

Ealing Council

Education Other Than At School Policy (EOTAS) 2024

Local authorities in the UK have a statutory duty to ensure that children of compulsory school age receive a suitable full-time education. This includes those who cannot attend mainstream school due to various reasons, including health issues, exclusion, or special educational needs. Education Other Than At School (EOTAS) is a provision that caters to these children.

What is EOTAS?

Education Other Than at School (EOTAS) includes all forms of education that takes place outside of the formal school environment. Children and Families Act 2014, Section 61 makes specific legal provision for the education of children and young people, for whom education in a school or post-16 institution would be inappropriate. This is called Education Otherwise Than At School, or EOTAS.

EOTAS is the legal mechanism whereby a child or young person with an EHC Plan can receive special educational provision despite being unable to attend an educational setting. Under a formal EOTAS arrangement, the child or young person will not be required to be on the roll of, or in attendance at, a “traditional” educational setting. Instead, they will receive their education and special educational provision either at home, or in some circumstances, within an external setting that is not a registered educational setting.

EOTAS is different to home education. While both EOTAS and home education may have the same result in that the child will be being educated at home, they each place completely different obligations on local authorities.

Under [Section 42 of the Children and Families Act 2014](#), a local authority is placed under an absolute legal obligation to make sure a child or young person receives all of the provision contained in Section F of their EHC PLAN, unless the circumstances in Section 42(5) are met. Section 42(5) says the obligation is on the local authority to provide the EHC PLAN provision unless “the child’s parents or the young person has made suitable alternative arrangements. However, under an EOTAS package of provision the local authority will remain responsible for the child or young person’s education generally. It will remain under an obligation to ensure all of the provision in Section F is provided and funded.

The expectation for local authorities to provide education for CYP with SEND who are unable to attend school is covered in other statutory guidance; the most up to date is ‘Ensuring a good education for children who cannot attend school because of health needs’ DfE 2013. You can get this document at

<https://www.gov.uk/government/publications/education-for-children-with-health-needs-who-cannot-attend-school>

Types of Provision

EOTAS can include home tutoring, virtual learning environments, attendance at a Pupil Referral Unit (PRU), placements in specialized educational settings, or other tailored educational programs

When EOTAS arrangements are being considered, local authorities should consider all the circumstances that may contribute to the appropriateness of attending an education setting such as:

- The child/young person's background and medical history
- The educational needs of the child/ young person
- The facilities that can be provided by an education setting
- The facilities that could be provided other than in a school
- The comparative cost of the possible alternatives to the child/young person education and special educational provisions
- The child/young person's reaction to education provisions, either at a school or elsewhere
- Parent(s)/carer(s) wishes, engagement and support in developing individual EOTAS packages are important and will contribute to the decision making to arranging a suitable education made by the Council.

Where EOTAS is agreed following an Annual Review or directed by a Tribunal, a bespoke educational package is set out within Section F of the child's Education Health Care Plan. Section F being the special educational provision which is reasonably required to meet the child's special educational needs contained within Section B. In these cases, Section I (educational placement) must be left blank as there is no setting to be attended. The Local Authority has responsibility for the delivery of the provision, the parent may however also request a personal budget to be provided to them by the local authority in order to secure provision themselves.

Ealing council have their Approved Providers that the Local Authority will consult with, when EOTAS has been agreed.

The policy ensures that the education provided is broad and balanced, comparable to that offered in mainstream schools. The goal is to reintegrate the child into mainstream education wherever possible. Plans and support for reintegrating children back into mainstream education are a critical part of the process. This includes transitional support, phased returns, and close collaboration with schools.