

Effective Date: 16 December 2020

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## POLICY

1. A reference for a current or former Department employee or volunteer may only be provided in accordance with Procedures to this Policy established by the Chief Constable.
2. Any employee providing a reference must:
  - a) not knowingly provide false or misleading information, whether favourable or unfavourable;
  - b) seek to ensure that they only provide objective, honest and fact based information;
  - c) in the case of a professional reference, only provide information attributable to identifiable documented information in the possession of the Department or known through public records;
  - d) provide a reference that is complete, meaning that both favourable and unfavourable information must be disclosed, if known.
3. An employee providing a professional reference must advise that any current or former police officer, or any employee who holds or held 'special municipal constable' status, may have a *Police Act* 'service record of discipline', but that information about such a record can only be obtained from the Department's Professional Standards Section.
4. Information in a *Police Act* 'service record of discipline' may only be disclosed in accordance with the *Police Act*, and through the Chief Constable or the Professional Standards Inspector.

## REASON FOR POLICY

5. The accuracy and completeness of references is essential, as the Department or the individual providing an employment reference may be held liable for

defamation, lost opportunity or negligent misrepresentation, if a reference is incomplete, inaccurate or misleading.

## RELATED POLICY

AB70 – Employee Files & Interviews  
AE19 - Correspondence

## DEFINITIONS

6. In this Policy and the Procedures:

**“professional reference”** means information provided, for the benefit of a prospective employer or other organization, about a current or former Department employee or volunteer, regarding the nature of their work and their Department specific work-related knowledge, skills, abilities, performance, attendance, and/or working relationships with supervisors, subordinates and peers.

**“personal reference”** means information provided, for the benefit of a prospective employer or other organization, about a current or former Department employee or volunteer, based exclusively on knowledge or impression of the individual obtained or formed from interactions entirely outside of the workplace and not based on knowledge or impressions obtained or formed in the workplace;

## PROCEDURES

7. A professional reference for a current or former Department employee or volunteer may be provided only if presented with written consent from the individual the reference is about, dated and specifying who the reference may be provided to, and only by the following position holders:
  - a) a current or immediate past supervisor;
  - b) a current or immediate past higher ranking officer in the employee’s chain of command; or
  - c) the Chief Constable, Deputy Chief Constable, Superintendent Administration Bureau or Inspector Human Resources Section.
8. An authorized position holder providing a professional reference must retain a

copy of the written consent to do so, for a period of not less than two years, or may submit the same to the Human Resources Section and then delete their copy.

9. The Inspector i/c Human Resources Section, shall ensure that all submitted consents, written references, and notes of verbal references be retained for two years.

### **Written References**

10. Written professional references on Department letterhead may only be provided if:
  - a) approved by the Superintendent, Administration Bureau, Deputy Chief Constable or Chief Constable;
  - b) a copy is filed in the personnel file of the employee who is the subject of the reference; and
  - c) the letter is given to the current or former employee or volunteer, and not directly to another potential employer, organization or other person.
11. A supervisor who provides a written professional reference, by email or otherwise not on Department letterhead, must retain a copy of what was sent, for a period of not less than two years, or submit the same to the Human Resources Section and may then delete their copy.

### **Verbal References**

12. A supervisor who verbally provides a professional reference must:
  - a) make written notes, detailing the questions asked by the individual to whom the reference was given and the information about the employee provided in response; and
  - b) retain a copy of their notes for a period of not less than two years or submit the same to the Human Resources Section and then delete their copy.

### **Human Resources Section Disclosure**

13. Members assigned to recruiting functions in the Human Resources Section, and other Section staff approved by the Inspector in charge, may:
  - a) only confirm past or present employment or volunteering with Department, as well as current or past ranks and/or positions held, if no written disclosure consent has been received from the individual about whom information is being sought; and

- b) disclose the information about a current or former employee or volunteer, or an applicant who was not hired, as described in a written consent signed by the individual the information is about.

### **Personal References**

- 14. Any employee may provide a personal reference, written or verbal, for a current or past employee or volunteer, but shall not:
  - a) in doing so, provide any information other than his or her knowledge or impression of the employee or volunteer, obtained or formed from interactions entirely outside of their employment with the Department, and not based on knowledge or impressions obtained or formed in the workplace; and
  - b) provide written communications from a Department email address, computer system or device, or using Department letterhead, crest or signature block identifying their Department rank or affiliation.
- 15. Any employee providing a personal reference, written or verbal, for a current or past employee or volunteer, must advise the potential other employer, organization or person that the employee is speaking in his or her private capacity and not as a representative of the Department, and provide the following disclaimer, verbally or written in any correspondence:

*“The opinions I am expressing are my personal opinions and are based on my knowledge of and personal interactions with this person outside of the workplace, and I am not speaking as a representative of the Delta Police Department and not commenting on their performance or anything to do with them in the workplace”.*