



CYFLAWNI **TEGWCH** A RHAGORIAETH MEWN **ADDYSG** A **GWELL LLES** I BAWB

**EQUITY** AND **EXCELLENCE** IN **EDUCATION** AND **ENHANCED WELLBEING** FOR ALL

## **Education and Inclusion Service**

### **Access and Inclusion Service**

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

**This document is available in Welsh  
Mae'r ddogfen yma ar gael yn y Gymraeg**

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## **1. Purpose**

This document has been devised to inform parents/carers, schools and other partners on the process and procedures relating to requests for individual or group tuition.

## **2. Introduction and Context**

Rhondda Cynon Taf (RCT) considers that for the majority of children and young people the best place for receiving their education is in their local mainstream school and community. It is however recognised that schools have to respond to a diverse range of pupil need and more specialist provision and support may be required for some of our most vulnerable learners. This can include placement in a learning support class or a special school. There will also be a small but significant group of children and young people who cannot be educated in school. A key priority for the Local Authority (LA) is to make appropriate provision for those who require Education Other than at School (EOTAS) and return these children and young people to school to learn alongside their peers as soon as they are able to do so.

The LA is required to ensure that suitable provision is available for children or young people of compulsory school age who, because of illness, or permanent exclusion would not be able to access suitable education without such provision. This applies whether or not the child or young person is on the roll of a mainstream school, special school or Pupil Referral Unit (PRU)

## **3. Legal Requirements**

The duty of RCT as a LA 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.'*

Welsh Government requires LAs to provide suitable education for all permanently excluded pupils resident within the borough from the 16<sup>th</sup> school day after a decision by a Governing Body Discipline Committee to uphold a Headteacher's permanent exclusion. LAs have a discretionary power (as opposed to a duty) to make arrangements for education which is suitable to the age, ability, aptitude and the special educational needs (SEN) / additional learning needs (ALN) of the child or young person. There is no statutory requirement currently obliging LAs to provide a specified number of hours of education for children or young people in receipt of EOTAS but it is generally deemed to be good practice to provide up the following: 21 hours for the Foundation Phase; 23.5 for Key Stage 2; and 25 for Key Stage 3/4. This includes pupils who have been subject to a permanent exclusion. However, the provision of full-time education is not always possible for pupils who have become deeply disengaged from education or who are unable to cope with prolonged periods of teaching because of their medical or psychological needs.

EOTAS tuition provision adopts a child-centred approach. For those receiving individual or group tuition, the level of support is tailored to the individual child's needs and the direct influence provision has on their ability to engage and attend. The LA is committed to ensuring that each child's educational experience remains needs-driven, with regular reviews conducted every half term of attendance/engagement to adapt and refine the hours of provision made. As a baseline, we guarantee a minimum of one hour of daily EOTAS provision to all learners. However, we also acknowledge that some learners' needs may mean that they are able to engage well with lessons and may require additional lessons, which can exceed the standard allocation of 5 hours per week for those age 5-14 and 10 hours per week for those age 14-16, who have entered their examination years. Group tuition is a full-time provision but is also able to work in a flexible way based on need. Any proposed amendments to a student's EOTAS tuition will require approval from the EOTAS Reviewing Panel, to ensure continued alignment with the child's evolving educational needs. This approach reflects our dedication to delivering a flexible and responsive educational service that supports each child to thrive.

For pupils accessing tuition, plans for their future education should specifically cover how the return to full-time education may be achieved (Inclusion and Pupil Support, Department of Education, Lifelong Learning and Skills, 2006).

The Tuition Policy shows due regard for the Equality Act 2010, including the anticipatory duties. Section 20 of the Equality Act 2010 highlights the need for the Council and schools to anticipate the needs of disabled service users and to take reasonable steps to remove barriers to accessing services. The duty is anticipatory in the sense that it requires consideration of, and action in relation to, barriers that impede people with disabilities from using services and also participation in experiences prior to them accessing them.

The duties of the LA are also laid out in the 'The Additional Learning Needs Code for Wales 2021' (see Section 6). The Code imposes requirements on the governing bodies of maintained schools, Further Education Institutes and on LAs in respect of:

- decisions about whether a learner has ALN,
- the preparation, content, form, review and revision of individual development plans ("IDPs"),
- ceasing to maintain IDPs.

Where a learner is in receipt of tuition, has an identified ALN and is either dually registered with a school or singularly registered to tuition then the LA will take responsibility for maintaining the IDP. The LA will also arrange for the Additional Learning Provision (ALP) described in an IDP it maintains for a child.

The LA is required; where it is appropriate, to provide education provision for children and young people deemed medically unfit to attend school. To ensure these children and young people receive their entitlement to learning, arrangements should be made to deliver their education through different types of provision. These arrangements may include individual/group tuition, working towards accredited qualifications, extended work experience, vocational placements or work-related

learning with external providers. This guidance specifically relates to the processes for considering requests for tuition.

The purpose of tuition is to provide a short-term solution to a child or young person's inability to attend school due to medical reasons or exclusion. Medical reasons can include children and young people who have significant physical needs, are unwell, terminally ill or recovering from injuries and also young people who have mental health or significant psychological difficulties. In exceptional circumstances, tuition can also be provided as an interim measure for children and young people who do not have an underlying medical reason for not attending school but may be at risk of exclusion. The level of teaching support provided will depend on the child or young person's needs, age and phase / key stage of education. Given that tuition cannot replicate the broad and balanced curriculum that can be provided in a school setting, the primary focus will be on supporting core subjects where possible and a focus upon wellbeing support.

The aims of tuition are summarised as follows:

- to support pupils who are unable to attend school for an agreed period of time
- to minimise as far as possible the interruption to a child or young person's normal schooling and to maintain close links with the mainstream school
- to provide continuity and progression as far as circumstances will allow
- to ensure that children and young people are given the opportunity to access high standards of education
- to achieve re-integration to mainstream schooling for as many children and young people as possible, as soon as possible
- to secure the best educational outcomes within the context of the child or young person's social, emotional and health needs
- to provide best value in terms of learner outcomes and efficient use of resources.

#### **4. Criteria for Tuition**

Out of school tuition is provided in RCT for pupils of compulsory school age who, for a range of reasons, are unable to attend an appropriate school. In individual cases the specific factors are often complex but the learners should be absent for a period of at least 15 days and meet one of the following criteria:

- have been admitted to hospital for medical treatment, have a long-term illness or require a period of convalescence following physical injury or intervention for which there is specialist medical evidence to support the referral
- have significant mental health or psychological difficulties which have resulted in non-school attendance (e.g. school phobia, depression, anxiety) despite appropriate school based interventions, support and external agency involvement. In such cases, it would be expected that there is ongoing CAMHS involvement and specialist advice from them will be required that is no more than 3 months old at the point of referral (and is updated every 6 months). An up-to-date Educational Psychology (EP) assessment will also be required to support the referral. Where a learner has been referred to CAMHS but is awaiting an appointment, an up-to-date EP assessment (that is no more than 3 months old) will be considered and the

awarding panel will set an interim review date to allow time for the CAMHS appointment to take place. Evidence from both an EP and/or CAMHS will need to demonstrate that the illness makes attendance at school/PRU inappropriate at the point of referral.

- are awaiting placement at a special school or specialist provision and are unable to attend a mainstream school with support in the interim. This would usually apply to pupils with severe needs who are new to the LA and require prompt placement. In such cases, an up-to-date Educational Psychology assessment or statement of special educational need/IDP will be required to support the referral.
- expectant or young mothers who are experiencing significant pregnancy or post-partum related issues. In such cases, specialist medical information will be required to support the referral and will need to demonstrate that the issues make attendance at school/PRU inappropriate at the point of referral.
- children or young people who have been excluded for a period of more than 15 days or are permanently excluded from school and require urgent support to facilitate a more suitable placement.
- where there is a safeguarding need that prevents a child or young person attending school for their own safety or the safety of others and such safety cannot be effectively managed in the school setting. In such cases, a risk assessment developed in conjunction with the LA safeguarding team will be required to support the referral.

At the point of application, children and young people should:

- be of statutory school age
- be resident in RCT

Without medical evidence regarding a child or young person's need to be absent from school for a period of more than fifteen school days, tuition on medical grounds for a physical health condition will not be agreed. In exceptional circumstances, when there are likely to be unavoidable delays in receiving a consultant or a specialist medical professional's supporting letter, a letter from a GP will be considered as evidence in the interim by EOTAS panel. However, tuition will only be agreed if all other criteria are met and as an interim short-term measure whilst awaiting further specialist reports.

Where the referral is in relation to psychological or mental health concerns, there is an expectation that the child or young person will have been seen by an educational psychologist as part of a graduated response. Evidence of relevant interventions, individualised programmes and support will also be expected unless there are exceptional circumstances and this should include current ongoing CAMHS involvement with supporting reports.

Any professional advice (e.g. CAMHS, EPS) should not include explicit recommendations pertaining to placement but a description of the learner's needs, work being undertaken by that agency and any required approaches and interventions.

## **5. Referral and Panel Processes**

### **EOTAS Advisory Panel**

All new applications for EOTAS tuition are made via a Placement Consideration Request (PCR) form and are discussed at the EOTAS Advisory Panel. The Panel will review the supporting evidence submitted with the referral and make a decision regarding the pupil's eligibility to access tuition based on the entry and exit criteria above. Where it is considered that further evidence is required, the referral will be returned to the referrer with advice on the missing information required. Referrals to the EOTAS Panel can only be made by relevant LA education professionals. Where a child is not currently on roll at a school, parents seeking advice regarding EOTAS provision must contact the Head of Alternative Learning in the first instance who will advise on next steps.

For pupils who experience a sudden accident or incident that is severe and significant enough to prevent their access to school for at least 15 days or those pupils who have been given a permanent exclusion, school should complete the Placement Consideration Request (PCR) form, submitting all necessary evidence to the next panel. Out of panel decisions may be made in some cases to ensure prompt access to EOTAS, particularly in relation to permanent exclusion.

For all other pupils, it is expected that schools will have followed a graduated response to supporting the pupil prior to any submission for EOTAS tuition. Schools will be required to evidence the action they have taken to address the needs of the pupil and how they have implemented advice given by relevant agencies as part of this graduated response.

The majority of pupils who meet the criteria to access tuition will have an identified ALN and the Panel will follow the LA's designated process to ensure that an IDP is completed within statutory timescales. The IDP will reflect the Additional Learning Provision (ALP) that the pupil will receive via tuition. (See Appendix 1 – EOTAS / LA Maintained IDP RCT Process Map).

With regards pupils who have a Statement of Special Educational Needs (SEN), any changes to educational provision will need to be discussed as part of the Annual Review process. Where the Annual Review indicates EOTAS provision is required, the evidence will be considered at the LA's SEN panel. If tuition is agreed by SEN panel members, then the relevant statement of SEN and Annual Review paperwork will be forwarded to the EOTAS team to action.

Pupils who have been permanently excluded from school access virtual tuition to support their continued educational development whilst they undergo the admissions / ALN Panel process to access a new mainstream or specialist setting. The period of tuition should not ordinarily exceed a 6-week period for pupils accessing mainstream provision, although this may be extended if an appeal has been made to the exclusions Independent Appeal Panel to allow the appeal to conclude.

### **EOTAS Review Panel**

The Review Panel meets every three weeks to review pupils who are in receipt of tuition. The Review Panel is chaired by the Head of Inclusion Services and has multi-agency representation, including Youth Offending Service, Attendance and Wellbeing Service, Youth Engagement and Participation Service, Eye to Eye Counselling and Careers Wales. The Panel reviews all pupils on at least an annual basis. Where there are concerns that a pupil is not making sufficient progress or appears not to be engaging with tuition, or where a pupil is considered to need additional support or no longer meets criteria, the Head of Alternative Learning will place pupils on the Panel agenda on a needs-led basis so that any changes to provision can be discussed and agreed.

## **6. Exit Criteria for Individual/Group Tuition**

Tuition will be reviewed at least once each academic year by the EOTAS Review Panel. (In the case of pupils who have been permanently excluded and pupils accessing tuition for physical medical conditions the period of tuition is much shorter and a review of provision will not generally be necessary). The Panel will consider ceasing tuition for the following reasons:

- when relevant professional evidence suggests that the child's or young person's needs can now safely be met by a mainstream or specialist setting and all required risk assessments have been carried out
- in the absence of current specialist evidence that confirms that there is a medical/ psychological basis for a child or young person's inability to attend school
- if the pupil fails to attend or make themselves available for tuition on a regular basis or fails to demonstrate engagement in tuition to the extent that their difficulties should allow
- if there are safeguarding/wellbeing concerns and there is agreement that attendance in an educational provision is needed.

## **7. Role of the School**

At all times the pupil remains the responsibility of the school where they are on roll. All schools should have a written policy and procedures for dealing with the education of children and young people with medical needs, which may stand alone or be incorporated into the school's SEN / ALN policy. Policies in relation to behaviour and the exclusion process should also be in place. School policies should set out:

- management structures, staff responsibilities and lines of communication for children or young people with medical needs (including mental health needs)
- the way in which the school will make educational provision for children and young people with medical needs, or who are permanently excluded or excluded for more than 15 days in a term.
- the responsibility of the Governing Body (Discipline Committee) to ensure that education provision beyond unsupervised work at home is in place if the exclusion exceeds 15 days

- the school's duty and responsibilities to provide and mark work if the child or young person is well enough to do it and if the period of absence is less than three school weeks
- the school's responsibility to monitor the child or young person's attendance on a weekly basis with the EOTAS provider and to mark registers so that they reflect that a pupil is receiving education other than at school using the appropriate coding in accordance with the Attendance and Wellbeing Service and Welsh Government Guidance on School Attendance Codes (2010).
- strategies for ensuring support in the cases of long-term absence including the provision of assessment and curriculum plans within 10 working days and work programmes on a half-termly basis
- a named contact within the school to aid communication with other parties, to attend reviews and to keep in regular contact with the child or young person, parents/carers and EOTAS staff
- procedures for ensuring that children or young people who are dually registered are entered by school for public examinations (including meeting costs) and that procedures for providing invigilation and any examination access arrangements for those examinations is in place. The invigilation will need to be in line with the needs of the young person e.g. where a young person receives individual tuition at home, it is likely they will require their examinations to take place at home
- how the school's procedures will take account of the child or young person's views
- procedures for ensuring that pupils are reintegrated smoothly into the school following any period of absence and receive support to catch up on missing work
- Safeguarding responsibilities in relation to children who are receiving tuition.
- Ensure liaison with parents/carers and relevant professionals to secure updated supporting evidence (including medical evidence e.g. CAMHS or updated Educational Psychology advice) in readiness for review meetings. In the absence of appropriate ongoing supporting information, the EOTAS panel may reconsider future involvement of EOTAS unless there is already existing medical evidence which supports the continuation of tuition

In order to support pupils/parents and the tuition process it is expected that schools will:

- liaise with the EOTAS Service and provide up to date information about records of achievements and the curriculum in preparation for the first meeting
- ensure that suitable programmes of work are available for children and young people receiving tuition and that they take into account the learner's views as far as is deemed reasonable.
- meet all examination processes, entry fees on behalf of the child or young person and provide an invigilator to ensure completion of any external examinations where it is not possible for the pupil to complete the assessment within the school or PRU (Ty Castan or Ty Gwyn)
- assess non examination assessments (NEA) and submit these to the relevant examination board where required
- inform parents and carers and gain appropriate consent in order that other professionals may be consulted about their child's absence from school
- maintain half termly contact with the child or young person and family throughout their time receiving tuition



- be active in the monitoring of progress during absence from school, in liaising with other agencies and the pupil's reintegration
- organise career interviews if appropriate
- ensure access to youth support services, information and guidance.

## **8. Role of the LA**

The LA will ensure that there are arrangements in place for the provision of suitable alternative learning / tuition for those children and young people 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. The LA will also continue to ensure that all decision making in relation to access is fair and robust; and that the provision made is appropriate to the child or young person's needs and ability to cope with the educational programme offered.

The LA will ensure that there is a named person with responsibility for the effective co-ordination of tuition provision. In RCT this will be the Head of Alternative Learning under the line management of Ty Gwyn Secondary Education Centre and based at Ty Castan Tuition Centre, Pontypridd.

Where pupils receiving tuition have an identified SEN / ALN, the Statement or IDP will be maintained by the LA.

The LA will also monitor compliance with this and other relevant LA policies.

## **9. Role of Head of Alternative Learning**

The Head of Alternative Learning has the day to day responsibility for the management and co- ordination of tuition provision. This will include the need to ensure that:

- the learning environment is fit for purpose and appropriate risk assessments have been undertaken prior to the commencement of tuition
- young people in receipt of tuition have access to good teaching and learning opportunities and the support needed to make good progress. This will include any identified ALP outlined in the pupils' IDP.
- tutors delivering the tuition have the required skills to effectively deliver the curriculum
- communication between the home, school and EOTAS staff is maintained so as to facilitate the child or young person's prompt return to school as soon as possible
- the learner's emotional, physical and health needs are safeguarded.

Additionally, the Head of Alternative Learning will be responsible for overseeing and co- ordinating provision and for ensuring:

- that all received requests for tuition are submitted to the EOTAS Panel
- the co-ordination of the EOTAS Review Panel and that appropriate agenda

and referral information is made available for all panel members in attendance at panel

- that panel outcomes are minuted and disseminated within 5 working days of panel.
- that the school is provided with relevant curriculum /assessment and wellbeing information and updates in preparation for review meetings
- that appropriate tutors with the relevant experience, subject knowledge, expertise are commissioned to deliver the tuition.
- effective multi-agency working and liaison with CAMHS professionals; relevant school staff; Attendance and Wellbeing Officers; Youth Engagement and Participation staff and Educational Psychologists.
- that tuition commences no later than 16 working days from the date of the SEN / ALN panel
- effective liaison between the school, tutor, Head of Alternative Learning and the family/child or young person takes place prior to the EOTAS review panel in order to ensure that the provision is fit for purpose
- tuition provision is reviewed by the EOTAS review panel at least once every academic year
- that referrals to other support agencies are discussed with young people and their families and actioned where deemed appropriate by all parties (e.g. Youth Engagement and Participation Service (YEPS), Eye to Eye Counselling Service, Resilient Families)

In addition, to the above responsibilities, the Head of Alternative Learning will also be responsible for

- the performance management of tutors
- ensuring that good quality teaching and learning is provided for children and young people in receipt of tuition through inspection of planning, scrutiny of books, and observation of tutors
- ensuring engagement and the monitoring of attendance by electronically providing the registration information for the pupil to the school by the Tuesday for the previous week's tuition
- ensuring a referral is made to the Attendance and Wellbeing Service if a child/young person has not accessed tuition for five days and the reason for non- engagement is not known ensuring that all tutors have the necessary DBS clearances and comply with attendance, registration, wellbeing and safeguarding requirements.

## **10. The Role of the Tutor**

The tutor is required to:

- submit weekly planning to the Head of Alternative Learning
- deliver individualised programmes of work in key subject areas, appropriately differentiated and sensitively delivered
- ensure high quality teaching and learning
- mark, assess and record progress and share outcomes with learners, panels and other professionals
- ensure that assessments are effective and inform curriculum delivery and record keeping
- ensure the timely submission of non-examination assessments and any other assessment required by school, examination bodies or the tuition

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- implement any specific education plans, e.g. Statements of SEN, IDPs as part of their daily planning
- maintain regular contact with the EOTAS Service, school-based staff and other professionals
- proactively aim to reintegrate learners back into school as soon as possible
- engage in continued professional development opportunities and termly meetings with other tutors and tuition staff
- submit monthly time sheets in line with LA policy or in line with arrangements established between agency and LA
- record daily attendance and make field notes of contacts.
- maintain continuity in allocated sessions and immediately communicate changes to the Head of Alternative Learning
- engage in performance management interviews
- comply with LA policies and procedures.

## **11. Role of Parent/Carers and Pupils**

Parents and carers hold key information and knowledge and have a crucial part to play. They should be encouraged to be full collaborative partners and their views should inform the nature of the agreed educational programmes where appropriate. Children and young people also have a right to be involved in making decisions and exercising choices and should be actively involved throughout the process of securing tuition.

All parents/carers will need to be consulted before tuition begins to assist with the planning process and to ensure that they are fully aware of the nature of the provision. Parents/carers are encouraged to maintain regular liaison with their child's school, tutor and Tuition Service. Parental/school and child/young person involvement in the initial first meeting will be key in making future provision and in the transition process to tuition.

Parents/carers must contact the tutor/tuition administrator immediately if the child/young person is unable to access the provision, for reason such as sickness, appointments that cannot be rearranged, etc. Contact must be made on the first day that the child/young person cannot access tuition, providing the reason they are not able to engage in the tuition. Contact must then be made each day that the tutor is not required, unless the reason for the non-engagement has a specific period, in which case the end date for this can be given to the tutor/tuition administrator. If a parent/carer does not contact the tutor/tuition administrator to inform them that their child/young person will not be taking part in the tuition, contact will be made to determine the whereabouts of the pupil. If no contact has been made by the fifth school day, a referral will be made to the Attendance and Wellbeing Service.

## **12. Assessment, Monitoring and Review**

The tuition provision will be directly co-ordinated and monitored by the Head of Alternative Learning. The Head of Alternative Learning is line managed by the Head of Centre at Ty Gwyn Education Centre who will oversee the quality of

tuition provision.

### **13. Policy monitoring and review**

The implementation of this policy will be monitored on an ongoing basis by the Head of Inclusion Services, Head of Ty Gwyn Education Centre and the Head of Alternative Learning. Where appropriate, formal audits will be undertaken to ensure compliance with LA policy and statutory requirements.



