion.

Strengths, weaknesses, team work and personal relationships with co-workers can be examples of opinions. Having no insight into the work practices undertaken at the practice or organisation leaves you open to making comparisons against your work practices. You should never assume anything about someone who is giving a reference.

If you have been nominated as a referee, the candidate trusts that you will give any future employer an accurate account of their performance, so stick to the facts. Ultimately, if the reference is negative, and they miss out on the position due to that reference, the candidate must be advised.

What is no reference check policy?

If you find yourself stonewalled when conducting a reference check, don't assume that you've misjudged the candidate. Many businesses adhere to a no reference check policy to avoid possible legal pitfalls attached to giving reference including defamation, misrepresentation or an invasion of privacy.

Conclusion:

While references provide valuable information when it comes to assessing a candidate's suitability, there is a fine line between providing too much or not enough information about a candidate's skills, previous experience and their ability to do the job. ♦

