

# **EDUCATION AND YOUNG PEOPLE OVERVIEW & SCRUTINY COMMITTEE**

**– 30 January 2026**

## **Education Otherwise Than At School (EOTAS) Guidance**

### **Report by Director of Children's Services**

#### **RECOMMENDATION**

- 1. The Education and Young People Overview & Scrutiny Committee is RECOMMENDED to**
  - i. Note the final EOTAS Guidance and related Toolkit
  - ii. Comment on any aspect of the final EOTAS Guidance and Toolkit
  - iii. Recommend approval of the EOTAS Guidance and Toolkit.

#### **Executive Summary**

2. The EOTAS policy was approved by Cabinet in July 2025 with the following recommendation.
  - (a) The revised parent carer guidance will be brought to Scrutiny in the Autumn. The guidance is being co-produced with the EOTAS working group and OCC's co-production team and
  - (b) Agree that, once Cabinet has responded, relevant officers will continue to provide each meeting of the Education and Young People Overview & Scrutiny Committee with a brief written update on progress made against actions committed to in response to the recommendations for 12 months, or until they are completed (if earlier).
3. This report covers the progress of the EOTAS working group and the development of the EOTAS Guidance. The EOTAS working group has parental representation from Oxfordshire Parent carer Forum, (OxPCF), parents of children with EOTAS, CAMHS representation, Oxford Health representation, an EOTAS professional and representative of SENIASS.
4. The EOTAS guidance has been developed with the EOTAS Working group and undergone extensive consultation with parents of children with Special Educational Needs and Disabilities, including with those parents whose children have an EOTAS package and with parents who are considering EOTAS. However there remains concern that this Guidance has not been fully co-produced in line with Oxfordshire County Council's Co-production guidance and there remain areas of disagreement regarding its content.

5. The purpose of the working group and development of the EOTAS guidance was to produce a helpful tool that would support parents of children with an existing EOTAS package or for those parents who were considering an EOTAS package for their child understand the complex parameters in relation to an EOTAS package, including process, timescales, decision making in line with legislation, evidence required and funding considerations and to further ensure a shared understanding between parents and Local Authority officers.
6. The guidance was produced to be read alongside the approved Oxfordshire EOTAS policy (July 2025). In this development a further document was identified as required and this is now referred to as the EOTAS Toolkit.

## **Background**

7. Most children will attend school or a registered education provision, however for some children this is not possible. Sometimes Children and young people with special educational needs and/or disabilities (SEND) require education outside of conventional settings such as schools or colleges and Section 42 of the Children and Families Act 2014 enables education outside of traditional settings.
8. EOTAS stands for **Education Otherwise Than At School** and is education provision to meet specific needs of children and young people who have an Education Health & Care Plan (EHCP) where the Local Authority is satisfied that it would be inappropriate for some, or all, of the assessed provision to be made in any early years, school or post-16 setting.
9. Under a formal EOTAS arrangement, the child or young person will not be required to be on the roll of, or in attendance at, an educational setting. Instead, the child or young person will receive their education and special educational provision either at home, or within an external setting that is not a registered educational setting.
10. The decision to agree for a child to receive education outside of a registered setting is complex and set out in legislation and Local Authorities must undergo complex decision making before agreeing to such a circumstance under Section 61 of the Children and Families Act 2014.
11. All Local Authorities should have relevant Policies in place and Cabinet approved Oxfordshire's EOTAS Policy in July 2025 and further recommended that Guidance should be co-produced.
12. The EOTAS Policy (approved July 2025) and the EOTAS Guidance support the County Council's Corporate plan, Healthier and Fairer Oxfordshire.

## **Financial Implications**

13. Funding to support an EOTAS package is from the Dedicated Schools Grant , high needs block, which supports all additional funding for children with special

educational needs and Disability and is approved through the Children Education and Families Directorate through delegated responsibility

## Legal Implications

14. EOTAS packages can be approved through the Local Authority or can be subject to an appeal to the First Tier Tribunal and directed by that Tribunal. Where a Tribunal direction is made to the Local Authority for an EOTAS package, the that must be arranged.

## Equality & Inclusion Implications

15. Every Child of statutory school age has a right set to receive an education which is appropriate to meet their needs and this is supported through the UNRC and through the Equality Act 2010.

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## Annex: Final EOTAS Guidance EOTAS Toolkit.

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