



WHISTLEBLOWING POLICY

2026-2027

Group Policy Document

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1.0 INTRODUCTION AND PURPOSE

1.1 ARK Inclusive Education is committed to conducting its business with honesty, integrity, and accountability, and expects all staff, volunteers, and contractors to maintain the highest standards of professional conduct.

1.2 This Whistleblowing Policy outlines our commitment to supporting and protecting individuals who raise genuine concerns about malpractice, wrongdoing, or dangers within the provision (known as making a "protected disclosure"). It provides a clear and accessible procedure for raising concerns internally and in confidence.

1.3 We recognise that all organisations face the risk of things going wrong or unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations and address them when they occur.

1.4 This policy has been written with regard to the latest version of Keeping Children Safe in Education (KCSIE) and complies with the Public Interest Disclosure Act 1998 and the Employment Rights Act 2025.

2.0 WHAT IS WHISTLEBLOWING?

2.1 Whistleblowing occurs when an employee or worker raises a concern about a dangerous or illegal activity that they are aware of through their work and that may affect others, for example children and young people, families, or the provision itself.

2.2 A whistleblower is a person who raises a genuine concern relating to suspected malpractice within the provision. The whistleblower may not be directly or personally affected by the danger or illegality and rarely has a personal interest in the outcome of the investigation. Consequently,

they should not be expected to prove their case but should raise the concern so that others can investigate and address it.

2.3 A concern raised under this policy, also known as a "protected disclosure" under the Public Interest Disclosure Act 1998, must be in the public interest to qualify for legal protection.

3.0 SCOPE OF THIS POLICY

3.1 This policy and procedure applies to all individuals working for or on behalf of Ark Inclusive Education, including:

- Employees (permanent and fixed-term)
- Freelance staff
- Temporary and agency staff
- Volunteers
- Consultants
- Contractors

3.2 This policy is not a substitute for the provision's other policies and procedures on matters such as personal grievances, bullying and harassment, health and safety, safeguarding issues, or complaints. It should also not be used to raise matters relating to an individual's own terms and conditions of service or personal employment situation.

4.0 PRINCIPLES

4.1 This policy is founded on the following principles:

- That employees and workers have a legal right to report their concerns if they have a reasonable belief that wrongdoing may be occurring, or may have occurred, within the provision.
- That the Public Interest Disclosure Act 1998 protects employees and workers from reprisal, victimisation, or harassment at work if they raise a concern that they reasonably believe is in the public interest.
- To encourage employees and workers to raise serious concerns within the provision initially, rather than overlooking a problem or whistleblowing directly to an outside organisation.
- To encourage and enable individuals to raise concerns about any aspect of the provision's work and receive feedback on any action taken without fear of reprisal.
- To ensure that individuals receive a timely response to their concerns.

- Not to discriminate against any individual in the application of this policy on the grounds of any protected characteristic.

5.0 WHAT CONCERNS ARE COVERED?

5.1 Concerns that are covered by this policy include, but are not limited to:

- Conduct which is an offence or breach of law
- Failure to comply with a legal obligation
- Health and safety risks, including risks to children and young people, families, staff, and others
- Safeguarding concerns relating to children or vulnerable adults
- Abuse of children and young people
- Practice which falls below established standards of practice
- Possible fraud, corruption, or financial irregularity, including unauthorised use of funds
- Criminal activities
- Unreasonable conduct resulting in unfair pressures on staff
- Damage to the environment
- Any other unethical conduct
- Covering up information about anything listed above

5.2 Allegations should only be made where the whistleblower reasonably believes that the disclosure is in the public interest.

6.0 RELATIONSHIP TO OTHER POLICIES

6.1 This procedure is separate from the provision's Grievance Procedure and Anti-Harassment and Bullying Policy. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation; those cases should be raised through the appropriate alternative procedures.

6.2 Concerns relating to safeguarding children and young people should be raised through the Safeguarding Policy and Procedure in the first instance, or through the procedure for 'Dealing with Allegations of Abuse against Members of Staff and Volunteers'.

6.3 If you are uncertain whether something is within the scope of the Whistleblowing procedure, you should seek advice from the Director.

7.0 HOW TO RAISE A CONCERN

7.1 There is an obligation on every one of us to raise serious issues of concern so that they can be addressed. This procedure describes how individuals should do this if they wish their concerns to be treated as a "protected disclosure".

7.2 First Point of Contact:

- The first point of contact for raising a concern should be with the **Director** (Your Name), in person or in writing. This will usually be the quickest and most effective way of resolving concerns.

7.3 If the concern relates to the Director:

- If the whistleblower believes that the Director may be involved in the matter of concern, or if they feel unable to approach the Director for any other reason, an approach may be made directly to an **external independent person**, such as:
 - A legal advisor
 - A senior professional contact from a partner organisation
 - The Local Authority Designated Officer (LADO) where safeguarding concerns exist
 - The NSPCC Whistleblowing Advice Line: 0800 028 0285

7.4 Writing the Concern:

- When raising an issue, this should be done in writing. Issues can be raised in writing anonymously, but the policy is intended to give individuals the confidence to put their name to their concerns.
- It is important to make it clear that the issue is being raised under the Whistleblowing Policy.
- Any written concerns should set out:
 - The background and history of the concern (giving relevant names, dates, and places where possible)
 - The reason why they are particularly concerned about the situation
 - Details of any other possible witnesses to the concern

7.5 Support:

- In some situations, the whistleblower may wish to take advice from and/or involve a colleague or Trade Union representative. The provision welcomes this involvement as it can help to give the whistleblower the confidence to raise concerns that they might not otherwise feel able to disclose.

- You may bring a colleague or union representative to any meetings under this procedure. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

7.6 Although the whistleblower is not expected to prove, beyond doubt, the truth of an allegation, they will need to demonstrate to the person they contact that there are sufficient and reasonable grounds for the concern.

8.0 CONFIDENTIALITY AND ANONYMITY

8.1 The provision hopes that individuals will be able to voice whistleblowing concerns openly under this procedure. However, if a whistleblower wishes to raise a concern confidentially, we will make every reasonable effort to keep their identity a secret. This will be discussed with the whistleblower.

8.2 We do not encourage individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information. It is also more difficult to establish whether any allegations are credible.

8.3 Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Director, and appropriate measures can then be taken to preserve confidentiality.

8.4 It may be necessary for a whistleblower to become an identified witness at an appropriate time, particularly if it has not been possible to substantiate the allegations by other means. The implications of this, together with the appropriate support/protection arrangement, will be discussed with the whistleblower.

9.0 HOW THE PROVISION WILL RESPOND

9.1 The Director who has been notified of a concern has a responsibility to ensure that the concern is fully considered and that appropriate action is taken.

9.2 Acknowledgment:

- Within **10 working days** of a concern being raised, the Director will let the whistleblower know in writing:
 - That the concern has been received
 - How they propose to deal with the matter
 - Give an estimate of how long it will take to provide a final response

9.3 Investigation:

- An initial investigation may be carried out to decide whether a full investigation is appropriate and, if so, which form it should take.
- If a full investigation is required, a decision will be made as to whether the matter will be addressed internally, be referred to the Police, or form the subject of an independent inquiry.
- In cases where the safety of a child may be at risk, it may be more appropriate to follow the Safeguarding Policy and refer the concern to the Local Authority Designated Officer (LADO).
- All initial enquiries will be made on a sensitive and confidential basis.

9.4 Keeping the Whistleblower Informed:

- The whistleblower will be kept informed of progress of the investigation and its likely timescale and, whenever possible and subject to third party rights, will be informed of the resolution.
- However, sometimes the need for confidentiality may prevent the provision from giving the whistleblower specific details of the investigation or any disciplinary action taken as a result. The whistleblower should treat any information about the investigation as confidential.

9.5 If No Investigation:

- If the decision is that no investigation is to take place, the reasons for this will be explained to the whistleblower.

10.0 PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

10.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.

10.2 Protection from Detriment:

- Whistleblowers must not suffer any detrimental treatment or be disciplined as a result of raising a genuine and legitimate concern, providing that they do so in good faith and following this procedure.
- The Director will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action in order to protect individuals who raise a concern in good faith.
- If a whistleblower believes that they have suffered any such treatment, they should immediately inform the Director.

- If the matter is not remedied, the whistleblower should raise it formally using the provision's Grievance Procedure.

10.3 Employment Protection:

- Employment will be protected by the provision on the strict assumption that any disclosures or allegations are not malicious in nature.
- The Act only protects those making disclosures which are considered to be in the public interest.

11.0 MALICIOUS ALLEGATIONS

11.1 False, malicious, vexatious, or frivolous accusations will be dealt with under the provision's Disciplinary Procedure.

11.2 The provision reserves the right to take action against any employee where an allegation has been made maliciously or for personal advantage, or where a concern is raised directly to the media without any attempt to address issues through this policy and procedure.

12.0 EXTERNAL PROCEDURES

12.1 The aim of this policy is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases it should not be necessary to alert anyone externally.

12.2 If Not Satisfied:

- If the whistleblower is not satisfied that their concern is being properly dealt with by the Director, they may raise the concern directly with an external body.

12.3 External Bodies:

- Where all internal procedures have been exhausted, or where the whistleblower reasonably believes that exceptionally serious circumstances justify it, they may report their concern directly to an external body. This may include (depending on the subject matter):
 - **Protect** (the independent whistleblowing charity): Helpline 020 3117 2520, website: <https://protect-advice.org.uk/>
 - **NSPCC** whistleblowing helpline: 0800 028 0285, email: help@nspcc.org.uk
 - **Local Authority Designated Officer (LADO)** (where the disclosure relates to a child protection issue)
 - **HMRC**, the **Health and Safety Executive**, and/or the **Police** (where the disclosure relates to possible criminal activity)

12.4 Media:

- It will very rarely, if ever, be appropriate for the media to be alerted. We strongly encourage that advice is sought before reporting a concern to anyone external.

12.5 Legal Protection:

- Under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the individual reasonably believes:
 - That exceptionally serious circumstances justify it
 - That the provision would conceal or destroy the relevant evidence
 - They would be victimised by the provision
 - The Secretary of State has ordered it

13.0 MONITORING AND REVIEW

13.1 This policy will be reviewed annually by the Director to ensure it remains fit for purpose and compliant with current legislation and best practice guidance.

13.2 All staff will be required to confirm annually that they have read, understood, and will comply with this Whistleblowing Policy.

13.3 The effectiveness of this policy will be monitored through the review of any whistleblowing reports received and the outcomes of any investigations undertaken.

End of Policy Document