

Annex B: draft parents/carers' guide – subject to further amendment.

Education Otherwise Than At School/College (EOTAS/EOTAC)

Education in a school or college isn't always the best fit for every child or young person.

Sometimes, due to specific challenges or circumstances, your child may need to learn in a different way or in a different place. This approach is called EOTAS/EOTAC (Education Otherwise Than At School/College), and it's there to help children who can't thrive in 'traditional' education settings.

To ensure that all children/young people can receive an efficient and effective education, the Children and Families Act 2014 allows for education outside of traditional education settings.

Under s 61 of the Children and Families Act 2014, children and young people may be educated otherwise than at school or college if it is inappropriate for their SEN provision to be delivered in an educational setting.

EOTAS/EOTAC is a provision designed for children and young people who cannot thrive in 'traditional' educational settings due to various challenges. It is provided by Oxfordshire County Council and meets the needs of your child who, for whatever reason, is unable to attend school.

Oxfordshire County Council remains legally responsible for organising and funding your child's special education provision.

Why do some children and young people need EOTAS/EOTAC?

For your child, school/college may not be suitable and they may be unable to receive an appropriate education in any school/college.

- they may have mental health difficulties that affect their ability to attend a school/college.
- they may have medical conditions that affect their ability to attend a school/college.
- the school/college they have attended may not have been able to meet their needs.

An EOTAS/EOTAC package may be considered if your child is undergoing a statutory assessment and Oxfordshire County Council assesses and determines that it may be inappropriate for them to attend an educational institution.

An EOTAS/EOTAC package may be considered if your child is having a review of their EHCP and Oxfordshire County Council assesses and determines that it may be inappropriate for them to attend school or college.

If Oxfordshire County Council considers school or college to be inappropriate for your child, they can arrange for the provision to be delivered somewhere other than in a school, college or early years setting.

What could EOTAS/EOTAC look like?

EOTAS/EOTAC provision could include:

- online schooling
- tuition at home
- tuition or training at a specialist centre
- hospital schooling
- therapeutic interventions
- life skills training, including travel training.

What makes an education setting ‘inappropriate’ for your child?

EOTAS/EOTAC is only possible where Oxfordshire County Council is satisfied that it would be inappropriate for your child’s special educational provision to be made in a school/college. To meet this test, evidence is needed to demonstrate that education in a school/college would be inappropriate.

- Information, evidence and views submitted by you and your child.
- Information collated by the local authority, from the professionals and agencies.

Your child’s circumstances must be looked at including;

- their background and medical history
- their educational needs
- the facilities that can be provided by a school/college
- the facilities that could be provided other than in a school/college
- the comparative cost of the possible alternatives to your child’s educational provision
- the efficient use of public resources
- your child’s views, wishes and feelings
- your views, wishes and feelings
- any other circumstances.

When everyone agrees to the EOTAS/EOTAC package, Oxfordshire County Council have a duty to ensure that your child is receiving education as set out in their EHCP.

What if the EOTAS/EOTAC package is not agreed?

You will have the right of appeal in certain circumstances, such as:

- a final plan is issued after the initial EHC needs assessment
- a final amended EHCP after an annual review has been issued
- a final amended EHCP is issued after reassessment.
- a refusal to reassess
- a refusal to amend an EHCP after annual review
- appealing against a plan being ceased.

EOTAS/EOTAC and EHC Plans

When a full time or part time EOTAS/EOTAC package is agreed. or directed by a tribunal, the package is set out within Section F of the Education Health Care Plan.

Full Time EOTAS/EOTAC

If it is agreed that it would be entirely inappropriate for your child to attend an educational institution, then Section I of the EHCP will be left blank.

Part Time EOTAS/EOTAC

If it is agreed that your child will attend an educational institution for at least part of the time, Section I of the EHCP must name the school or college they will attend.

EOTAS/EOTAC and annual reviews

There is the same duty to conduct an annual review when your child is educated otherwise than at school/college. All timescales and obligations will remain the same throughout the annual review process.

Oxfordshire County Council may want to see ongoing evidence that it is still inappropriate for your child to be educated in an educational setting so you may wish to consider this evidence before the annual review takes place.

Parental/Carer request for a Personal Budget via Direct Payments for EOTAS/EOTAC

You have a right to request for a Personal Budget to have greater control over the delivery of the EOTAS/EOTAC package.

Payments can only be made to an adult, either the young person themselves, their parent/carers, or a nominated person.

Oxfordshire County Council must ensure that the amount requested is sufficient to secure the provision and that it is an efficient use of the authority's resources. Direct Payments will not be agreed if it is more cost effective for Oxfordshire County Council to secure the provision. There is no right of appeal against the decision.

Concerns and complaints about an EOTAS/EOTAC

You and/or your child are entitled to raise any concerns about the EOTAS/EOTAC provision with Oxfordshire County Council. In the first instance, it is helpful to discuss any concerns with the allocated officer who will work to resolve these. If you or your child wishes to escalate the complaint, this can be done by submitting a complaint via Oxfordshire County Council's complaints procedure.

Safeguarding

Oxfordshire County Council has a duty of care to children and young people who are receiving education other than at school or college. If concerns are raised that a child or young person's safety or wellbeing is compromised, or it is felt that the child or young person may be at significant risk, Oxfordshire County Council will respond without delay and, if appropriate, refer to the Children's Multi-Agency Safeguarding Hub (MASH). MASH is equipped to identify the level of risk and needs of children and where necessary, rely on multi agency information sharing processes to make an informed decision about the most appropriate response that needs to be taken.