

# **Nottinghamshire County Council**

## **Education Other Than at School Policy (EOTAS)**

**2024-2027**



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#### 1) What is Education Other than at School

Education Other than at School can only be provided by the Local Authority under the circumstances outlined below. This will usually be time limited, small group, or one to one tuition commissioned from an alternative education provider or provided by the Health Related Education Team. Education should be full time unless the physical or mental health needs of the child or young person evidence that full time education is not appropriate.

#### 2) Legal Duty

- 2.1 Section 19 of the Education Act 1996 requires local authorities to make arrangements to provide "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". Suitable education is defined as "efficient education suitable to the age, ability, aptitude and to any special educational needs", the child (or young person) may have.
- 2.2 The Education and Inspections Act 2006 requires the local authority to provide full-time education for all permanently excluded pupils who are resident within the county of Nottinghamshire. From the sixth school day of a permanent exclusion, the LA is statutorily responsible for ensuring that suitable full-time education is provided

#### 3) Children and young people who may qualify for access to education other than at school ( EOTAS) directly funded by the Local Authority.

Nottinghamshire County Council recognise the need for **interim** education provision to be made under Section 19 of the Education Act 1996 in the following situations:

- 1) Pupil's on roll at a school who have physical and/or mental health needs that have led to absence from school for 15 days, where there is evidence that they are unable to access the learning that their school has currently put in place for them, and the school needs time to make suitable arrangements
- 2) Pupils have been permanently excluded from school and no appropriate alternative mainstream school place has been identified.
- 3) Looked After Pupils are without a school place and are not yet ready to be placed on a school roll.
- 4) Pupil's known to the Fair Access Team are without a school place and are not yet ready to be placed on a school roll, or where no appropriate school roll is available.
- 5) Pupils with special educational needs and disabilities (SEND) who have an education health and care plan (EHCP) whose needs cannot be met in mainstream or special school settings and/or where no appropriate school place is available.

## 4) The four routes to EOTAS Provision

**A) Where the physical and/or mental health needs of a pupil on roll at a school are such that they have been absent from school for 15 days, and where, there is evidence that they are unable to access the learning that their school has currently put in place for them, and the school needs time to make suitable arrangements**

Schools in Nottinghamshire can seek support for pupils who have physical and/or mental health needs and who have been absent from school for 15 days by making a referral to the **Nottinghamshire Health Related Education Team**. This includes pupils who are receiving hospital treatment as an inpatient.

The Nottinghamshire Health-Related Education Team contains specialist teachers and teaching assistants who work with the school and family to ensure that the child or young person can continue to access learning. This is usually a 12-week programme of interim education to either transition the pupil back into their school place or to allow the responsible school time to make suitable arrangements for the delivery of an appropriate education.

Parents and Carers concerned about pupils with physical and mental health needs are welcome to contact the Health Related Education Team directly for support and advice. The team can be contacted via HRET Office Tel: 0115 9773481 or by Email: [hret@nottscc.gov.uk](mailto:hret@nottscc.gov.uk)

### **B) Permanently Excluded Pupils**

Schools have a statutory duty to notify the home authority of a pupil when they issue a notification of permanent exclusion. Where a pupil resident in Nottinghamshire has been permanently excluded from school Nottinghamshire County Council has a statutory responsibility to ensure that an education placement is in place 6 days after the notification of exclusion. Where appropriate a new school place will be sought but if that is not reasonable or possible then alternative education provision must be commissioned through the Nottinghamshire Approved Alternative Provider commissioning process. The Vulnerable Children Education Commissioning Group (VCEC) meets 3 weekly and must be informed about all pupils who have been permanently excluded. The Partnership Team are expected to commission provision within the 6 day timeline and are not required to wait for authorisation to proceed from VCEC.

### **C) Vulnerable, Looked After and Fair Access Pupils who are Children/Pupils Missing Education**

Where any County Council team is aware of a child or young person who is not on a school roll or who is not in receipt of an appropriate education and there is evidence that the pupil is not in receipt of a suitable education then the case can be raised at Vulnerable Children Education Commissioning Group. Where appropriate the Local Authority will negotiate the provision of a suitable education working with school partners but if that is not reasonable or possible in a timely way then alternative education provision can be commissioned through the Nottinghamshire Approved Alternative Provider commissioning process with authorisation from Vulnerable Children Education Commissioning Group. If any parent, carer or professional working with children or young people in Nottinghamshire has a concern that a pupil is not in receipt of an appropriate education they can email the Fair Access Team [fairaccess@nottscc.gov.uk](mailto:fairaccess@nottscc.gov.uk)

### **D) SEND pupils with an EHCP**

Where pupils are on a mainstream school roll it is possible for the school to directly commission an alternative provision placement as part of an agreed support plan. This can be supported through usual SEND Funding processes and the quality assurance, monitoring and safeguarding responsibilities remain with the school. The Local Authority may directly commission education other than at school for a pupil with an EHCP where an EHCP assessment or review has led to an agreement between professionals and families that a mainstream school setting cannot meet the needs of the child or young person, and no appropriate special school place is available. Any request for alternative education provision must be authorised by the Integrated Children's Disability Service and commissioned through the Nottinghamshire Approved Alternative Provider commissioning process.

## **5) NCC Commissioning EOTAS Provision**

Pupils educated other than at school who require their education package to be commissioned by the local authority will usually be educated in an alternative provision setting but in exceptional cases a pupil may receive 1:1 tuition for a time limited period.

Nottinghamshire County Council maintains a list of approved alternative education providers including 1:1 tuition providers. Some providers are also registered with the Department for Education and those providers are subject to Ofsted inspections. All Nottinghamshire County Council approved providers are subject to Nottinghamshire County Council quality assurance processes.

EOTAS placements can only be commissioned from the Nottinghamshire County Council Approved Provider List except under exceptional circumstances e.g. when commissioning a place for a Nottinghamshire Looked After Child who is residing in another local authority area where providers could not reasonably be expected to have applied to be approved by Nottinghamshire.

The team responsible for seeking to commission an EOTAS place for a pupil must adhere to the commissioning procedures agreed with the Nottinghamshire County Council Commission Team. Officers must ensure that the needs of the pupil have been clarified and that an education placement is commissioned from the education provider who has a suitable place available, that can meet need, as local to the pupil's residence as possible, at the most cost effective price.

## **6) EOTAS alternative provision offer**

An offer of EOTAS provision should always be personalized to meet the needs of the young person. Unless the needs of the young person dictate otherwise, or the offer is 1:1 tuition, the offer should be for 25 hours. Where a part time offer is initially required the aim must always be to increase the hours of learning as soon as the young person is able to do so. The EOTAS provision offered should provide access to a broad range of curriculum areas and support the emotional well-being of the pupil. Where it is necessary to offer a personalized programme that combines alternative education providers the number of providers attended should be kept to the minimum necessary to provide the learning required.

## **7) Monitoring EOTAS alternative provision**

Each alternative education provider is monitored by the Commissioning Team on an annual basis and the delivery of education and safeguarding processes are monitored by the Education Partnership Quality Assurance Monitoring Officer.

The Team that has commissioned the provision will remain responsible for the pupil and will be expected to participate in the half termly EOTAS Monitoring Meetings.

The Education Partnership Team must be informed about all EOTAS Placements and will then support with the monitoring of attendance, liaison with pupils, families and education providers, tracking academic progress and safeguarding and reporting back to the team that have commissioned the EOTAS provision.

All parents and carers of EOTAS pupils will be provided with the contact details of an Nottinghamshire County Council EOTAS Professional Practitioner as a key point of contact whilst their child is accessing EOTAS education.

## **8) Duration of EOTAS alternative provision**

Whilst the need for EOTAS for any pupil is recognized to be a very personal and individual situation there is a presumption that wherever possible young people should be supported to return to school led, and full-time mainstream education at the earliest opportunity. EOTAS provision is not expected to be a long term solution. For pupils in Keystage 4 or 5 accessing examination courses securing their accredited educational outcomes before they transition back into mainstream education should be a priority, consequently pupils in Keystages 4 and 5 may attend EOTAS provision for longer than those in Keystages 1-3.

This will be policy reviewed in 2027