

EOTAS Policy

EOTAS (Education Other Than at School) means that a child or young person is not on the roll of a school or post 16 institution and their education or special educational provision may be provided at home or another setting which is not a registered educational setting.

EOTAS is made possible by section 61 of the Children and Families Act 2014. Under section 61, local authorities have the power to agree for a child or young person with SEND being educated somewhere other than a school or post-16 institution, but only where the authority is satisfied that ***“...it would be inappropriate for the provision to be made in a school or post-16 institution”***

Examples of EOTAS are

- Online learning
- Home tuition
- Hospital schooling
- Specific therapies including, speech and language therapy, sensory OT, Play therapy, physiotherapy
- Any other provision that the local authority may commission to support progress towards outcomes or detailed as special educational provision as detailed in section F of an EHC plan detailed in the EHC plan or e.g., Animal Therapy, Music

A child or young person can only be designated as EOTAS by a local authority through an EHC needs assessment, and EHC reassessment or an EHCP annual review, and where through this process they have determined that there is evidence to suggest that it is necessary for a child or young person to receive their education and special educational provision through an EOTAS package

Guidance taken from IPSEA (25-08-2023) Where it is not appropriate for any provision to be made in a school or college, the child or young person's EHC plan should reflect the following:

- **Section B** should set out all of their special educational needs, including those that show *why* education in a setting is inappropriate. These could be, for example, mental health or sensory needs.
- **Section F** should give a clear and detailed description of the support they need. This could include **therapies** which are classed as educational provision, such as speech and language therapy, and other support provided by health or social care which educates or trains the child or young person. It will be important to set out all the necessary details such as who (in terms of

role/qualification) will oversee the package of support, deliver it and what particular expertise they may need, and any input needed from specialists. This will mean the LA still has a legal duty to put the special educational provision in place. It would also generally be a good idea to specify that this provision will be delivered as 'education otherwise than in a school' here too.

- **Section I** should be left blank if no setting is going to be attended at all, as confirmed by **case law**.
- **Section J** will detail the special educational needs and outcomes to be met by any agreed direct payments relating to section F. Not everyone will have a personal budget and receive direct payments.

EOTAS is not the same as elective home education. If you choose to home educate, parents are responsible for making their own suitable arrangements for the child's educational (including any special educational) provision. Therefore, if you have an EHCP, the Local Authority does not have a duty to provide the provision detailed in Section F.

Should the Provision in Section F need to be commissioned by the Local Authority due to the sufficiency challenges, this will be determined as Alternative Education, but will follow the same EOTAS process.