**Education Other Than at School Policy and Process**

**Wokingham Borough Council**

**Introduction**

Wokingham Borough Council (the Local Authority) is committed to ensuring that it exercises its functions relating to the provision of education with a view to promoting high standards, ensuring fair access to educational opportunity, and promoting the fulfilment by every child concerned of their educational potential. This applies to children and young people of compulsory school age and post 16 to receive a suitable education either at school or otherwise than at school and, in conjunction with the following documents that are likely to influence the delivery of EOTAS provision and this statement describes how the Local Authority will achieve this commitment.

**The Law**

Section 7 of the Education Act 1996 states that the parent of a children of compulsory school age has a legal duty to ensure that they:

*“… [an] efficient full-time education suitable — … [to their child’s] age, ability and aptitude, and … any special educational needs [they] may have either by regular attendance at school or otherwise.”*

It adds, in section 19(1) of the Education Act 1996, that:

*"Each local (education) 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."*

**Section 61 Children and Families Act 2014**

Special educational provision otherwise than in schools, post-16 institutions etc

This section has no associated Explanatory Notes

(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 parent or the young person.

In most cases, the Local Authority has commissioned local short stay schools and pupil referral units to assist it to comply with its duties under section 19(1), but where appropriate the Local Authority can commission other educational packages, such as Alternative Provision, to provide EOTAS

**Elective Home Education**

Elective home education is a term used to describe a choice by parents to provide education for their children at home, in some other way or a combination of both, instead of sending them to school full-time. This is not the same as the EOTAS that a local authority has legal duty to provide.

However, the Local Authority has a legal duty to be satisfied that the education being provided to children and young people of compulsory school age is suitable.

To that end, in compliance with the law and the DfE’s guidance on EHE, the Local Authority’s EHE SOP / Policy provides a framework via which children and young people who are being home educated and their parents / carers can let the Local Authority know the educational provision that they have in place and discuss the child or young person’s progress.

**Who should receive EOTAS?**

In line with section 19 of the Education Act 1996, the Local Authority should only provide EOTAS to children and young people of compulsory school age who may not receive a suitable education due to illness, exclusion from school or for some other reason.

This can include children or young people:

1. Who have been admitted to and are receiving medical treatment at hospital
2. Who are at serious risk of permanent exclusion or, from the 6th school day after their exclusion, those who have been permanently excluded, but do not have a school place; or
3. Children or young people unable to attend school because of their exceptional social circumstances or their severe and complex special educational needs or medical condition.

It is the Local Authority’s intention to use EOTAS to support the vast majority of children and young people into a mainstream or specialist placement that meets their needs.

**EOTAS Process**

EOTAS is intended to be an or short-term educational provision to facilitate a child or young person’s return or integration into school or some other educational provision with an EHCP, It is essential that the Local Authority work in partnership and flexibly with the child or young person, their parents or carers and other partners and agencies when considering requests for, determining the content of and managing EOTAS provision

Therefore, when making decisions about EOTAS, the Local Authority will adhere to the following process:

**Determining whether to provide or continue to provide EOTAS:**

Decisions about whether it is necessary for the Local Authority to provide or continue to provide a child or young person with EOTAS shall be made by SEND Panel with supporting evidence from a senior officer from the SEND Service.

* The documentation, information and views submitted by the child or young person and their parents or carers on the subject.
* The information collated by the Local Authority, from the professionals and agencies that it deems necessary, about the child or young person’s school attainments, such as the most recent Annual Review information’ attendance, and behaviour logs; reports/letters from professionals currently involved with the CYP, school consultation responses, any other relevant needs and circumstances; for example and the legislation and statutory guidance that explains when a local authority has a legal duty to provide EOTAS.

Given the expertise of Education Psychology Service in such matters, its representative will be asked to lead the discussion at the SEND Panel meeting when members are asked to decide about providing or continuing to provide EOTAS, this will also be consulted at Complex Case Forum to enable any input from health and social care partners.

(b) **The educational provision within an EOTAS package:**

The organisation will

* Consider the documentation supplied to it by the Local Authority about the child or young person’s needs, including any EHC Plan.
* Take account the views expressed, especially those of:

1. The child or young person and the parents or carers.
2. Education Psychology Service.
3. The Local Authority’s SEND Team; and any other professional and agency that the Local Authority deems appropriate.

Develop, and agree with the Local Authority, an EOTAS program of work that will:

* Provide the child or young person with an efficient and, where possible, full-time education that is suitable to their age, ability, aptitude and special educational needs.
* Specify how it will facilitate the child or young person’s return or integration into school or some other educational provision. Recommended desire within one academic year and result in the efficient use of public resources.

AND

* Manage the delivery, monitoring and review of the EOTAS program in place.
* If a child or young person has an EHC Plan, EOTAS is written into section F.

**(C)Monitoring and reviewing of EOTAS provision:**

* The Local Authority will monitor a child or young person’s progress on their EOTAS program and conduct a review of that provision:

1. After the first six school weeks to ensure package is running smoothly
2. Ongoing monitoring at least once each academic term.
3. The format of the interim review will include the Child and young people, parent/carers, and involved professionals’ view of current provision, progress, and plan for returning to school. These areas will be covered in the agenda at the review.

**Annual review of an EHC Plan:**

* In line with the annual review process the plan will be reviewed annually as a minimum. However, if integration into a school or some other education provision remains unsuitable or cannot proceed, the Local Authority will work flexibly with the parent, carers, child and young person to ensure that they continue to follow an appropriate EOTAS program until it is next reviewed.
* Continuation of EOTAS will always go to SEND panel for a decision

**Process:**

**Stage 1:** Decision is made at SEND Panel for EOTAS (pre this stage the officers will have had conversations and discussions around appropriateness of EOTAS with families).

**Stage 2**: Consult with family to understand what will work as an arrangement initially.

**Stage 3**: Consult with providers and set up arrangements in consultation with family. Package is coproduced.

**Stage 4**: Package reviewed at complex forum.

**Stage 5**: B2B and B2C organised, and contract agreed. Providers are registered as suppliers and invoice

**Stage 6:** Six-week review of packages – the LA organise meeting. Any outstanding issues will be picked up independently if it is specifically around a provider.

**Stage 7**: Early annual review after two terms – (Discussion at the review will be based around the performance of the package and consults around reintegration to school, discussion on effectiveness etc.)

***Stage 8 is split into 2***

**Stage 8a**: Young person returns to school

**Stage 8b**: Young person continues the EOTAS package

**Decision to go back to panel**

**Stage 9**:Plan continues to be reviewed at least annually