

What EOTAS actually is (and isn't)

EOTAS = Education Otherwise Than At School

It is not home education

It is not elective

It is part of an EHCP

EOTAS is used only when no school placement can meet your child's needs, even with reasonable adjustments.

Legally, it sits under Section 61 of the Children and Families Act 2014.

When EOTAS can be agreed

EOTAS should be considered when:

- A school placement has broken down or is no longer suitable
- Attendance is not possible due to:
 - Anxiety / mental health
 - Trauma
 - SEN not being met
 - Risk of exclusion
- Your child cannot access learning in a school environment
- Previous provision has failed despite support

The local authority must consider current needs, not the situation at the time of application.

Important EHCP sections for EOTAS

EOTAS affects specific sections of the EHCP:

Section B – Special Educational Needs

Must reflect what has changed:

- Mental health
- Anxiety
- Burnout
- Sensory needs
- Trauma
- Neurodiversity
- School refusal linked to unmet needs (not “behaviour”)

If Section B is wrong or outdated, EOTAS will be refused.

Section F – Provision (this is critical)

For EOTAS, provision must be:

- Specific
- Quantified
- Delivered outside a school

Examples:

- Hours of tutoring per week
- Therapy provision
- Specialist mentoring
- Online or alternative providers
- Therapeutic education
- Avoid vague wording like “access to” or “as required”.

Section I – Placement

Instead of naming a school, it should say something like:

“Education Otherwise Than At School (EOTAS)”

Or:

“No educational placement – provision to be delivered under Section F”

Evidence you will need

The LA will not agree to EOTAS without evidence.

Strong evidence includes:

- Educational psychologist reports
- CAMHS / mental health letters

School letters confirming:

- Inability to meet needs
- Breakdown of placement
- Attendance data
- Professional opinions stating:
- School is unsuitable
- EOTAS is necessary
- Even one professional explicitly supporting EOTAS can make a big difference.

What to say about “what has changed”

Be very clear and factual about:

- Why the original EHCP draft no longer reflects reality
- What has deteriorated or escalated
- What has been tried and failed
- The impact on your child's:
- Mental health
- Safety
- Learning
- Self-esteem
- This is not about blame — it's about unsuitability.

Funding and responsibility

With EOTAS:

The local authority remains responsible

They must:

- Fund the provision
- Arrange it (or agree to you arranging it)
- You do not have to fund it yourself (unless you choose to top up)

You can request:

- A personal budget
- Or direct LA-commissioned provision

Common LA pushbacks (and what to know)

You may hear:

“We don’t do EOTAS”

“We need to try another school first”

“That’s just home education”

These are not legally correct reasons to refuse.

EOTAS is lawful when schools are unsuitable — not only when all schools have been tried.

Timing & process

You can request EOTAS:

- During a draft EHCP
- During an annual review
- After a placement breakdown

If refused:

- You can appeal to SEND Tribunal
- Tribunal can order EOTAS

Key question to keep coming back to

“Can my child receive suitable education in a school setting right now?”

If the honest answer is no, EOTAS must be considered.

Practical next steps

You may want to:

Request updates to Section B urgently

Submit written evidence explaining the change in circumstances

Explicitly request EOTAS in writing

Ask professionals to state:

“A school placement is not currently suitable”