



WHISTLEBLOWING POLICY

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1. PURPOSE AND PRINCIPLES

The Ark Smallholding Ltd is committed to an open safeguarding culture in which concerns are welcomed, professional challenge is respected and nobody remains silent because wrongdoing may involve a senior person. Safeguarding is everyone's responsibility. This policy provides a safe route for raising suspected wrongdoing in the public interest and explains how whistleblowing fits alongside safeguarding, allegations, low-level concerns, complaints and employment procedures.

The Ark will take concerns seriously, act promptly, protect confidentiality so far as reasonably possible, prohibit inappropriate retaliation and learn from concerns. A person does not need to prove wrongdoing before raising a concern.

Safeguarding comes first

If a child may be at immediate risk, if serious criminal conduct is suspected, or if there is an immediate threat to life, staff must use the appropriate safeguarding/emergency route immediately. Do not wait for the whistleblowing process to begin or finish. Call 999 in an emergency.

2. WHAT WHISTLEBLOWING IS

Whistleblowing is the disclosure by a worker of information about suspected wrongdoing that they reasonably believe falls within a legally recognised category and is in the public interest. In Great Britain, statutory whistleblowing protection is principally contained in Part IVA of the Employment Rights Act 1996, inserted by the Public Interest Disclosure Act 1998 and subsequently amended.

Examples can include suspected criminal offences, breaches of legal obligations, miscarriages of justice, danger to health and safety, environmental damage, sexual harassment, or deliberate concealment of such wrongdoing. Safeguarding failures may also amount to whistleblowing where the legal criteria are met.

A disclosure may concern something that happened in the past, is happening now, or is reasonably believed likely to happen.

3. WHAT WHISTLEBLOWING IS NOT - CHOOSING THE RIGHT ROUTE

Situation	Primary route	Important point
A concern that a child is being harmed or is at risk	Safeguarding & Child Protection procedure / DSL / Children's Social Care / police as required	Do not delay because it may also be whistleblowing.
An allegation that an adult working with children may have harmed a child, committed a relevant offence, posed a risk of harm, or may be unsuitable to work with children	Allegations procedure / designated senior person / Leeds LADO	Serious staff allegations must not be managed only as ordinary whistleblowing.
A concern about adult conduct below the harm threshold	Low-Level Concerns procedure / Staff Code of Conduct	Record even small concerns; patterns may increase significance.
A personal workplace problem affecting mainly the individual	Grievance procedure	It may still be whistleblowing if there is a genuine public-interest element.
Complaint about The Ark's service, decision or provision	Complaints Policy	Safeguarding elements are routed immediately to safeguarding procedures.
Misconduct requiring management action	Disciplinary procedure	Whistleblowing can be the way the misconduct is first disclosed.
Bullying or harassment experienced personally	Grievance / dignity-at-work process as appropriate	Sexual harassment can itself fall within whistleblowing law from 6 April 2026 where the legal tests are met.
Concern about unlawful handling of personal data	Data Protection Policy / DPO route; ICO where appropriate	May also be whistleblowing where the legal conditions are met.

4. SAFEGUARDING WHISTLEBLOWING

A safeguarding concern may also be a whistleblowing concern. Staff, volunteers and other workers must speak up where they believe, for example, that:

- a safeguarding concern has been ignored, minimised or deliberately delayed;
- a child is at risk or unsafe practice is continuing;
- concerns about a colleague are not being addressed properly or an allegation has not been escalated;
- safeguarding procedures are being bypassed or records are being falsified, altered or concealed;
- inappropriate restraint or restrictive intervention is being used;
- staff conduct falls below safeguarding expectations, including repeated low-level concerns;
- leaders are failing to act on known risks or are discouraging staff from reporting concerns.

Where safeguarding action is required, the safeguarding route takes priority and should happen immediately. Whistleblowing procedures can operate alongside it where appropriate.

5. WHO CAN USE THIS POLICY

The Ark makes this policy available to employees, agency staff, contractors, self-employed workers and volunteers. All may use it to raise safeguarding or organisational concerns safely.

Statutory whistleblowing protection does not apply identically to every person who may use this policy. Employees, workers and certain other legally defined categories may qualify for

protection under the Employment Rights Act 1996. Volunteers and some genuinely self-employed people may fall outside that statutory definition, although The Ark will still treat their concerns seriously and will not tolerate inappropriate retaliation for raising safeguarding or public-interest concerns.

6. INTERNAL REPORTING ROUTES

The person raising the concern should use the most appropriate safe route. They are not required to report to the person they are concerned about.

1. Raise the concern with the Designated Safeguarding Lead (DSL) where it involves safeguarding practice, child welfare or conduct towards children.
2. Raise the concern with the Director/senior leader where it concerns broader organisational wrongdoing or where that person is better placed to act.
3. If the concern involves the usual recipient, raise it with the alternative Director/governance contact identified in the staff handbook or safeguarding contacts sheet.
4. If all internal senior routes are implicated, unsafe, inappropriate or have failed to act, use the relevant external route in section 11.

Concerns may be raised in person, by telephone, by email or in writing. A written record is encouraged because it helps preserve accuracy, but a concern will not be rejected merely because it was raised orally.

7. WHAT INFORMATION TO PROVIDE

Provide what you know. You do not need to investigate or prove the matter. Where possible include the nature of the concern, relevant dates/locations, people involved, how you became aware of it, any immediate risk, any action already taken and any documents or other evidence that can lawfully be preserved. Do not obtain evidence by unlawful means or question children or witnesses in a way that could compromise an investigation.

8. CONFIDENTIAL AND ANONYMOUS CONCERNS

The Ark encourages open or confidential reporting because it usually makes investigation and support easier. If you give your name and request confidentiality, The Ark will take reasonable steps to protect your identity and share it only on a need-to-know basis.

Confidentiality cannot be guaranteed absolutely. Information or identity may need to be shared where necessary to safeguard a child, comply with law, enable a fair disciplinary or safeguarding process, support a police/LADO/Children's Social Care investigation, or respond to court or regulatory requirements. Where lawful and practicable, The Ark will explain this before disclosure.

Anonymous concerns will still be considered. The seriousness of the issue, credibility of the information and ability to corroborate it will be considered. Anonymity may limit follow-up questions, the investigation and the feedback that can be provided.

9. HOW THE ARK WILL RESPOND

1. Acknowledge: normally within 2 working days where contact details are available.
2. Initial triage and risk assessment: normally within 5 working days, and immediately where safeguarding or safety risks require it.
3. Immediate safeguarding action: make or support necessary referrals; take proportionate steps to protect children and preserve evidence.
4. Allocate handling: appoint a person with sufficient authority and no material conflict of interest. An independent person may be used where appropriate.
5. Decide the route: internal review/investigation, safeguarding referral, LADO notification, police referral, Children's Social Care referral, regulatory/commissioning referral, disciplinary process, or a combination.
6. Coordinate with external agencies: The Ark will not begin or continue an internal investigation in a way that could prejudice or compromise a police, LADO or Children's Social Care process.
7. Keep a proportionate record: concern, date, recipient, immediate actions, referrals, decisions and rationale, investigation/referral outcome, feedback, support offered and follow-up.
8. Provide updates: where appropriate, aim to update the person raising the concern at least every 10 working days while The Ark controls the process. External-agency timescales may prevent this.
9. Outcome and learning: document the outcome, corrective action, safeguarding learning, policy/training changes and any ongoing monitoring. Feedback will be provided so far as confidentiality, data protection and legal duties allow.

10. ALLEGATIONS AND LOW-LEVEL CONCERNS ABOUT ADULTS WORKING WITH CHILDREN

10.1 CONCERNS THAT MAY MEET THE HARM THRESHOLD

Where information indicates that a person working or volunteering with children has behaved in a way that has harmed or may have harmed a child; possibly committed a criminal offence against or related to a child; behaved towards a child in a way indicating they may pose a risk of harm; or behaved or may have behaved in a way indicating they may not be suitable to work with children, the matter must be managed under the safeguarding/allegations procedure. The Leeds LADO should be informed in accordance with current Leeds arrangements, normally within one working day of such an allegation coming to the organisation's attention.

Basic fact finding may be undertaken only to clarify what has happened and whether the LADO threshold may be met. The Ark must not conduct a substantive internal investigation before obtaining appropriate safeguarding/LADO advice where doing so could compromise the external process.

10.2 LOW-LEVEL CONCERNS

A low-level concern is not insignificant. It is a concern about an adult's behaviour that does not meet the harm threshold but may be inconsistent with the Staff Code of Conduct, including conduct that causes a sense of unease or concern. Such concerns must be reported through The Ark's Low-Level Concerns arrangements and recorded appropriately. Repeated

or similar concerns must be reviewed together because a pattern may become more significant and may reach the allegation threshold.

11. EXTERNAL REPORTING AND ADVICE

Internal reporting is usually the most direct route, but it is not compulsory where it is unsafe, inappropriate, ineffective, all relevant senior people are implicated, or an external safeguarding/legal route is required. Different concerns require different external routes.

External route	Contact / use
NSPCC Whistleblowing Advice Line	0800 028 0285; help@nspcc.org.uk . For concerns about safeguarding practice where a worker feels unable to raise concerns internally.
Leeds Local Authority Designated Officer (LADO)	0113 378 9687; lado@leeds.gov.uk . For allegations/concerns about adults working or volunteering with children that may meet the harm or suitability threshold.
Leeds Children's Social Work Service - Duty and Advice	0113 376 0336 during office hours for practitioners with child safeguarding concerns.
Leeds Children's Emergency Duty Team	0113 535 0600 outside office hours for urgent child safeguarding concerns.
Police	999 for immediate danger/threat to life; otherwise use the appropriate police route for suspected crime.
Protect	Independent confidential whistleblowing advice. Current details: protect-advice.org.uk .
Prescribed person/body	Use the current GOV.UK "Whistleblowing: list of prescribed people and bodies" and choose the body whose legal remit matches the concern.
Regulator / commissioning authority	Where the concern falls within its remit or affects commissioned placements, contractual safeguarding assurance or systemic risk.
Ofsted - children's social care remit	For qualifying concerns about regulation/inspection of children's social care services; not a general employment-whistleblowing route for The Ark.

Anyone considering a wider public disclosure, including to the media, should obtain independent legal advice first because statutory protection is subject to stricter conditions.

12. RELATIONSHIP WITH COMMISSIONING SCHOOLS

Where a concern affects the welfare of a pupil placed at The Ark, the conduct of an Ark worker towards that pupil, unsafe practice affecting pupils placed by a school, or a systemic safeguarding weakness relevant to the safety of the placement, The Ark will share necessary safeguarding information promptly with the commissioning school's DSL or other appropriate safeguarding lead.

Information sharing will be necessary, proportionate, relevant, accurate, timely and secure. The Ark will not share unnecessary employment, disciplinary or personal information merely because a school commissions a placement. Where LADO, police or Children's Social Care are involved, information sharing will be coordinated so that external processes are not prejudiced.

13. PROTECTION, VICTIMISATION AND SUPPORT

Where the legal criteria for a protected disclosure are met, workers are protected by law from dismissal and detriment because they made that disclosure. The Ark will not tolerate retaliation, bullying, intimidation, threats, exclusion, adverse treatment or attempts to suppress a legitimate concern.

The Ark will consider proportionate support for the person raising the concern, including a named contact, welfare check-ins, access to a colleague or trade union representative at meetings where appropriate, safeguarding supervision and reasonable steps to reduce risk of victimisation. Any allegation of retaliation will be considered promptly and may lead to disciplinary action.

The Ark does not promise that every disclosure by every category of person will meet the statutory whistleblowing test. Anyone needing advice about legal protection should seek independent advice from Acas, Protect, a trade union or a legal adviser.

14. REASONABLE BELIEF, HONESTLY MISTAKEN CONCERNS AND FABRICATED ALLEGATIONS

A worker does not have to be correct. What matters for statutory protection includes whether the worker reasonably believes the relevant wrongdoing is occurring, has occurred or is likely to occur, reasonably believes the disclosure is in the public interest, and uses an appropriate disclosure route.

"Good faith" is not a separate legal condition that must be satisfied before a qualifying disclosure can be protected. The Ark will not take action against someone merely because a concern raised honestly and reasonably is later unsubstantiated. Knowingly false, maliciously fabricated or deliberately misleading allegations may be dealt with under the appropriate conduct or disciplinary procedure. This must not be used to punish a person for a genuine concern that could not ultimately be proved.

15. RECORDS AND INFORMATION GOVERNANCE

Whistleblowing records will be accurate, factual, secure and accessible only to those who need them. Where appropriate, they will be kept separately from routine personnel records. Safeguarding records and allegation/LADO records will be managed under the relevant safeguarding and information-governance requirements. Records should include the concern, date, recipient, actions, decisions and rationale, referrals, outcome, feedback, support and follow-up.

Information will be retained only for as long as required by the applicable legal, safeguarding, employment or contractual retention framework. Data protection requirements do not prevent necessary safeguarding information sharing.

16. STAFF AWARENESS, TRAINING AND CULTURE

This policy will be made readily accessible to staff, volunteers and other workers through induction materials, the staff handbook/policy system and safeguarding training. Key reporting routes will be refreshed at least annually and whenever arrangements change. Managers and designated contacts will receive sufficient guidance to respond consistently, protect

confidentiality, avoid conflicts and recognise when safeguarding or external referral takes priority.

Safeguarding supervision and professional challenge should be used to create a culture in which staff can question unsafe practice respectfully, leaders are receptive to challenge, patterns are identified and learning is acted upon.

17. REVIEW AND MONITORING

Directors will review this policy at least annually and sooner following a significant case, change in legislation, KCSIE/Working Together update, Leeds safeguarding change, commissioning requirement or relevant learning. The Ark will monitor themes, delays, retaliation risks and lessons from concerns without compromising individual confidentiality.