Education Other Than At School

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**Agreed by:** SCC Children and Young People’s Services

Directorate Management Team

**NB)** Policy to reviewed by Children and Young People’s Services policy and procedures group

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**Responsible Service Area/Team:** Specialist Education Services, Inclusion Service

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Services policy and procedures group

Document Summary

This policy details the arrangements through which the Local Authority meets the requirement to ensure that children and young people who cannot be educated in school “*by reason of illness, exclusion from school or otherwise”* receive suitable education; and replaces all previous policy statements relating to EOTAS provision.

**Suffolk County Council**

**Education Other Than At School Policy (EOTAS)**

**1 Introduction**

1.1 Suffolk County Council believes that for the majority of children and young people in Suffolk the best place to undertake their education is in their local mainstream school. It is recognised that schools have to respond to a diverse range of pupil need and they do require help and support from other agencies, including the Local Authority. There will however be a small but significant group of children and young people for whom education in a school would be inappropriate. Where a child is not electively home educated, a key priority for the Local Authority is returning these children to school as soon as they are able to do so; therefore EOTAS provision should not be seen as a long term solution.

1.2 This policy details the arrangements through which the Local Authority meets these requirements and replaces all previous policy statements relating to EOTAS provision.

**2 Vision and values**

2.1 The council is committed to enabling all children and young people in Suffolk to aspire to, and achieve their full potential, giving them the basis for a successful and productive life as active members of their community’

2.2 Children and Young Peoples Services will:

o Aim for every child and young person in Suffolk to achieve their aspirations, to be healthy and stay safe, to contribute successfully to their community, and to have a successful transition to adulthood

o Provide accessible, high quality integrated services, with a particular focus on early intervention and prevention.

o Give extra attention and support to vulnerable children and young people and those who have additional needs.

o Involve children and young people, and parents and carers, in the design and delivery of services, to ensure co-production and the voice of the child or young person is at the heart of our activity.

o Work across all organisations working with children and young people to develop a shared culture and ethos of inclusive practice.

**3 Aims**

3.1 Suffolk Childrens and Young Peoples Services aims are for children and young people who are EOTAS:

* to ensure schools are enabled to put in place early identification and intervention, using the principles and practice of the Suffolk Graduated Response

• to minimise as far as possible the interruption to the child or young person’s normal schooling

• to provide continuity and progression as far as circumstances will allow

• to achieve re-integration to mainstream schooling as soon as possible, as appropriate

• to secure the best educational outcomes within the child’s or young person’s context

3.2 The policy recognises that our aims are best achieved through partnership working with a variety of agencies. Young people and their parents/carers are key partners in this process, together with their schools, local authority support staff and when appropriate, other agencies.

3.3 The policy and procedures are designed to work within the wider framework of government legislation and local arrangements for education funding. They also link, as appropriate, with government guidance on special educational needs, inclusion, and the education of children with long-term illness or other medical conditions.

**4 Statutory Duties**

4.1 The duty of Suffolk County Council as a Local Authority is laid down in section 19(1) of the Education Act 1996 (as amended):

*‘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.’*

4.2 The Children and Families’ Act 2014 Section 61 makes specific legal provision for the education of children and young people for whom education in a school would be inappropriate. This is called Education Other Than At School (EOTAS).

4.3 The work of EOTAS is also informed by a number of guidance documents, policies and legislation including:

• DfE Statutory Guidance: Exclusion from maintained schools, Academies and pupil referral units in England (2012)

• DfE Statutory Guidance: Alternative Provision Statutory guidance for local authorities (2013)

• DfE Statutory Guidance for LAs: Ensuring a good education for children who cannot attend school because of health needs. (2013)

• DfE Promoting the Educational Achievement of Looked After

Children: Statutory Guidance for Local Authorities. (2018)

• DfE Elective Home Education Guidelines for Local Authorities

(2019)

• DfE Children missing Education (2016)

• Children Act 2004

• Every Child Matters

• Education Act 1996

• Education (Pupil Registration) (England) Regulations 2006

• SEN Code of Practice (2014)

• Education Enforcement of Attendance (1996)

• Education and Inspections Act (2006)

• Apprentice, Skills, Children and Learners Act (2009)

• Equalities Act (2010)

• DfE Statutory Guidance: Keeping children safe in education (2022)

• DfE Statutory Guidance: Working together to safeguard children

(2022)

**5. Who this policy is for**

EOTAS in Suffolk is responsible for the educational provision for children in the following ways:

5.1 For a fixed period exclusion of more than five school days, the governing body (or the Management Committee in relation to a pupil excluded from a pupil referral unit) must arrange suitable full-time education for any pupil of compulsory school age. This provision must begin no later than the sixth day of the exclusion.

5.2 For permanent exclusions, in compliance with the Education and Inspections Act 2006, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth day of the exclusion. For Looked after Children suitable full time education must be arranged within 24 hours of the permanent exclusion. This will be the pupil's ‘home’ authority in cases where the school is maintained by a different local authority. The ‘home’ authority must be notified by a

school or Academy when they take the decision to permanently exclude a pupil.

5.3 Where a pupil comes under the ‘otherwise’ criteria, the Local Authority will consider the case via a referral to the Alternative Tuition Service and determine on an individual basis according to the circumstances and needs of the child. In all cases consideration will be given to information provided by relevant services and agencies involved with that child.

5.4 In addition, where a pupil has an Education, Health and Care (EHC) plan the Local Authority needs to ensure that an appropriate full-time placement is identified in consultation with the parents who retain their rights to express a preference for a maintained school that they wish their child to attend, or make representations for a placement in any other school.

5.5 Local Authorities must have regard to statutory guidance when carrying out their duties in relation to the education of looked after children. This guidance is provided by *Promoting the Educational Achievement of Looked After Children: Statutory Guidance for Local Authorities*.

**6. How we support the education of Permanently Excluded Pupils**

6.1 The education provided for excluded pupils for Suffolk County Council is made through PRU provision or through contracted independent providers. Please see the range of providers, the location and the associated key stage below:

|  |  |  |  |
| --- | --- | --- | --- |
| PRU Name | Trust | Key Stage | Area |
| **Alderwood** | Raedwald Trust  | KS2 | Ipswich N/E & Coastal |
| **Chalk Hill** | SENDAT  | KS2-3Boys aged 8-14 | South & Central |
| **First Base Bury**  | Raedwald Trust  | KS1 | West |
| **First Base Ipswich**  | Raedwald Trust  | KS1 | Ipswich N/E & Coastal |
| **Horizon Primary School**  | Horizon (LA) | KS1&2 | Lowestoft & Waveney |
| **Horizon Secondary School**  | Horizon (LA) | KS3&4 | Lowestoft & Waveney |
| **Include Bury**  | Catch 22 | KS1&2 | West |
| **Include Ipswich**  | Catch 22 | KS1&2 | Ipswich S & W |
| **Include Lowestoft**  | Catch 22 | KS1&2 | Lowestoft & Waveney |
| **Westbridge Academy (previously Monty Road)** | Raedwald Trust  | KS4 | Ipswich S & W |
| **Olive Academies**  | Olive | KS2-4 | South & Central |
| **Parkside KS3** | Raedwald Trust  | KS3 | Ipswich N/E & Coastal |
| **Parkside KS4 (Linbergh)** | Raedwald Trust  | KS4 | Ipswich N/E & Coastal |
| **St Christophers**  | Raedwald Trust  | KS2 | Ipswich N/E & Coastal |
| **The Albany** | BEST (Believe Engage Succeed Trust)  | KS3&4 | West |

6.2 Whilst a setting is sought, the Local Authority also provide tuition through the Alternative Tuition Service. This offer is usually through online activities supported by a teacher. The service is line managed by the Deputy Headteacher of Specialist Education Services.

6.3 The aim of these provisions is to:

o Re-engage disaffected and vulnerable learners by providing appropriate and personalised education.

o Deliver intensive intervention to support pupils in managing their own challenging behaviour so they are able to reintegrate back into mainstream school.

o Successfully reintegrate pupils into mainstream provision at the earliest opportunity when they are ready to return, usually within two school terms.

6.4 Whenever possible, pupils should receive their education within a mainstream school. Therefore, the aim of the provision is to reintegrate pupils back into mainstream education at the earliest possible opportunity. However, if pupils are in Key Stage 4 and have started a programme of study towards qualifications within the PRU consideration must be given as to whether a return to mainstream school would be beneficial.

6.5 Arrangements for reintegration are facilitated through the In Year Fair Access Panel (IYFAP), unless a direct application is made by parents/carers to a mainstream school. Alternative provision providers work with the mainstream school to prepare the child or young person back into mainstream education.

Providers must also prepare Key Stage 4 pupils for their transition into post 16 education, employment or training – this would be under the umbrella of careers guidance or a Moving Into Adulthood Plan.

6.6 Once the pupil has been reintegrated back into mainstream school the Inclusion Service will monitor the placement and review the reintegration plan on a regular basis until the pupil has been deemed by the school and their parent(s)/carer(s) to have made a successful transition into their new school.

**7 How we support the education of pupils unable to attend school because of Health Needs**

7.1 In January 2013 the Department for Education published statutory guidance entitled ‘Ensuring a good education for children who cannot attend school because of health needs – Statutory guidance for local authorities’. This replaces the previous guidance ‘Access to Education for Children and Young People with Medical Needs’ (2001). It provides comprehensive guidance to local authorities and related services. Roles and responsibilities, including those of the local authority and school, are outlined in detail. This policy should be read alongside this guidance and any future relevant guidance.

7.2 Suffolk County Council is responsible for ensuring that pupils with health needs are not at home or in hospital for more than 15 working days without access to education: this may be consecutive or cumulative with the same medical condition.

7.3 Suffolk County Council will arrange suitable full-time education (or as much education as the child’s health condition allows) for children of compulsory school age who, because of illness, would otherwise not receive suitable education.

7.4 The aim of this provision is to:

o Minimise disruption to learning

o Deliver an appropriate and personalised education and

o Successfully reintegrate pupils into mainstream provision at the earliest opportunity when they are well enough to return.

7.5 Suffolk County Council is responsible for ensuring that there is a named senior officer with responsibility for the provision of education for children and young people who are unable to attend school because of medical needs. In this Local Authority the officer is Maria Hough, Deputy Headteacher for the Specialist Education Services.

7.6 Details of how this provision is arranged is detailed under the following policy [Supporting Children with Medical Needs](https://search3.openobjects.com/mediamanager/suffolk/enterprise/files/2021_10_14_suffolk_ats_medical_policy.docx)

**8 Elective home education**

8.1 Access to education is a fundamental right for every child and it is recognised that parents (who are defined in Section 576 of the Education Act 1996) have the right to choose to educate their child at home rather than by attending school.

8.2 Parents are responsible for ensuring that their child receives a suitable education and the Local Authority contends that this is best achieved where parents and the Local Authority recognise each others’ rights and responsibilities and work together.

8.3 The responsibility for a child’s education rests with their parents. In England, education is compulsory, but school is not.

8.4 Suffolk County Council policy and practice can be found at [Suffolk Elective Home Education Policy](https://search3.openobjects.com/mediamanager/suffolk/enterprise/files/january_2020_revised_ehe_policy.pdf)

**9 Safeguarding**

9.1 Each provider will have a safeguarding policy and associated procedures that comply with the DfE statutory guidance ‘Keeping children safe in education (2022)’ and ‘Working together to safeguard children (2022)’.

**10 Budgets**

10.1 The Budget for EOTAS is set on an annual basis and is overseen by the Headteacher for Specialist Education Services who reports directly to the Assistant Director of Inclusion. Close monitoring of EOTAS costs are undertaken to ensure best value.

**11 Monitoring**

11.1 EOTAS provision is monitored by the Inclusion team, overseen by the Assistant Director for Inclusion.

**12 Review of policy**

12.1 This policy will be reviewed as part of a three year cycle unless changes are implemented as a result of policy change at a local level or changes in legislation.