

# CYPE Inquiry into Education Other Than At School (EOTAS)

## About NEU Cymru

- The National Education Union Cymru stands up for the future of education. It brings together the voices of teachers, lecturers, support staff and leaders working in maintained and independent schools and colleges to form the largest education union in Wales.
- The National Education Union is affiliated to the Trades Union Congress (TUC), European Trade Union Committee for Education (ETUCE) and Education International (EI). It is not affiliated to any political party and seeks to work constructively with all the main political parties.
- Together, we'll shape the future of education.

## NEU Cymru response

NEU Cymru welcomes the opportunity to respond to this consultation, we have members employed within the sector in Wales.

NEU Cymru support the Welsh Government's aims: "The Welsh Government is committed to meeting the educational needs of all children in Wales in order that they achieve their potential." **However, more funding and support is needed for EOTAS in order to fulfil those aims.**

Education Other than at School (EOTAS) Provision is variable across Wales and can range from large Pupil Referral Units (PRUs) to tuition in a learner's own home. This differs from Home Education, as we understand for young people in EOTAS provision they are registered with, or at least funded by, an individual school or local authority.

It is important that EOTAS can offer a curriculum tailored to the needs of an individual learner, and it is therefore welcome that the new Curriculum will provide some opportunity for "disapplication" for some learners. However, some learners do not always have access to a full range of subjects. Class sizes can vary hugely in EOTAS provision and must be of a manageable size for learners and education professionals.

The two main areas of concern from the perspective of our members, and the funding of EOTAS, are support and professional learning available.

Last year saw some local authorities reduce the amount of 'in-house' provision and use private providers instead. This has inevitably meant some local redundancies, and professionals being taken on with significantly reduced terms and conditions.

Our members also highlight that the 'cost' of home tuition, which is passed to schools, can make EOTAS provision seem an expensive option for pupils, when compared to permanent exclusion. The best interest of the child should be the central concern.

There are some specific issues which may be of particular interest to the Committee:

### **Zero-hours contracts**

Many people employed in EOTAS providing home or community support are on zero hours contracts and, for example, are unpaid when learners don't turn up.

This is obviously a huge concern and runs counter to the Welsh Government's aims around fair work for all.

Staff costs can have an impact on learning, in terms of the time the learner has for tuition, compared to costs for travel time etc. Issues relating to supply teachers can also have an impact in EOTAS.

### **Access to CPD**

Like with supply teachers, those teaching in EOTAS often lack access to high-quality CPD. It is critical if Wales is to provide access to a good education which meets the needs of all learners, CPD must be available. Each local authority should put a strategy in place to support staff to access CPD.

### **Private provision – unregistered staff**

Some local authorities use private providers to deliver EOTAS provision. A particular concern of this, is, for example, that as a private provider, teachers do not necessarily have to be registered with the Education Workforce Council (EWC). That is, like with private, or independent schools, in Wales, they can use unregistered staff.

Obviously, this is a concern in terms of safeguarding arrangements. Learners in Wales have the right to access good quality education. Therefore, we believe that all private providers should use professionals registered with the EWC.

EWC registers teachers, support staff, and youth workers. Thus, the definition of those who need to register could be looked at in terms of EOTAS. We recognise that some of those who work with young people in EOTAS will be specialists, for example mechanics.

We would be concerned that a lack of safeguarding, and training, which runs alongside that, has poor implications for staff and young people alike.

### **Additional Learning Needs/ SEN provision**

Children with additional learning needs or special educational needs need to be supported in mainstream settings and specialist settings.

Our members tell us a high proportion of young people are in EOTAS provision with ALN/SEN. Learners in this context must have access to the right support, and those working in PRUs or other EOTAS provision must be properly funded and trained to support the needs of all learners. Where the LA is responsible for a young person with ALN, support must be promptly given.

### **Mental health and behaviour**

In addition, young people with mental health problems and/or challenging behaviour are increasing. Many young people end up in PRUs.

Our members tell us access to mental health and behavioural support services are causing a huge challenge in education in Wales. We also understand that behaviour towards education professionals in education settings is increasingly unacceptable. With the funding crisis in education, we are concerned that the support given by LAs is decreasing, and young people may end up in EOTAS, when it is not the most appropriate place for them.

This situation emphasises the need for parity for both staff and students alike, to ensure that young people have access to an appropriate education.

### **Transport**

Transport is an issue within EOTAS. Children have the right to access education, be it through mainstream, specialist, or EOTAS provision, as per the WG statement. However, getting to EOTAS provision can be hugely problematic. EOTAS provision may take place in a community setting, or PRU, and rules around providing support need to encourage young people to take up their education, not discourage. For example, some LAs expects young people to travel 3 miles, before they will provide support. This is a disincentive for many young people, and disadvantages those on low incomes.

The Learner Transport (Wales) Measure 2008 needs to ensure that transport is not a barrier to education. **It must also ensure that in all cases where transport is an access arrangement, the LA provides funding.** This is particularly important in relation to the forthcoming implementation of the ALNET (Wales) Act.

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