

Understanding EOTAS (Education Otherwise than at School)

**For Parents and Carers of Children and Young People with and without
EHCP's**

02.04.24

Overview

- Welcome!
- This session is to help you understand:
- What is EOTAS?
- When is EOTAS Considered?
- Local Authority & School responsibilities
- How EOTAS may be requested?
- What support looks like with and without an EHCP



What is EOTAS?

EOTAS stands for Education Otherwise Than At School. It is Special Education Provision that meets the specific needs of children and young people for whom mainstream education is deemed ‘inappropriate’

It is **not** the same as Elective Home Education, which is where parents choose to make their own arrangements for their child’s education.

With EOTAS, the **local authority remains legally responsible** for delivering the special education provision.

The SEND Code of Practice (Section) 10.39 states that:

Local authorities must make arrangements where, for any reason, a child of compulsory school age would not otherwise receive suitable education.

Suitable education means efficient education suitable to a child or young person's age, ability and aptitude and to any SEN he or she may have.

This education must be full time, unless the local authority determines that, for reasons relating to the physical or mental health of the child, a reduced level of education would be in the child's best interests

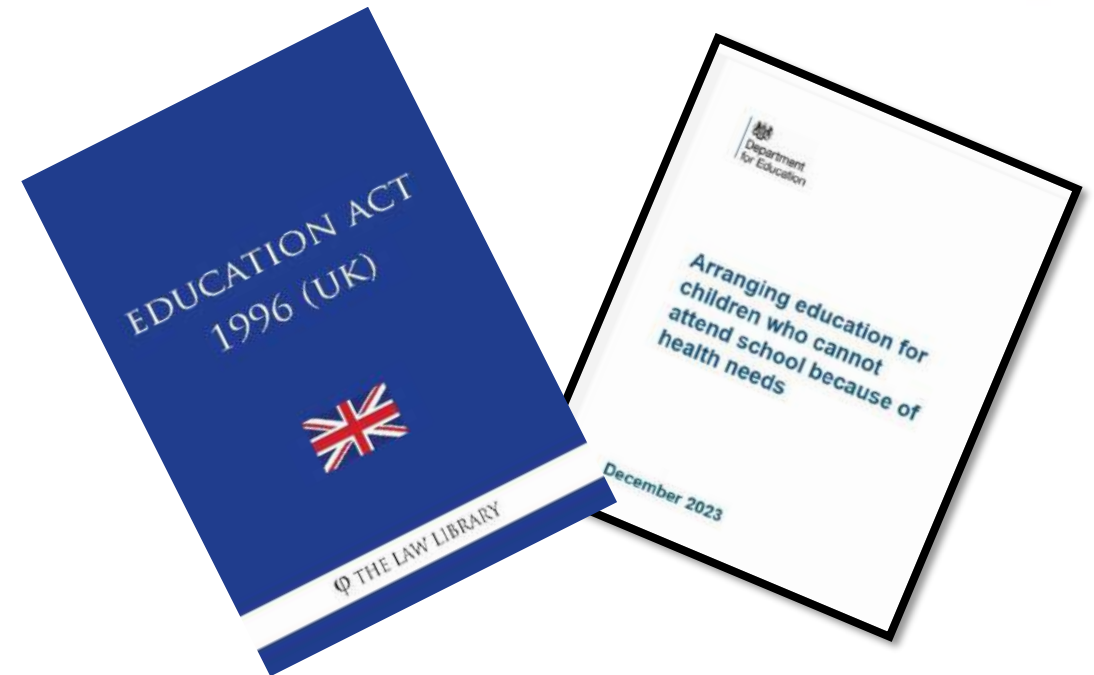


When is EOTAS Considered?

- EOTAS is usually explored as a temporary measure until an appropriate educational setting for the child/young person is identified and secured.
- However, an EOTAS package can be in place for as long as it is deemed necessary and appropriate.
- The local authority will review your child/young person's EOTAS package yearly during the EHCP Annual Review process.
- They may remove EOTAS provision at this stage if a suitable school or education setting has been identified that can meet your child/young person's needs.

For children without an EHCP

Section 19 of the Education Act 1996 requires local authorities to make arrangements to provide **“suitable education at school, or otherwise than at school, for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them”**. Suitable education is defined as “efficient education suitable to the age, ability, aptitude and to any special educational needs”, the child (or young person) may have.



School and LA Responsibilities



SCHOOLS RESPONSIBILITIES	LOCAL AUTHORITY RESPONSIBILITIES
Schools should provide support for their pupils with medical needs under their statutory duties as set out in ‘Supporting pupils with medical conditions at school’ (DfE, 2014) and ‘Arranging education for children who cannot attend school because of health needs’ (DfE, 2023)	The LA will, in line with their Section 19 duty, arrange suitable full-time education (or as much education as the child’s health condition allows) for children of compulsory school age who, because of illness, would otherwise not receive suitable education.
Shorter term illnesses or chronic conditions are best met by school support and resources, some of which have been outlined in this document. Such conditions that might meet this definition include short term post-operative support and periods of reduced immunity. Where possible, schools should continue to provide education to children with health needs who can attend school.	The LA can commission a continuum of provision for children with health and mental medical needs. This includes outreach support to schools, educational tuition, and provision at Hospital Schools.
Schools must be aware of their responsibilities when mental health issues are impacting on a child’s attendance.	The LA has responsibility for promoting and protecting public physical and mental health and safeguarding children and young people.
Under equalities legislation schools must consider whether they need to make any reasonable adjustments to provide suitable access for a child whose condition amounts to a disability.	The LA will support schools to set up an individually tailored reintegration plan for each child.
Schools should use the graduated response to assess, meet and review the needs of their pupils. When the pupil’s medical condition becomes too complex, or the risks are too great to manage, the school should make a referral to a relevant outside agency for additional support. newham.gov.uk	The LA does not need to become involved in such arrangements unless it has reason to believe that the education being provided by the school is unsuitable.



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How do you request EOTAS?

- You should contact the SEN Team to ask about EOTAS.
- Your child/young person will need to have an Education, Health and Care Plan (EHCP).
- You should either request EOTAS at the draft EHCP stage or at an Annual Review of the Plan.

- The local authority must then consider the provision set out in Section F of an EHC Plan and if it would be “inappropriate” for any of the special educational provision to be provided within a school or educational setting, or if some of the provision should be more bespoke.
- Without expert evidence, the local authority may not accept that your child needs an EOTAS package.
- The local authority **does not** have any obligation to provide EOTAS, but they **do have** a legal obligation to ensure your child/young person receives a suitable education.
- You have a right of appeal if you disagree with the decision (eg not to provide EOTAS or the proposed provision in Section F) as detailed within the SEND Code of Practice.

What might be included in an EOTAS package?

EOTAS packages can include a wide range of learning opportunities and may involve several providers. Providers will need to have gone through the local authority's quality assurance checks (eg safeguarding, health and safety, suitable learning programmes).

Examples include:

- Online tuition
- Training at a specialist centre
- Home tutor
- Therapies that educate or train – Speech & Language Therapy, Occupational therapy, physiotherapy etc
- Life skills training
- Equipment needed to support home learning
- Hospital schooling



Useful information and Resources

- [Special educational needs and disability code of practice: 0 to 25 y ears](#)
- [Ensuring a good education for children who cannot attend school because of health needs: Statutory guidance.](#)
- [EOTAS: Education Otherwise Than At School. What is it, and can I get it? \(Special Needs Jungle\)](#)
- [Home education and 'education otherwise' \(IPSEA\)](#)
- [Home education and 'education otherwise' FAQs \(IPSEA\)](#)

Thank you for listening.

**Any Comments & Questions
are welcome**