

Elective Home Education (EHE) and Education Other than at School (EOTAS)

- what are they and what is the difference?

Please note: 'child' = 'child or young person'

EHE vs EOTAS – What is the difference?

Parents have a duty, to make sure their child (if they are of compulsory school age) receives an education that is efficient, suitable and full time. They can choose to do this themselves, or they can ask the local authority to make a school place available for this education to take place.

Sometimes parents may feel they have no choice but to home educate especially when their child is struggling, but this can have difficult consequences for the whole family as well as the child. Here we will look at the difference between a positive choice to home educate and what else could be considered when it is felt that school is not appropriate.

Elective Home Education (EHE)

EHE is a term generally used when parents choose to provide education for their child or young person themselves, rather than sending them to school. You 'Electively' choose to Home Educate. This should be done as a positive decision rather than feeling forced into it. You may educate them at home yourselves or by providing a tutor, may send them to someone else to educate them, or a mixture. Some children leave school to have home education, others never start at a school at all.

You do not need to get permission from the local authority or even inform them (unless there is an EHCP in place). However, we would encourage you to contact the [EHE team](#) who can also provide you with a free Parental Information Pack and can answer any questions you may have. You can email them on ehe@westsussex.gov.uk or call them on: 0330 222 3300.

There are many things to consider when choosing EHE as it will mean a major commitment of your time, energy and money (and you will need to consider resources, educational visits, activities and so on). However, it can be rich, rewarding time for both parent and child.

If your child has an EHCP

If your child has an EHC plan in place, choosing to EHE, means that the LA no longer has a legal duty to secure any special educational provision which is specified in the child's EHC plan. This is because you essentially agree to be making your own suitable, alternative arrangements. However, they must still review the EHC plan annually to assure itself that the provision set out in it continues to be appropriate and that the child's SEN continues to be met.

If your child currently attends a special school or there is a School Attendance Order in place, you will need to write to the LA (not the school) to get its agreement to take your child off the school roll. If your child is at any other type of school, you do not need the permission of the school or the LA.

You will also need to let your SEND officer know your intention to home educate as the EHC plan will need to be amended to reflect the changes (e.g. in Section I).



Education Other than At School (EOTAS)

There may be a situation when you feel that school is not an appropriate place for your child to receive their education. If your CYP has an EHC Plan AND if the LA are satisfied, then they can arrange for any special educational provision which the child or young person

requires, to be delivered somewhere other than in a school (or college or early years setting). This is known as 'education otherwise than at school' or EOTAS. The LA would continue to be responsible for securing and funding that provision.

Please note: This is different to a particular setting not being appropriate (as attendance at another setting could be arranged). However, if there is no suitable school available, and no reasonable adjustments could be made at another school, then the LA may arrange an EOTAS package. Generally though, EOTAS is really the term given, when the LA are satisfied that it would be **inappropriate** for the child to attend school and therefore education could only be provided in a different way.

What makes an educational setting 'inappropriate'?

The word inappropriate was considered in the case of *TM v London Borough of Hounslow*, which confirmed that the full effect of the word must be considered, and that the LA must determine whether a school setting would "not be suitable" or "not be proper".

These circumstances must depend on the facts of the situation and consideration of the following (but this is not an exhaustive list):

- child's background and medical history
- particular educational needs of the child
- facilities that can be provided by a school
- facilities that could be provided other than in a school
- comparative cost of the possible alternatives to the child's educational provisions
- child's reaction to education provisions, either at a school or elsewhere
- parents' wishes (the LA must consult with parents before arranging EOTAS)

In Summary...

To Electively Home Educate your child can be a rewarding, positive choice for many families and many do this successfully. However, due to the commitment and resources required to do this well, if a child is unable to attend a school setting (not just their current one) and no further reasonable adjustments can be made, ask your planning coordinator to consider an EOTAS package of support and amend the EHCP accordingly.

If there is no EHCP in place, then you may want to consider asking for an EHC needs assessment to identify why your child may be struggling to attend school. This should be done as soon as SEN Support is no longer enough. Remember as soon as you EHE, you take all responsibility for meeting your child's educational needs. It may be better (long term at least) that their needs are identified and where required, special provision made to meet these needs. With the right support in place your child could continue to receive their education through a setting.

Service Statement

The role of the SENDIAS service is to ensure all parents, children and young people have access to impartial information, advice and support so they can make informed decisions related to their situation. Any information that is shared with the service is in confidence unless permission has been obtained to share this with any individuals, services and agencies that may be able to help in the circumstances. For more detail, view our [policies and privacy notice](#) on our website.

How to contact us: Tel: 0330 222 8555 / Email: send.ias@westsussex.gov.uk or cyp.sendias@westsussex.gov.uk (up to age 25) / Website: www.westsussexsendias.org

To view factsheet online and access all links: <https://tinyurl.com/btwbxzep>

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