

## SEND elective home education (EHE) and education other than at school (EOTAS)

### SEND elective home education (EHE)

Electively home educated (EHE) is when a parent chooses not to send their child to school full-time but assumes responsibility for making sure their child receives a full-time education other than at school.

Some children are electively home educated from age 5 and may never attend school. In other cases, a child may be removed from their school's roll for EHE.

Educating children at home works well when it is a positive choice and carried out with proper regard for the needs of the child. In many cases, elective home education is appropriate, well-delivered and involves considerable sacrifice on the part of parents.

EHE requires parents to take full responsibility for their child's education, including all associated costs (such as exam fees). Schools are not required to provide any support to parents that have withdrawn their child for EHE.

Support provided by Local Authorities (LA) is discretionary, including support for a child's special educational needs.

Parents should not be placed under pressure by schools to electively home educate their child. This is a form of 'off-rolling' and is never acceptable.

Parents' right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether the child has a statement of special educational needs or an Education, Health and Care Plan (EHC plan), or neither.

Local authorities have a duty under s.22 of the Children and Families Act 2014 to try to identify all children in their areas who have SEN.

This includes home-educated children. Local authorities must have regard to the statutory guidance in the Special Educational Needs Code of Practice when carrying out SEN functions.

The Code provides information about SEN in relation to home education (paragraphs 10.30 – 10.38).

When a child has a EHC plan, it is the local authority's duty to ensure that the educational provision specified in the plan is made available to the child - but only if the child's parents have not arranged for the child to receive a suitable education in some other way.

#### EHE guidance and policy

[Elective home education: guide for parents and local authorities \(GOV.UK\)](#)

Here is [Ealing's EHE policy](#) (pdf)

### SEND education other than at school (EOTAS)

Education other than at school (EOTAS) includes all forms of education that takes place outside of the formal school environment.

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 or post-16 institution would be inappropriate. This is called Education Otherwise Than At School, or EOTAS.

EOTAS is the legal mechanism whereby a child or young person with an EHC Plan can receive special educational provision despite being unable to attend an educational setting.

Under a formal EOTAS arrangement, the child or young person will not be required to be on the roll of, or in attendance at, a "traditional" educational setting. Instead, they will receive their education and special educational provision either at home, or in some circumstances, within an external setting that is not a registered educational setting.

EOTAS is different to home education. While both EOTAS and home education may have the same result in that the child will be being educated at home, they each place completely different obligations on local authorities.

Under Section 42 of the Children and Families Act 2014, a local authority is placed under an absolute legal obligation to make sure a child or young person receives all of the provision contained in Section F of their EHC PLAN, unless the circumstances in Section 42(5) are met.

Section 42(5) says the obligation is on the local authority to provide the EHC PLAN provision unless "the child's parents or the young person has made suitable alternative arrangements.

However, under an EOTAS package of provision the local authority will remain responsible for the child or young person's education generally.

It will remain under an obligation to ensure all of the provision in Section F is provided and funded.

#### EOTAS guidance and policy

The expectation for local authorities to provide education for CYP with SEND who are unable to attend school is covered in the statutory guidance:

[Education for children with health needs who cannot attend school \(GOV.UK\)](#)

Here is [Ealing EOTAS policy](#)

#### Was this page useful?

- [Yes](#)
- [Neutral](#)
- [No](#)

Last updated: 06 Nov 2024