

Divisions Affected - ALL

**EDUCATION & YOUNG PEOPLE
OVERVIEW AND SCRUTINY COMMITTEE
25 February 2025**

EOTAS POLICY (Education other than at School)

Report by Lisa Lyons, Director of Children's Services

RECOMMENDATION

1. The Committee is recommended to consider the attached draft policy and draft parents' guide and provide comments in readiness for presentation at Cabinet.
2. The Committee is recommended to request an annual review of the policy and that the findings of that review are presented to this committee in April 2026.

Executive Summary

3. Oxfordshire County Council (OCC) is required to implement a policy for the delivery of Education Other Than At School (EOTAS) as highlighted by the SEND inspection in 2023. This policy is crucial to ensure that all children and young people, particularly those with special educational needs and/or disabilities (SEND), receive a suitable and effective education, even if they are unable to attend 'traditional' school settings.
4. The EOTAS policy is designed to provide a structured framework for delivering personalised educational plans tailored to the unique needs of each child or young person.
5. A policy has been drafted and is attached to this report as Annex A for the consideration of the Committee for feedback and prior to presentation at full cabinet on 15 July 2025.

Background

6. The number of children and young people in receipt of EOTAS is increasing, with a 64% increase from 2022-23 to 2023-24. As stated above, EOTAS aims

to ensure that all children, especially those with special educational needs and/or disabilities (SEND), receive an efficient and effective education, even if they cannot attend traditional schools. The SEND inspection of 2023 noted the absence of a policy and recommended that the Council put one in place for the delivery of EOTAS. Given the increase of the number of children and young people in receipt of EOTAS, the introduction of a policy is also necessary to formalise the Council's approach in this area and ensure we are working collaboratively with children and young people, and their parents, considering their views, wishes and feelings.

7. To facilitate collaborative working, a number of meetings have taken place since May 2024 between the Deputy Director Education and Inclusion, Education Inclusion Manager, health professionals, SEND Head of Operations, SENDIASS and Parent/Carer Forum Chairs, Assistant Director SEND and the Eotas support group including a listening event with parents/carers in September 2024 and the C&YP Scrutiny committee on 22 November 2024. As part of the follow up to the Scrutiny meeting a further four meetings have been held with the representatives of the parent carer forum and the EOTAS support group. At one of these meetings an external legal expert was in attendance. All the views from these meetings have been taken into account in developing this draft policy.
8. The policy is shaped by several Acts, including the Children and Families Act 2014, the Education Act 1996, and the Equality Act 2010. These laws mandate that local authorities ensure the provision of special educational needs as outlined in Education, Health & Care Plans (EHCPs)
9. Local authorities are responsible for arranging EOTAS. This provision is typically short-term, with the goal of reintegrating the child or young person into a mainstream education setting as soon as possible however, for a small group of children or young people with complex needs they may require an EOTAS package for an extended period.
10. EOTAS is funded by local authorities through the high needs block. The current spend on EOTAS as of May 2025 is roughly £2.6m per annum. The cost of EOTAS contributes to the overall High Needs Deficit.
11. The EOTAS policy lays out Oxfordshire County Council's position and commitment to those children and families in receipt of EOTAS. It sets out aims and objectives of the policy.
12. EOTAS is funded using Direct Payments to parent/carers or the young person, or using Oxfordshire County Council to pay the provider directly.
13. In order that effective use is made of public funds, the policy states that Oxfordshire County Council will seek to carry out due diligence on all direct payments made as part of an EOTAS package.
14. Any planning and/or amendments to the agreed package will be completed as part of the annual review of the child or young person's EHCP.

15. Safeguarding arrangements will comply with DfE statutory guidance 'Keeping Children Safe in Education 2024 and Working Together to Safeguard Children 2023.
16. A draft parents/carers' guide is attached as Annex B. This guide is for information only and has not yet had input from the parent/carers forum and other key stakeholders. It is intended that further work to co-produce the guide is completed as a matter of priority so that a guide is available for the start of the academic year in September 2025.
17. Given the importance of the policy and the contribution it makes to enabling the local authority to support its most vulnerable children and young people. It is proposed that a full review of the workings of the policy, including proposed amendments, is brought to Scrutiny in summer 2026.

Corporate Policies and Priorities

18. The policy will support the Vision, Values, Objectives and Strategic Priorities of the County Council, as having a clear EOTAS policy in place will specifically help to support and create opportunities for certain individual children and young people with SEND to enable them to reach their full potential. Having a transparent policy in place will also enable a more joined up approach to this work with partner agencies across the Local Area.

Financial Implications

20. As at May 2025 70 young people are in receipt of EOTAS packages at a total cost of c£2.7m per annum.
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20. The cost of these packages of support are met by the local authority via the High Needs Block of the Dedicated Schools Grant. Payments for EOTAS packages can be made direct to the parent, directly by the LA or a combination of both.
21. The proposed EOTAS policy sets out current practice and therefore it is not anticipated that the introduction will have any direct financial implications. This is however an area of spend where there has been growth in both demand and total spend over recent years, and this is unlikely to change as a result of this policy.
22. The implementation of the policy alongside the guidance and information regarding personal budgets will help to ensure better monitoring of the spend, and governance of EOTAS packages, so that these packages are appropriately monitored and audited.

Comments checked by:

Thomas James, Head of Financial Services,
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Legal Implications

23. The main body of this report and the attached policy set out the Council's legal duties and responsibilities in this area of work. The introduction of a policy will mean that the Council have a clear indication of how it should approach this issue and officers will need to apply the policy when making decisions in order that these are robust in the face of any potential legal challenge.

Comments checked by:

Leanne Schrouder, Locum SEN and Education Solicitor,
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Staff Implications

24. Currently the number of school aged children and young people in receipt of EOTAS packages is growing within Oxfordshire and many of these packages are complex. As the students are not on roll at a setting there is an increased demand on the EHCP Casework Team to monitor and support the coordination of the provision. This will have an ongoing impact on the team which may mean that additional staff roles need to be created to ensure the packages are set up, managed and monitored effectively and appropriately.

Michelle Higgs, HR Business Partner (Schools and Education),
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Equality & Inclusion Implications

25. It is considered that there would be no negative implications in relation to equality and diversity in the approval of this policy. EOTAS is part of the Local Authority's offer to support vulnerable children across Oxfordshire. Having a formal policy in place will help to ensure equality and inclusion and that that children's needs are met. Of the 70 children and young people currently receiving an EOTAS package (as at May 2025), 5 are entitled to free school meals, 49 are male, 21 are female and 62 are White British.

Sustainability Implications

26. There are no sustainability matters arising in the proposal.

Risk Management

27. There is a risk currently across the Council in not having a clear policy in place which sets out the Council's position on EOTAS. Having a new policy will present some operational risks in implementation and effective communication with all stakeholders will be vital, but having a policy in place will ensure that there is better consistency of practice and clarity for professionals, parents/carers and children and young people.

Consultations

28. We have consulted with parents and carers, through a listening event in September 2024 which was attended by parents/carers in receipt of EOTAS and those new to EOTAS. More recently we have sought comment from PCF and the EOTAS Support Group and health professionals on the drafted EOTAS policy and made amendments as appropriate.

Lisa Lyons

Annex A: Draft EOTAS policy 2025
Annex B: Draft parents'/carers' guide

Background papers: Nil

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May 2025