PCF Cheshire West & Chester

EOTAS Consultation Response

Overarching position

PCF Cheshire West & Chester's central position is that EOTAS reform must remain needs-led, not delivery-model-led. We support improved quality, accountability and earlier identification of need, but these objectives must not create a new Specialist Provision Package (SPP) eligibility gap, make school involvement mandatory where it is itself a barrier, make reintegration a presumed outcome, destabilise successful EOTAS, standardise bespoke provision, transfer commissioning or financial responsibility to parents, or weaken independent redress.

Our 2026 evidence base includes 702 survey responses. It identifies CYP already falling between systems: 6 receiving EOTAS, 23 were enrolled but unable to attend and 11 were out of school/not receiving education.

The central test for every element of reform must remain:

> *"What provision does this individual CYP need to receive a suitable education?"*

The system must not reverse that question and ask:

> *"Which of the new delivery models can this CYP be fitted into?"*

Q1 — CYP unable to access a formal setting but not eligible for an SPP

The proposed system risks creating a new eligibility gap: CYP for whom education in a formal setting is demonstrably inappropriate, but who do not meet the threshold for an SPP. This must not happen.

Our evidence shows this gap already exists in practice. Our survey identified 23 CYP enrolled but unable to attend and 11 out of school/not receiving education.

A CYP's need for suitable education does not disappear because they fail an eligibility threshold. SPPs must recognise cumulative, fluctuating and interacting needs rather than requiring CYP to fit a prescribed profile.

There must be an enforceable route to suitable, individualised education for CYP who cannot access formal settings but are not eligible for an SPP. This requires clear accountability, timescales for provision to begin, a named lead professional, appropriate health/specialist involvement and independent redress.

Early support is important, but it must be the right support. A CYP should not be required to repeatedly fail available provision before something different can be considered.

DfE must explicitly guarantee that SPP eligibility will not become the gatekeeper for access to suitable education outside a formal setting. Provision must remain determined by individual need, not eligibility category.

Q2 — Commissioning and overseeing EOTAS

We have significant concerns about making a school or FE setting responsible for managing EOTAS in every case. Mandatory school oversight may itself be inappropriate for some of the CYP EOTAS exists to serve.

Some CYP require EOTAS precisely because formal educational environments are inappropriate. Families describe school-related distress and trauma where continued association with "school" can itself become a barrier to engagement.

We favour shared LA/setting responsibility where setting involvement is appropriate, but there must be an exception where evidence demonstrates that school association itself creates a barrier to accessing education.

The LA must retain statutory accountability. Sole setting responsibility risks fragmentation and potential financial conflict where the organisation managing provision is also affected by its cost.

Families already report delays, difficulties securing provision and parents having to coordinate arrangements themselves. Reform must not transfer these existing problems from LAs to schools.

Parents must not become unpaid commissioners, administrators or coordinators of statutory EOTAS.

The system must identify who secures each element of provision, who pays providers, who resolves failures, who families contact and who is ultimately accountable.

Accountability must be for suitable education actually delivered, not provision commissioned on paper.

Q3 — Support and capacity required to commission EOTAS

Transferring commissioning responsibility without fixing existing failures risks moving dysfunction rather than solving it.

Families report agreed provision taking more than five weeks to begin; delayed payments to tutors/providers; unpaid mileage; parents sourcing and assessing providers themselves; parents being expected to supervise provision; difficulties obtaining personal budgets; and provision being reduced where a CYP cannot tolerate a tutor entering their home.

These failures directly determine whether CYP receive their education.

Any future commissioner therefore requires protected funding, administrative capacity, SEND expertise, access to EP/OT/SALT/mental-health expertise, appropriate training, clear provider-payment deadlines and transparent accountability.

A parent's availability to remain at home, supervise a tutor or provide premises must not become a condition of their child receiving education.

Safeguarding must be built into the provision, not depend on parental availability. The LA should provide safeguarding-appropriate staffing or a suitable alternative venue, rather than requiring a parent to remain present during provision.

Parents should not be required to fund any shortfall between Personal Budget and the actual cost of the provision required. Personal Budgets should not be reduced because of administrative issues such as providers invoicing late.

Parents should not be required to fund the difference between the budget allocated and the actual cost of provision required by the statutory package. Direct Payment budgets should not be reduced simply because providers invoice late.

National requirements must also prevent artificial hierarchies of evidence. Relevant evidence from teachers, tutors, OT, SALT and other appropriately qualified practitioners must not be disregarded solely because an EP has not duplicated it.

The future system must transfer neither statutory responsibility nor financial liability from the state to families.

Q4 — Consistent decisions about when EOTAS is appropriate

DfE must distinguish two fundamentally different situations: EOTAS used because the system cannot find a suitable placement, and EOTAS required because education in a school or college setting is itself inappropriate for the individual CYP. Reform intended to prevent the former must not restrict the latter.

We agree that EOTAS should not substitute for creating suitable school provision where school would otherwise be appropriate.

Equally, a CYP must not be required to repeatedly fail mainstream, specialist or AP placements before EOTAS can be considered.

The threshold must be functional and needs-led. Availability, cost, age, diagnosis, SPP category or the existence of a nominal school place cannot substitute for assessing whether that provision is actually suitable and accessible.

Decisions must consider the whole CYP, including cumulative/fluctuating needs, CYP/family evidence and all relevant professional evidence.

DfE should separately collect and publish data identifying EOTAS used because suitable placements were unavailable. This would allow government to address shortages without treating appropriately commissioned EOTAS as system failure.

The central question must remain: "What provision does this CYP need to receive a suitable education?" The system must not instead ask: "Which available model can this CYP be fitted into?"

Q5 — Effective reintegration planning

EOTAS must not be designed as a pathway whose success is measured by eventual return to school. Reintegration must be an option where appropriate, not a predetermined outcome. For some CYP, successful long-term EOTAS is the appropriate destination.

Families describe EOTAS following unmet SEND need, placement breakdown, severe distress, anxiety and loss of trust. Families also report tutors approaching CYP with an explicit objective of getting them back into school. This can turn supposedly conditional reintegration into a de facto requirement.

Effective transition requires rebuilding safety and trust, accessible CYP voice, consistent trusted adults, family involvement and no fixed timescale.

Before reintegration is attempted, there must be evidence that:

- the barriers that made school inappropriate have changed;
- the CYP is ready;
- the proposed setting can actually meet need;
- the CYP's views have been meaningfully considered.

The CYP/family must be able to pause or stop reintegration where it causes deterioration without being characterised as non-cooperative or risking loss of EOTAS.

Success should be measured against the CYP's individual educational, wellbeing, participation and preparation-for-adulthood outcomes—not proximity to school attendance.

Q6 — Safeguards around reintegration and outcomes

There must be an explicit right to pause or stop reintegration where evidence shows that it is harming the CYP. Resource pressure, cost or provider availability must never determine that a CYP is "ready" for school.

Every review should explicitly establish:

1. Have the barriers that made school inappropriate actually changed?
2. Does the CYP feel safe and ready?
3. Does evidence support the proposed environment?
4. Can that setting demonstrably meet the CYP's needs?
5. Is change proposed because it benefits the CYP rather than because EOTAS is difficult or expensive to commission?

Review is essential. Presumption is not.

Outcomes must remain genuinely individual. For some CYP, progress may include qualifications; for others it may include wellbeing, engagement, communication, independence or community participation.

A CYP progressing successfully through EOTAS is not failing to progress simply because they have not moved closer to a school classroom.

Where reintegration causes deterioration, that is important evidence about its appropriateness and must trigger review rather than increased pressure to continue.

Reintegration should be one possible outcome of review—not the purpose of review.

Q7 — Disputes about starting, changing or ceasing EOTAS

We strongly oppose replacing independent Tribunal scrutiny of disputed EOTAS decisions with an early review conducted by the same local authority whose decision is being challenged. This is a reduction in independent redress, not an equivalent alternative.

Families already describe weak complaints systems and lack of consequences when provision is not delivered. One respondent summarised the problem as:

> *"You are complaining to the people who the complaint is about."*

An early review by the same decision-maker does not resolve that structural problem.

We recognise the distinction between challenging the named setting and challenging the underlying decision about EOTAS. Retaining some challenge concerning a named setting does not provide equivalent independent scrutiny of whether EOTAS should start, continue, materially change or cease.

Families need adequate notice, disclosure of evidence, advocacy, meaningful CYP participation and access to an independent decision-maker with power to require action.

Where cessation or material reduction of established EOTAS is disputed, existing provision should ordinarily continue while that dispute is resolved.

Independent redress is a fundamental safeguard, not administrative duplication. A decision capable of removing a CYP's established educational provision must be capable of meaningful independent challenge.

Q8 — National standards for non-school AP delivering EOTAS

We support stronger quality and safeguarding standards only if "quality" is not defined by resemblance to school. Standardising EOTAS into school-shaped provision would destroy precisely the flexibility that makes education accessible for some CYP.

Families describe CYP requiring tutorial or flipped learning, low visual-load materials, interest-led education, asynchronous/online learning, different academic levels across subjects, highly personalised providers or qualifications spread across several years.

These are not lower expectations. They are adaptations enabling CYP to access ambitious education.

National standards should assess:

safety, expertise, suitability, educational ambition, accessibility, outcomes and responsiveness to individual need.

They should not prescribe a standard pedagogy, timetable, location or curriculum-delivery model.

Regulation must also be proportionate enough to retain excellent small and specialist providers. Removing these providers in pursuit of consistency could leave CYP with provision that meets national standards on paper but cannot meet their individual needs.

EOTAS must remain capable of looking radically unlike school. “Different” must not be coded as “lower quality”.

Q9 — LA quality assurance of EOTAS providers

Quality assurance is necessary, but the LA should not be the sole judge of provision that it commissions, funds and may have a financial incentive to limit.

Families already report LA-approved provider lists failing to contain provision suitable for individual CYP. An approved list must therefore never become a closed menu.

Where no listed provider can meet assessed need, commissioners must be able—and required—to secure suitable provision elsewhere.

Quality assurance must examine availability as well as quality. A high-quality framework is meaningless where the provision a particular CYP requires does not exist locally.

We support national standards alongside independent oversight, transparent provider information, CYP/parent feedback, clear complaints/escalation mechanisms and formal lived-experience input.

Quality assurance should assess whether provision meets the individual CYP’s needs and outcomes, rather than merely whether providers comply with a standard delivery model.

Quality assurance must not become provision restriction. A provider’s absence from an approved list cannot make an unsuitable available provider suitable.

Q10 — Quality assurance for EOTAS aged 16–25

Post-16 quality assurance must not disadvantage CYP whose successful educational pathway differs from the standard age-based model.

Families describe academically capable CYP who cannot manage a conventional examination load but can succeed when GCSEs or equivalent qualifications are spread across several years. Funding, accountability or quality measures must not penalise that pathway.

Families also identify CYP who could not access school but subsequently re-enter education successfully through college or university.

DfE should research why those environments become accessible when school was not. Relevant features may include greater autonomy, subject/interest-led study, flexible timetabling, individual support, different relationships with teaching staff and environments that feel fundamentally different from school.

This evidence could identify what these CYP needed educationally much earlier.

Post-16 standards must recognise qualifications, FE/HE, employment, independence, self-advocacy, wellbeing and community participation as legitimate individual outcomes.

Quality assurance must measure meaningful progression for the individual young person, not conformity to an age-standardised pathway. A longer or different route to an ambitious outcome must not be classified as a poorer outcome.

Q11 — Timing of assessment for CYP already receiving EOTAS

We support rigorous review. We do not support age-triggered destabilisation or any presumption that a primary-aged CYP receiving successful EOTAS should move towards school. Primary age is not evidence that EOTAS has ceased to be appropriate.

Review and removal are not the same thing.

Where primary-aged CYP are subject to additional reassessment while existing secondary/post-16 arrangements continue by default, DfE should be able to demonstrate why age or completion of primary education is an appropriate indicator that educational need may have changed.

Assessment should occur at meaningful review points and where evidence indicates material change. It should consider current needs, progress, CYP voice, wellbeing, whether the barriers that made school inappropriate have changed and whether any proposed alternative is demonstrably suitable.

Age alone must not determine the outcome.

Where EOTAS remains effective and appropriate, continuity should be the default unless evidence positively demonstrates that change benefits the CYP.

EOTAS at five should mean neither “EOTAS forever” nor “school eventually”. It should mean: EOTAS is appropriate now, and future provision will continue to be determined by this individual CYP’s developing needs.

Q12 — Primary CYP moving into the proposed SPP/EOTAS model

We support this proposal only if successful existing EOTAS is protected and reassessment remains genuinely needs-led. Without those safeguards, we do not support automatic transfer simply because a CYP is primary-aged.

Reassessment must ask whether the CYP’s needs have changed, not whether the CYP can now be fitted into an SPP, AP school or other new delivery structure.

Where evidence continues to demonstrate that EOTAS is appropriate:

- EOTAS must remain available;
- effective existing provision/providers should continue where appropriate;
- bespoke pedagogy and curriculum must be protected;
- there must be no presumption of reintegration;
- transition must not interrupt education;
- families must retain meaningful independent redress.

A CYP should not lose successful provision because the administrative architecture surrounding that provision has changed.

Where a new arrangement is proposed, the burden should be on demonstrating how it better meets the CYP’s identified needs—not on the CYP having to fail it before the previous approach is reconsidered.

Review should expand future possibilities, not manufacture a reason to replace provision that is demonstrably working. Individual need, not age or system architecture, must determine the outcome.

Q13 — CYP reassessed as not eligible for an EHCP

The proposals risk creating a statutory cliff edge: a CYP may remain unable to access school yet lose the statutory mechanism securing suitable education because they no longer meet the new eligibility threshold. This must not happen.

A bureaucratic eligibility decision does not demonstrate that the unmet need, distress or breakdown of trust that made formal education inaccessible has disappeared.

Before provision changes, decision-makers must establish:

- what has actually changed in the CYP's needs;
- whether formal education is now accessible;
- whether proposed provision is demonstrably suitable;
- what the CYP says;
- what relevant professional evidence shows;
- how educational continuity will be maintained.

There must be no arbitrary transition deadline.

If school remains inaccessible, an enforceable route to suitable education must remain available regardless of EHCP/SPP status. Otherwise reform simply recreates the eligibility gap identified in Q1.

Educational need does not disappear when statutory eligibility changes.

Transition must occur because evidence demonstrates that another educational arrangement is now appropriate—not because the CYP no longer fits an administrative category.

Q14 — Stable transition and progression

Continuity should be the default unless evidence demonstrates that change benefits the CYP. Transition must not itself become a cause of educational breakdown.

Our evidence identifies anxiety, SEMH, unmet need and damaged trust as significant factors in education difficulties.

Stable transition requires trusted relationships, CYP control over pace, family co-production, multi-agency working, continuity of successful provision, realistic curriculum/qualification pathways and the ability to pause or reverse a transition.

Progression must not be synonymous with reintegration. Some CYP progress through qualifications over extended timescales; others later access FE/HE despite being unable to access school.

National continuity protection is also required when families move between local-authority areas. Families report viable EOTAS packages being put at risk of wholesale reassessment simply because they move a few miles across an LA boundary.

A change of postcode must not function as a change of educational need.

The receiving LA should maintain an existing workable package while any genuinely necessary review occurs, with clear duties on LAs to cooperate over providers, funding and information.

Administrative transition should never unnecessarily interrupt a CYP's education.

Q15 — Effectiveness of early support where health affects participation

Current early support is too often ineffective because CYP can be treated as attendance problems before the underlying SEND, health need or school-related distress is understood.

Our survey found 44% of families reported difficulty accessing health services, alongside concerns about CAMHS, OT and SALT waits and families repeatedly having to chase services.

Families also describe situations where professionals recognise that a CYP cannot access the available educational environment while attendance processes nevertheless continue.

Early intervention must mean identifying and removing barriers to education—not simply intervening earlier to increase attendance.

This requires timely health/specialist input, reasonable adjustments before crisis, prompt suitable education where health prevents attendance and individual assessment of what the CYP can actually access.

There is a significant risk that tightening EOTAS eligibility without ensuring suitable alternatives simply moves CYP into persistent/severe absence or greater reliance on Section 19 provision. That would move the problem between statutory categories rather than solve it.

DfE should monitor whether these reforms increase severe absence, Section 19 demand or the number of CYP receiving no suitable education. Earlier support should be measured by earlier access to suitable support, not attendance alone.

Q16 — Roles of schools, LAs and health services

Families must not be required to join fragmented public services together themselves. Responsibilities must be explicit, enforceable and time-bound.

Families report repeatedly chasing referrals, appointments and follow-up themselves.

The system needs one named lead professional, clearly allocated education/health responsibilities, effective information-sharing, published pathways, implementation timescales and a clear escalation route when an agency fails to act.

Attendance processes also require safeguards.

Families describe CYP whose school/professionals recognise that the setting cannot meet need, yet unauthorised absence processes, attendance contact or threatened fines continue.

A CYP who cannot access an unsuitable setting must not be administratively treated as though they are simply refusing to attend a suitable one.

Staff dealing with attendance and safeguarding for this cohort require appropriate training in SEND, neurodivergence, mental health, school-related distress, trauma and reasonable adjustments.

Safeguarding must remain robust, but contact should be individualised and proportionate rather than predictably intensifying distress.

Most importantly, disagreement between school, LA and health must never leave the CYP without suitable education while agencies decide who is responsible. The statutory system—not the family—must carry the coordination burden.

Q17 — Transition from health AP back to school

Return to school must be based on evidence that school has become accessible to the individual CYP. It must not be triggered simply by time spent in AP or an assumption that reintegration is inherently the successful outcome.

Before return, decision-makers must establish whether the health-related barriers preventing attendance have changed and whether the proposed school can now meet need.

Transition requires continuing therapeutic/health input where needed, reasonable adjustments agreed before return, trusted staff, CYP/family participation, flexible pacing and the ability to pause or reverse the process.

Maintaining connection with the previous school should not automatically require direct engagement where that relationship itself contributes to distress.

Where a carefully supported return does not work, this provides important evidence about the accessibility and suitability of the proposed provision. It should trigger rapid reassessment rather than escalation of attendance enforcement.

A failed reintegration attempt must not be reframed as parental or CYP non-compliance.

The objective must remain access to suitable education and improved health/educational outcomes—not restoration of a particular placement for its own sake.

Q18 — Duration of online AP

Online AP should be governed by individual need, not arbitrary duration limits. However, rules designed for temporary online AP must not create a wider assumption that online education is inherently temporary or inferior.

For some CYP, online AP may appropriately be short-term. For others—particularly CYP with fluctuating physical/mental health needs—longer use may be necessary.

Duration should therefore be determined through individual review rather than a rigid maximum.

Separately, families tell us that high-quality accredited online education can form a legitimate long-term component of EOTAS for some CYP. This is distinct from temporary online AP and should not automatically be treated as a holding arrangement pending physical attendance.

The relevant tests for online AP should be:

- Is it suitable for this CYP?
- Is it accessible?
- Is the CYP learning and progressing?
- Is safeguarding effective?
- Are wider participation needs addressed appropriately?
- What does the CYP say?
- What does the evidence show?

Online provision should be judged by quality, suitability and outcomes. Physical attendance is not, by itself, evidence of higher-quality education.

Q19 — School registration for CYP receiving online AP

We support retaining a clearly accountable body for CYP receiving online AP, but registration must not automatically create inappropriate attendance, reintegration or school-contact expectations.

Our survey identified CYP currently out of school and receiving no education, so we recognise the importance of ensuring CYP do not become invisible to statutory systems.

However, accountability and physical school connection are not the same thing.

For some CYP, particularly following placement breakdown or school-related distress, direct contact with the previous school may itself create additional barriers. Families also report attendance and safeguarding processes continuing despite the CYP being unable to access that environment.

Registration should therefore establish who remains accountable for education and safeguarding. It should not establish a presumption that the CYP should physically attend that setting or that reintegration must be the intended outcome.

Safeguarding/contact arrangements should be individualised, proportionate and informed by SEND, health needs and school-related distress.

Where the relationship with the existing school has broken down, there must be flexibility in how responsibility and contact operate.

Connection to a setting must serve the CYP's educational and safeguarding needs. The CYP must not be required to maintain an inaccessible or harmful relations.

Our 2026 evidence base, drawn from 702 survey responses, shows that CYP are already falling between systems: 6 were receiving EOTAS, 23 were enrolled but unable to attend, and 11 were out of school and not receiving education. These figures should be treated as a warning against reform that tightens eligibility without securing a clear, enforceable route to suitable education for every CYP. PCF CWaC stands ready to work constructively with Government, locally and nationally, to help design a system that is accountable, flexible and genuinely needs-led.

We ask that parent carer forums, and the families we represent, are recognised not simply as stakeholders to be consulted, but as expert partners and co-designers of a system that must work for every child and young person.

Submitted by: Lucy Kennerley, Chair, Parent Carer Forum Cheshire West and Chester (PCF CWaC)
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This response is based on evidence gathered from parent carers across Cheshire West and Chester through the 2026 PCF Survey, tabletop discussion findings, parent carer letters and written feedback, and ongoing engagement through forums and events. Full survey data and further analysis is available at www.pcfcheshirewest.org/survey26.