

Job references

When an employer must give a reference

An employer does not have to give a reference by law unless it's:

- in writing that the employer will provide one – for example, in an employment contract
- for certain financial services jobs regulated by the Financial Conduct Authority (FCA) or Prudential Regulation Authority (PRA) – usually for jobs known as 'controlled functions' (you can find out more about [controlled functions on the FCA website](#))
- agreed in some other circumstances – for example, as part of a settlement agreement

If an employer has a reference policy this can restrict:

- how much they include in a reference
- who can give a reference on the employer's behalf

When to ask for a reference

It's best to ask for a reference at the final stage of the recruitment process when making a job offer. Employers might do this at the same time as other checks, for example DBS or health checks.

Before approaching a job applicant's current employer for a reference, the recruiting employer should have:

- made a conditional job offer to the applicant
- permission from the applicant to request references
- made it clear at the job application stage whether they need a work or character reference

If an employer asks for a reference before making a job offer, it can make things difficult for the applicant.

For example, the applicant's current employer might find out they're applying for other jobs. The applicant might then be overlooked for promotion or lose their job as a result.