# MILLBANK GARDENS PRIMARY ACADEMY

# DETERMINED ADMISSION POLICY FOR 2027/2028

## Introduction

1. This Admission Policy is part of the admission arrangements for Millbank Gardens Primary Academy **(Academy)**, which is part of Future Academies (**Trust**), a multi academy trust.

2. The Academy is a co-educational, non-selective, publicly funded primary school welcoming applications for the admission of children regardless of aptitude, ability, special educational or other needs, disabilities or other protected characteristics.

3. The Academy admits children into Reception Year, who will usually continue until Year 6. The Academy also has a nursery which caters for children from the age of three years. Parents should note that children who attend the nursery do not transfer to Reception Year automatically; an application for admission in the 'normal admission round' for Reception Year must be made in the usual way, with no priority being given to those attending the nursery.

4. The 'admission authority' for the Academy is the Trust via its Board of Trustees, who can delegate their admission functions to the Academy's Local Governing Body, who in turn may delegate to an Admission Committee formed of at least three Local Governors as appropriate.

5. The application of this policy and the performance of all admission related functions are carried out by the Trust, Academy, Local Governing Body and Admission Committee in compliance with admission law, the School Admissions Code 2021 and the School Admission Appeals Code 2022 (as revised by the Department for Education (**DfE**) from time to time), as well as other relevant laws such as the Equality Act 2010, Human Rights Act 1998, and the law and statutory guidance relating to special educational needs.

6. In education law and this policy, a 'parent' means a natural or adoptive parent of a child (regardless of whether they have care of, contact with and/or parental responsibility for the child), as well as other persons who are not the natural or adoptive parent of the child but who have care of and/or parental responsibility for them.

7. In determining whether a 'parent' has care of a child at the time of application or appeal, any absence of the child or young person at a hospital or boarding school and any other temporary absence will not be taken into account.

8. In this policy, applicants for places Reception Year to Year 6 are referred to as "children".

## Children with an Education, Health and Care Plan (EHCP)

9. Children with an EHCP are not admitted under this policy; they are admitted under separate statutory processes set out in the Special Educational Needs and Disability Code of Practice published by the DfE. Their EHCPs are maintained by their home Local Authority, which is responsible for deciding which educational setting will be named in the EHCP as the one the child will attend.

10. Where the parents of a child with an EHCP want them to be educated at the Academy, they must discuss this with the SEN team at their home Local Authority. The home Local Authority may then consult the Academy on its suitability and compatibility, before deciding whether or not to name the Academy in the child's EHCP.

11. Where the Academy is named in section I of the child's EHCP, it will admit the child. Where this happens in the 'normal admission round' (i.e. admission to Reception Year at the start of September), these places will be allocated within the PAN, reducing the number remaining for allocation under this policy. Where this happens at any other time, they will be admitted when the Academy is named regardless of numbers.

12. The Academy has a Specialist Resource Provision with a capacity of up to 20 pupils. All of these pupils will have EHCPs, and the designated special educational needs these units cater for is autism spectrum condition.

## Child's Home Address

13. The child's home address is defined below, and it is the address meeting this definition that must be stated in the application, and which will be used when processing the application.

14. The child's home address is the residential (not business) address at which they will normally live and sleep for more than 50% of their time from Sunday to Thursday night each week during term time, at the time of their application. The home address will usually (but not always) be the address at which the child is registered with their GP, hospital, dentist and/or optician, at the time of application.

15. Where the child resides with more than one parent and there is a factual 50% split between the time described above, the home address will be that used in the application.

16. Parents will be expected to provide satisfactory documentary evidence of the child's home address, and/or the home address of others (e.g. siblings, children of staff) where

appropriate. This may include family court orders setting out child arrangements and/or proof of ownership and renting.

17. Where the family owns or rents another property, additional documentary evidence that the address stated in the application is the child's permanent home address may be requested. If the child/sibling moves address during the course of the application process, Westminster City Council, and (if different) their home Local Authority must be notified as soon as possible, and provided with satisfactory documentary evidence that the new address meets the definition, and of the expected moving date.

18. Applications are welcomed for the admission of the children of UK Armed Forces personnel and Crown Servants. Where the family is relocating from overseas, the address used will be the address at which the applicant will live when they return, as long as the parents provide some evidence of this address. Alternatively, a Unit or Quartering address may be used, at the parent's request.

## Age at Starting School and Compulsory School Age

19. All children are entitled to a full-time place at school in the September following their fourth birthday. However, they do not reach compulsory school age (the age at which they are legally required to attend school full-time) until one of three prescribed dates after their fifth birthday:

    19.1. Children born on or after 1 September to 31 December reach compulsory school age on 31 December on or after their fifth birthday.

    19.2. Children born on or after 1 January to 31 March reach compulsory school age on 31 March on or after their fifth birthday.

    19.3. Children born on or after 1 April to 31 August reach compulsory school age on 31 August on or after their fifth birthday. These children are known as 'summer born children'.

## Deferred Entry, Delayed Entry and Part-Time Attendance

20. Parents have a right to decide that their child will not start school until they reach compulsory school age. Where this is for one or two terms, this is known as 'deferring' entry, and the place offered and accepted will be retained for that child until they start school.

21. However, entry cannot be deferred beyond the end of the second term of the school year. The parents of summer born children can defer entry for one or two terms (and retain their place); however, if they decide that do not want their child to start school until

the following school year in September (known as 'delaying' entry), the place offered and accepted will be lost, and the parents will have to make a new application for admission the following year.

22. Parents also have a right to decide that their child will attend school part-time until they reach compulsory school age. Unlike with deferred entry, this may be for the whole school year (in the case of summer born children), and it can also be combined with the right to defer entry. For example:

    22.1. Children born on or before 1 September to 31 December can defer entry until the first day of school in January, or attend part-time until then.

    22.2. Children born on or before 1 January to 31 March can defer entry until the first day of school in January or April, or attend part-time until either of those dates, or a combination of the two can be arranged (e.g. defer until January, then attend part-time until April).

    22.3. Summer born children born on or before 1 April to 31 August can either:

        a) Defer entry until the first day of school in January or April, or attend parttime until either of those dates or for the whole school year, or a combination of the two can be arranged (e.g. defer until January or April, then attend part-time until April or the end of the school year); or

        b) Delay entry until September the following year, when the place offered and accepted will be lost and a new application for admission must be made the following year. This would normally be for admission to Year 1 with the child's normal age group, unless a Request for Admission Outside Normal Age Group is made and agreed in principle for entry to Reception Year instead (see further below).

23. In all cases, parents are asked to let the Academy know their decisions as soon as possible, to assist with operational planning.

## Statutory Maximum Infant Class Size

24. The statutory maximum infant class size for Reception Year, Year 1 and Year 2 is 30 pupils per teacher.

25. Some categories of children may still be admitted over the statutory maximum. These categories are set out in regulations and summarised at Paragraph 2.15 of the Admissions Code. These additional pupils are 'excepted pupils' who do not count towards the class size until it falls back to 30.

## Published Admission Number (PAN)

26. The PAN for Reception Year is 60.

## Oversubscription Criteria

27. Where there are fewer applications than places available, all children will be offered a place. Where there are more applications than places available, the order in which places will be allocated will be:

27.1. **Looked after and previously looked after children**

A 'looked after child' is one who is (a) in the care of a Local Authority, or (b) being provided with accommodation by a Local Authority in the exercise of their social services functions, in England. A 'previously looked after child' is one who was looked after in England, but ceased to be so because they were adopted, or became subject to a child arrangements or special guardianship order, as well as a child who appears to the Admission Committee to have been in state care outside of England (i.e. in the care of or accommodated by a public authority, religious organisation or any other provider whose sole/main purpose is to benefit society), but ceased to be so as a result of being adopted.

Applications in this category may need to be supported by documentary evidence, such as a signed letter from the child's current or former Social Worker confirming their status, and/or an adoption, child arrangements or special guardianship order. In the case of children adopted from state care outside England, evidence of having been in state care outside England and of being adopted may be required, ideally accompanying the application. When considering the evidence provided, the DfE's current guidance will be followed.

Where the Virtual School Head (**VSH**) at the Local Authority has already verified the child's status and the Academy is able to confirm this with them, there will be no need for evidence to be provided with the application.

Where no documentary evidence can be provided, the application will be considered on the available evidence.

27.2. **Children with an exceptional medical and/or social need to attend Millbank Gardens Primary Academy**

The child must have an exceptional medical and/or social need that means that only Millbank Gardens Primary Academy is suitable for them to attend and no other local school would be suitable.

Exceptional Medical and/or Social Need information must be submitted with the application for admission via the local authority for inclusion in this category to be considered.

Parents should note that the criteria in this category set a high threshold to meet. For the avoidance of doubt, simply having a medical, behavioral or mental health condition, and/or special educational or other needs, will not be sufficient without other compelling evidence from the professional that only Millbank Gardens Primary Academy is suitable for the child to attend, and no other local school is suitable, and this is caused by the child's exceptional need.

Children deemed not to meet the criteria for inclusion in this category will be placed into the next category that applies to them below. Parents should therefore ensure that they provide full information/supporting documentation as set out below in case their child does not achieve a place in this category.

27.3. **Children with a sibling at Millbank Gardens Primary Academy at the time of application and starting at the Academy**

The sibling must be on the roll in any year group at Millbank Gardens Primary Academy at the time of application and will still be on the roll when the applicant child starts at the Academy. For the avoidance of doubt, this means that siblings in Year 6 who will have left at the time the applicant child starts at the Academy will not meet the definition of a 'sibling'.

A 'sibling' means a full brother or sister (sharing both parents), a half brother or sister (sharing one parent), an adopted brother or sister (sharing one or both parents), a foster brother or sister of an applicant who falls under the definition of a looked after child, a step brother or sister (where one child's parent is married or in a civil partnership with the other child's parent) and a child of the applicant's parent's partner where they have cohabited.

In all cases, the sibling must live at the applicant child's home address (as defined in this policy) as part of the same core family unit. For the avoidance of doubt, a child of an extended family member (e.g. cousin, grandchild), or the child of a friend, will not meet the definition of a 'sibling' even if they live at the same address as the applicant child.

Parents will be expected to provide satisfactory documentary evidence of the child applicant's home address, and/or the home address of others (e.g.

siblings, children of staff), and/or family relationships where appropriate. This may include family court orders and/or birth certificates and/or proof of ownership and renting.

27.4. **All other children**

All applicant children not included in any of the criteria above will be allocated places in this criteria.

If there are more children than remaining places after the oversubscription criteria has been applied, places will be allocated in accordance with the tie breaker.

## Tie Breaker

28. In each of the oversubscription categories above, where there are more applications than places available, the order in which places are allocated will be determined by reference to the distance between the child's home address and the Academy, with those living closer receiving higher priority.

29. Distances will be measured by Westminster City Council using their dedicated computerised measuring system designed for this purpose, which measures the distance in a straight line from the child's home address (as defined below) 'address point' determined by Ordnance Survey data, to the nearest main school gate used by pupils at the Academy.

30. Where two or more distances are equal (e.g. where they live in the same block of flats), the order in which places are allocated will be determined by random lottery, which will be performed in front of a person who is independent of the Academy.

31. In the case of twins, triplets or siblings of a higher multiple birth, where one or more of this sibling group achieve a place in the usual way, but the remaining sibling(s) do not, all of them will be offered a place even where this means exceeding the PAN or normal maximum pupil number for that year group. These children will be 'excepted pupils' in Reception Year, Year 1 and Year 2 for the purpose of the statutory maximum infant class size rules.

## Application Process in the 'Normal Admission Round'

32. All local authorities are required to coordinate admission in the 'normal admission round' for all schools in their area.

33. The **'normal admission round'** for applications for admission to Reception Year in September covers all applications made by the statutory deadline for applications (**15 January 2027**), as well as applications made after this date but in time for the Local Authority to offer a place by 'national offer day' (**16 April 2027**).

34. Applications in the 'normal admission round' for Reception Year must be made to the child's home Local Authority using their Common Application Form, which will be available on their website. For children resident in City of Westminster, the webpage can be accessed by clicking on this link: **School Admissions | Westminster City Council**.

35. Parents must carefully consider the oversubscription criteria above to check whether any additional forms or documentation should accompany the application for a particular category, as failing to do so could prevent the correct highest category being identified, which could result in a place not being offered.

36. A **'late application'** is one received before the first day of term but not in time for the Local Authority to offer a place on 'national offer day'. As these applications cannot be processed until after the first round of place allocations has happened, this is likely to adversely impact on the chances of achieving a place. Parents are therefore strongly encouraged to submit applications by the statutory deadline.

## Application Process for In-Year Admission

37. An **'in-year application'** is one made for Reception Year on or after the first day of term in September, or for any other year group at any time.

38. The PANs set for **Reception Year** applies throughout the year of admission, but cease to apply at the end of that school year when the cohort moves to the next year group. This means that in-year applications made for Reception Year may be refused on the basis that there are **no places available within the PAN**.

39. In respect of **all other year groups**, a place will be offered unless admitting an additional child would **prejudice the efficient provision of education, and/or the efficient use of resources**, at the Academy.

40. Where multiple in-year applications for the same year group are received and processed at the same time, and it is established that some but not all can be offered a place within the PAN/without causing prejudice, the oversubscription criteria and tie breaker set out above will be applied to determine which children will be offered the available places.

41. The Academy has chosen to opt into Westminster City Council's coordinated scheme for in-year admission. Accordingly, in-year applications must be made directly to

Westminster City Council using their own form for this purpose. Further information can be obtained on their website by clicking here.

42. In all cases, parents must carefully consider the oversubscription criteria above to check whether any additional forms or documentation should accompany the application for inclusion in a particular oversubscription criterion, as failing to do so is likely to prevent the right criterion being identified, which could result in a place not being offered.

43. All In-Year applications will be processed in line with the above and the outcome of in-year application will be notified in writing to parents within a maximum of **15 school days** of receipt of the application.

## Requests for Admission Outside Normal Age Group

44. Parents have a right to request permission for admission to a year group outside their normal age group, which may be above or below, however this is not an absolute right. The request will be considered by the Admission Committee who must decide whether to agree it in principle, or refuse it, taking into account the factors set out below.

45. These requests are not applications for admission, which must still be made in the usual way. Parents are strongly encouraged to make these requests as early as possible, ideally well ahead of any deadlines for their normal age group, so that they make informed decisions as to preferences when they subsequently apply for admission. A request must be made to the 'admission authority' for each school for which admission is desired outside normal age group, as the outcome may not be the same for all.

46. The Admission Committee make decisions on the basis of the circumstances of each case and in the best interests of the child concerned, taking into account the parents' views, the Principal's views, information about the child's academic, social and emotional development, the child's medical history and the views of their medical professionals, whether they have previously been educated or attended nursery out of their normal age group, and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. This is not an exhaustive list, and parents may put forward any matters or documents for consideration.

47. Parents must submit information relating to admission outside of normal age group to their local authority when applying for a place at Millbank Gardens Primary Academy.

48. Parents do not have a statutory right of appeal against a refusal of a request for admission outside normal age group; however, they may complain to the Academy about the outcome under its published Complaints Policy, if they wish.

## Statutory Right of Appeal

49. Parents have a statutory right of appeal to an independent Admission Appeal Panel against the refusal of a place at the Academy. The refusal letter will set out full details of this right, including where the grounds of appeal must be sent and the deadline for doing so.

50. All appeals will be dealt with strictly in accordance with the School Admission Appeals Code 2022 (as revised and republished from time to time).

51. The Academy will publish an admission appeal timetable for appeals against refusals in the 'normal admission round' on or before **28 February 2027**.

52. If you wish to appeal, please use this link to complete your appeal via Education Appeals. Please do NOT use ANY other appeal form or send your form to your local authority. It is **highly recommended** that you download the explanatory booklet about appeals which you should read **before** you complete the appeal form (Booklet Link). Please contact clerk@educationappeals.com for further information or they can be contacted via **020 3151 0400 option 1.**

## Waiting/Continued Interest List

52. The Academy operates a waiting/continued interest list for each year group, throughout the whole of the school year. All names are deleted at the end of each school year, unless parents contact the Academy to say that they want their child's name to remain on the list for the next year group the following year.

53. Waiting/continued interest lists are ranked by reference to the oversubscription criteria above, and not by reference to the date that the child's name was added to the list. This means a child's name can go up, as well as down, the list as more names are added.

54. When a place becomes available, if there is more than one child in the highest category, the relevant tie breaker in that category will be applied to determine which child will be offered the place.

55. Children allocated a place under the Fair Access Protocol (which all schools are required to participate in) will take precedence over children on the waiting/continued interest list.

## Review and Determination of Admission Arrangements

56. The admission arrangements for an Academy must be determined every year by the Admissions Committee. Where any changes are proposed from the substantive criteria determined for the previous intake, these must be consulted on for a minimum of 6 calendar weeks between 1 October and 31 January ahead of determination on or before 28 February.

57. The admission arrangements for the 2027 intake were determined by the Admission Committee on **10 February 2026**.

58. Please submit any queries regarding these admissions arrangements directly to the Admissions Committee via: admissions@futureacademies.org.

**---END---**