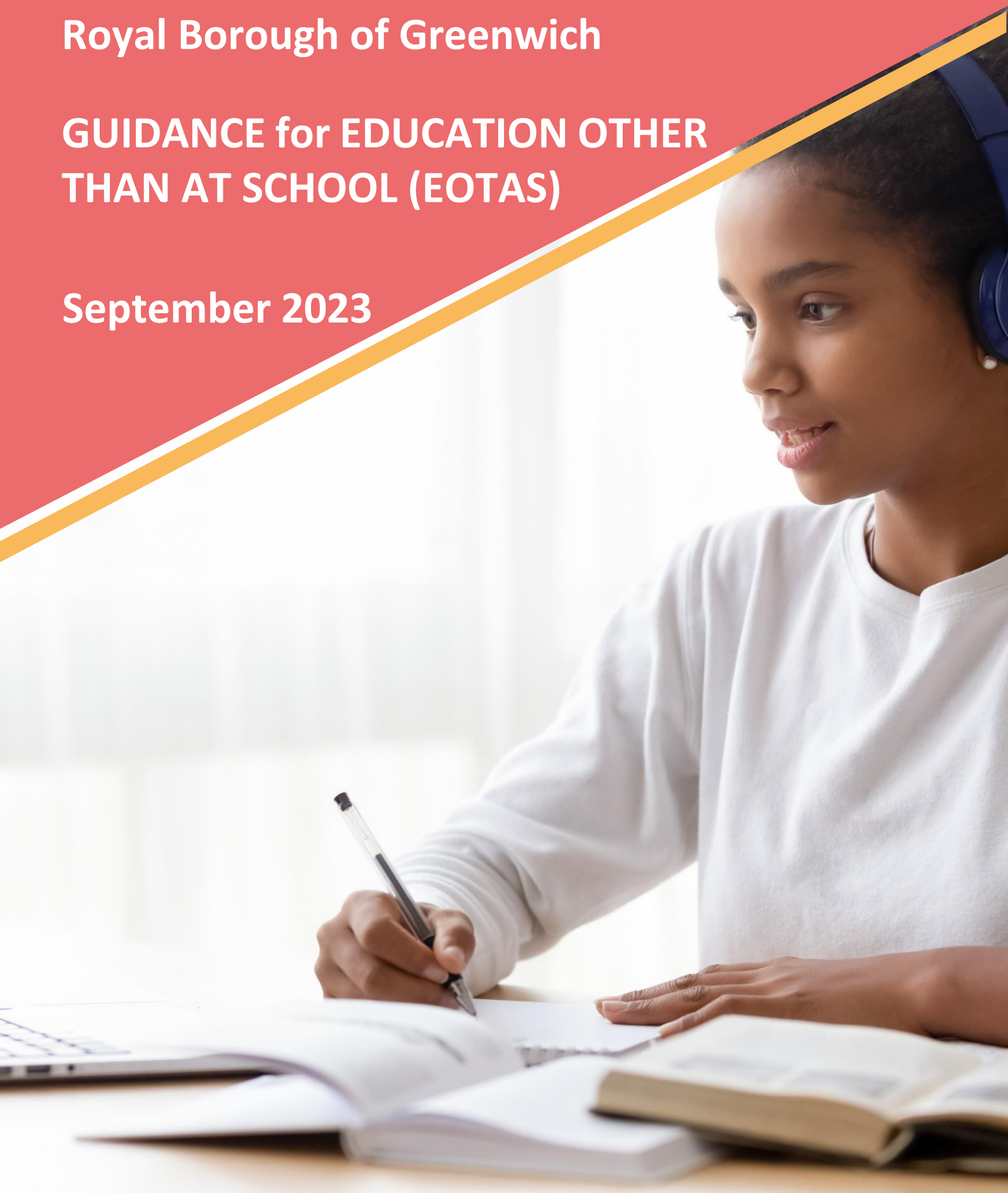


Royal Borough of Greenwich

**GUIDANCE for EDUCATION OTHER
THAN AT SCHOOL (EOTAS)**

September 2023



Contents

1. Introduction	3
3. Provision	5
4. Principles	7
5. References	9
6. APPENDIX	10

I. Introduction

- 1.1 All children and young people are entitled to high-quality education and the Royal Borough of Greenwich is committed to ensuring that the needs of the most vulnerable groups of learners are met.
- 1.2 The Council has a duty under section 436A of the Education Act 1996 to identify children who are of compulsory school age but are not registered pupils at a school and are not receiving suitable education otherwise than at a school.
- 1.3 Parents of children of compulsory school age have a duty under section 7 of the Education Act 1996 to secure suitable full-time education for them, either by regular attendance at school or otherwise. Under section 437 of the Act, if it appears that a child of compulsory school age area is not receiving suitable education, either by regular attendance at school or otherwise, the Council must serve a notice in writing on the parent requiring them to satisfy them within the period specified in the notice that the child is receiving such education.
- 1.4 The Council has a duty under section 19(1) of the Education Act 1996 to make arrangements to ensure that all children of compulsory school age¹ in the Royal Borough of Greenwich (RBG) who, by reason of illness, exclusion or otherwise, would not otherwise receive a suitable education in a school are in receipt of such.
- 1.5 Where a child has an Education Health and Care Plan (EHCP), under section 61 of the Children and Families Act 2014, the Council may arrange for any special educational provision to be made otherwise than in a school if satisfied that it would be inappropriate for the provision to be made in a school.
- 1.6 The purpose of this document is to define the support RBG has in its statutory responsibilities that relate to, provision of Education Other than at School (EOTAS).

¹ A child reaches compulsory school age on or after their fifth birthday i.e. they should be in full time education at the start of the term following their fifth birthday and remains in education until they reach school leaving age; you can leave school the last Friday in June if you turn 16 by the end of the summer holidays.

- 1.7 It provides an outline of RBG's systems for identifying children and processes in place to ensure that provision of EOTAS is monitored for suitability across the local area.

2. Definitions

- 2.1 A child in receipt of **'EOTAS'** is a child of compulsory school ageⁱ who is **receiving Education Other than at School** provided by the Local Authority because the child would not receive a suitable education in school due to illness, exclusion or otherwise. It may include a child with an EHCP that specifies education otherwise than at school because education in a school is inappropriate for that child. EOTAS also applies where a parent elects to educate their child from home.²
- 2.2 A **'suitable education'** means efficient full-time education suitable to the child's age and needs. It is defined by the Department for Education as, "*efficient education suitable to the age, ability, aptitude and to any special educational needs*", the child (or young person) may have. This can include provision for excluded pupils, young carers, school-phobic children, school-aged mothers and pupils who are unable to attend school because of medical reasons.
- 2.3 EOTAS is only possible where the Local Authority is satisfied that that it would be inappropriate for the provision to be made in a school. To meet this test, all circumstances must be considered, including the Child or Young Person's (CYP) background and medical history; the particular educational needs of the CYP; the facilities that could be provided by a school the facilities that could be provided other than in school; their and their family's views; and any other circumstances.

² To meet the parental duty in section 7 of the Education Act 1996.

- 2.4 Since the pandemic we have seen an increase in the number of children and young people presenting with Emotionally Based School Avoidance (EBSA), both in Royal Greenwich and nationally. School attendance rates are yet to return to pre-covid levels and many young people have struggled with changes in their school circumstances, such as the transition from primary to secondary school.
- 2.5 In response to these pressures, RBG Education Psychology Service has seen an increase in schools seeking support and involvement with CYP who are struggling to attend. Wellbeing grant funding was used to access EBSA training for the whole RBG EPS team. The EPS are now able to provide support to professionals in schools and across Children's Services. The team have put together a short webinar, for school staff and professionals who are supporting young people at risk of, or presenting with, EBSA. The webinar (https://youtu.be/-K8RV4u_88E) draws on psychological models and frameworks to promote an understanding of possible contributing factors and inform effective intervention planning.
- 2.6 In relation to England, the education to be provided for a child in pursuance of arrangements made by a local authority under subsection (1) shall be:
- (a) full-time education³, or
 - (b) in the case of a child within subsection (3AA), education on such part-time⁴ basis as the authority consider to be in the child's best interests.

3. Provision

- 3.1 EOTAS provision provided by or on behalf of the Local Authority may be in the form of:

³ Full-time education ranges from 21 hours per week at Key Stage 1 to 25 hours a week at Key Stage

4. If one-to-one tuition is provided, the number of face-to-face hours could be fewer because the provision is more concentrated.

⁴ A child is within this subsection if the local authority considers that, for reasons which relate to the physical or mental health of the child, it would not be in the child's best interests for full-time education to be provided for the child

- Online schooling
- One to one tuition at home or other location deemed suitable Group tuition
- Hospital provision
- Tuition or training in a specialist centre/alternative provision
- Interventions run by external agencies
- Therapeutic interventions
- Life skills training
- A combination of any of the above.

3.2 As soon as the educational placement has been identified schools are required to provide baseline assessment information and a completed risk assessment to inform the planning of educational provision. This information, along with advice from other professionals, will ensure that the education provided is effectively matched to the CYP individual needs.

3.2 The table below provides the categories of CYPs who may be eligible for EOTAS and the types of education provision.

CYP	Responsible	Provision
CYP who have been excluded	RBG Inclusion	<ul style="list-style-type: none"> • Waterside SEMH School (Primary) and Newhaven PRU (Secondary) - commissioned to provide provision from the 6th day following exclusion • RBG Inclusion to make referral
CYP with medical needs, including mental health ⁵	RBG Inclusion	<ul style="list-style-type: none"> • Pathways 1 and 2⁶ are monitored by Inclusion and the named Medical Needs Officer • Pathway 3 - Newhaven (NEST) commissioned to provide medical tuition/support
CYP with an EHCP unable to be placed/out of education	RBG SEND Assessment and Review Team	<ul style="list-style-type: none"> • When a child is not in permanent provision, alternative provision or tuition can be arranged as an interim measure • RBG SEND Assessment and Review Team to arrange and monitor the education provided and appropriate safeguarding
CYP with SEND currently unable	RBG Inclusion	<ul style="list-style-type: none"> • Examples may include CYP with complex needs going through an EHC needs assessment; who are unable to attend

⁵ Please see Medical Needs Guidance for more information

⁶ See Appendix

to be placed/out of education		<p>mainstream/do not currently meet thresholds for other support</p> <ul style="list-style-type: none"> • RBG Inclusion to arrange and monitor education provided and safeguarding for CYP at SEN Support level
CYP currently unable to be placed/out of education	RBG Inclusion	<ul style="list-style-type: none"> • RBG Inclusion to arrange and monitor the education provided and appropriate safeguarding for other vulnerable groups where the CYP is currently out of provision due to exceptional circumstances
CYP identified as Children Looked After (CLA) and currently out of provision or in custody/remand; and CYP who offend and receive custodial sentences remain looked- after if they were under a care order or were accommodated under section 20 immediately prior to conviction	RBG Virtual School	<ul style="list-style-type: none"> • Examples may include: • Where the CYP is placed as an emergency and education has not yet been sourced • Virtual School and the CYP Home Local Authority to arrange and monitor the education provided and ensure appropriate safeguarding. • CYP to remain on role with their school unless advised differently by Virtual School. • School child who remains on a school's role will continue to receive education support from the school. • CYP in remand or custody to be monitored by Virtual School; and where a looked-after child is placed in secure accommodation for their own welfare, the Local Authority will liaise with the secure unit, in collaboration with the Youth Justice Service (YJS) to ensure they meet their statutory education
CYP in receipt of Elective Home Education (EHE)	Attendance Advisory Service (EHE Officer)	<ul style="list-style-type: none"> • RBG Inclusion to assess suitability of education provided, as defined in the Elective Home Education: guidance for local authorities • Funding for EHE is the responsibility of the parent/carer • This is not covered by section 19 of the Education Act 1996

4. Principles

4.1 The majority of CYP should receive their education in a mainstream school (or special school if named in their EHCP), alongside their peers, with a differentiated curriculum and support appropriate to their individual needs.

- 4.2 EOTAS provided by the Local Authority is a provision to meet identified needs for an interim period and is not a standalone permanent replacement for education in school.
- 4.3 The aim of EOTAS should be to facilitate over an agreed period of time re-integration into school wherever possible or into special school as required.
- 4.4 CYP and their families are entitled to expect that EOTAS will meet their learning and developmental needs as effectively, and to the same standards as mainstream education.
- 4.5 EOTAS is not a 'provision' that can be requested by parents/carers, although a parent/carer may elect to provide education themselves at home at their own expense.
- 4.6 Children, young people and their families are entitled to have their views considered in relation to any EOTAS arrangements being made by the Local Authority.
- 4.7 Education providers will be quality assured as part of RBG's alternative provisions commissioning framework. If it is necessary to use a provider that is not part of this framework, the Local Authority will make individual arrangements with them regarding quality assurance.
- 4.8 Education providers will deliver an appropriate and personalised education. They will maintain good links with the CYP home school and, through regular reviewing, involve them in decisions concerning the educational programme and pupil progress. The individual education plans will be reviewed with the schools and the parent/ carers every half term. They will reintegrate pupils into mainstream provision at the earliest opportunity when they are well enough to return. CYP without a mainstream school will be referred to FAP to identify a new school.
- 4.9 In situations where a Child in Our Care is placed outside of the borough and requires EOTAS, the Virtual School will work with the Home Local Authority to identify a preferred provider. This is normally an interim measure whilst the Home Local Authority identifies a suitable school.

4.10 For children and young people with an EHCP, the educational provision will need to be able to deliver and include curricular content and any therapies or appropriate provision need to be quantified and specified in section F of the respective EHCP.

4.11 Arranging teams will work closely with a number of partners and services, both internally and externally, to ensure RBG's children and young people are in receipt of the best possible education. Examples of this include:

- Working closely with providers and parents/carers.
- Working closely with education and tuition providers and relevant support services.
- Working with our Newhaven, KPLC and alternative providers to ensure the selected provision has been Quality Assured and transitional arrangements will be in place once a school has been identified.
- Having in place arrangements for joint working and information sharing with other local authorities and agencies.
- Working closely with the Elective Home Education, Children Missing Education and Attendance teams, in addition to any other relevant teams and services including Children's Social Care, FaASS and health services where appropriate.
- Coordinating half termly review meetings with partners (including the child's family) to review progress in securing long term education provision.

5. References

5.1.1 Section 19 of the Education Act 1996 places a duty on local authorities which states, local authorities 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.

5.1.2 Other relevant legislation includes The Education (Provision of Full- Time Education for Excluded Pupils) (England) Regulations 2007 and Children and Families Act 2014.

5.1.3 The guidelines should be read in conjunction with following documents:

- [Keeping Children Safe in Education](#) Statutory Guidance for schools and colleges September 2022
- [Ensuring a good education for children who cannot attend school because of health](#) needs Statutory guidance for local authorities January 2013
- [Alternative Provision](#) Statutory guidance for local authorities January 2013
- [Unregistered independent schools and out of schools settings](#) - Statutory guidance March 2018
- [Promoting the education of looked-after children and previously looked-after children \(publishing.service.gov.uk\)](#) Statutory guidance for local authorities February 2018

Next review date: September 2024

6. APPENDIX I

