EDUCATION OTHERWISE THAN AT SCHOOL (EOTAS)

This information sheet relates to England only

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 or 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.

Section 19(1) Education Act 1996 states:

Each local authority shall make arrangements for the provision of 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.

Under section 61 of the Children & Families Act 2014, local authorities have the power to consent to EOTAS for pupils with social, emotional, behavioural, medical or other needs where, without its provision, will not access a suitable education to meet their needs. It states:

(1) A Local Authority in England may arrange for any special educational provision that it has decided is necessary for a child or young person for whom it is responsible to be made otherwise than in a school or post-16 institution or a place at which relevant early years education is provided.

(2) An authority may do so only if satisfied that it would be inappropriate for the provision to be made in a school or post-16 institution or at such a place.

(3) Before doing so, the authority must consult the child's parents or the young person.

Whether a school/post-16 setting is 'inappropriate' will depend on a number of factors including the child's background and needs, their reaction to education provisions, the facilities available locally, comparative costs, and parents' wishes.

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.

What sort of things 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, animal therapy, lego therapy etc**
- **Educational trips**
- **Life skills training**
- **Equipment needed to support home learning**
- **Hospital schooling**

The provision making up the EOTAS package will depend on your individual child/young person's individual Special Educational Needs and circumstances.

The agreed EOTAS package will need to be detailed in full in your child/young person's Education, Health and Care Plan, (EHCP), in Section F. It should be detailed and specific, leaving no doubt as to what education provision will be secured.

Section I (placement) in the EHCP should be left blank as your child/young person will not be on the register of any setting.

How do you secure EOTAS for your child/young person?

You should contact your local authority 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. You could also ask for a reassessment of needs and ask for EOTAS during the assessment process at draft Plan stage. If your child does not have an EHCP, you will need to submit a request for an EHC needs assessment before EOTAS can be considered.

You should research what opportunities and provision is available in your local area and online. From this, you should propose a timetable, ideally with costings, for the local authority to consider, along with your rationale and evidence to support your request for EOTAS.

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 their decision (eg not to provide EOTAS or the proposed provision in Section F) as detailed within the SEND Code of Practice.

Useful information and resources:

Special educational needs and disability code of practice: 0 to 25 years

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)