



SAVE THE CHILDREN'S GLOBAL POLICY POSITION ON USER FEES IN EDUCATION AND PRIVATE SCHOOLS

SUMMARY OF OUR POSITION

a) *User fees*

- Save the Children believes all children should have access to free, inclusive, quality basic education which supports them to achieve relevant and effective learning outcomes. All children should also receive quality early childhood care and development and pre-primary education and every effort should be made to remove financial barriers to this.
- We believe no child should ever be denied their right to education and to learn from an inclusive and quality education because of financial barriers and inability to pay.
- The goal of universal free basic education is a sizeable one to achieve though, and therefore will only be realised progressively. Progress towards this goal should be equitable and should prioritise poor and deprived populations first.

b) *Private schools*

- Fulfilling the rights of children to universal, free, inclusive and quality basic education is ultimately the responsibility of governments. They are the duty-bearers of the right to education and stewards and regulators of national education systems. However, we believe a range of different actors can help deliver free, inclusive and quality basic education.
- In our education work, Save the Children's core principles are equity and learning. We only support models of financing, regulating and providing education which ensure the most deprived children have access to quality education and achieve relevant and effective learning outcomes, and which reduce the learning gaps between the most and least advantaged children within a society.
- We assess all models of education – public or private – against their ability to deliver for the most deprived in terms of: a.) Access and completion; b.) Quality and learning; c.) Cost-effective and efficiency; d.) Transparency, Accountability and Regulation; and e.) Systems-strengthening. These are outlined in more detail in Box I. It is critical that all provision of education meets national standards and that governments have sufficient capacity to effectively regulate and oversee their national education system.
- We do not think that commercial profit-making providers and chains - which are seeking to derive 'commercial returns on investment' – help enable equitable education systems. We do think that community-based models of direct, private provision of education which deliver social returns and also some moderate income for the owners may be appropriate, provided that such models meet our equity and learning criteria.
- We believe it may be more efficient for national or local government authorities to contract some indirect education services – such as examinations, uniforms, or textbook providers etc. - on a for-profit basis, provided contracts help advance equity and learning, meet national standards, and profit-levels are curtailed.
- Save the Children will not partner with companies directly on projects which seek to derive a commercial return or profit from direct education provision. If we partner with an organisation who is involved in such activities, but not directly with Save the Children, we will be clear that we do not endorse those activities and use our influence to try to change their practice.

Purpose

This document outlines Save the Children’s global policy position on user fees in education and private schools. We know that other factors and barriers affect children’s ability to learn from a quality education – such as socio-cultural barriers, gender inequality etc. – but this position focuses on financial barriers and related consequences that stem from who provides, manages and finances schools. In other words, the two key questions which this policy is answering are:

- What is Save the Children’s position on user fees in education?
- What is Save the Children’s position on whether education should always be publically provided or whether there is a role for non-state provision of education?

These two questions are separate, but are also strongly interlinked given recent increasing growth in ‘low-fee’ private provision of education in developing countries.

This is an internal document which provides guidance to the whole organisation about how to respond, in a consistent manner, to issues raised by user fees and private schools in our programme delivery, advocacy and fundraising.

Background and Context

The world is currently a long way off fulfilling every child’s right to education,¹ and meeting the Sustainable Development Goal (SDG) promise of every last child will learning from a quality and inclusive education by 2030.² There are currently 263 million children out of school.³ For many of these children, one of the main reasons they are being denied the opportunity to learn from a quality basic education is because of user fees and costs associated with education.^{4,5} Of the 209 geographic territories listed in the Global Education Monitoring (GEM) Report, only 146 have legal guarantees of at least 9 years of free education; only 91 for at least 12 years of free education; and only 79 for at least 1 year of free pre-primary education.⁶ Furthermore, many of the poorest countries who have made this guarantee are struggling to actually deliver free education in practice. Or if they are, then they are struggling to also ensure the education is equitable and of a decent quality, and free from out-of-pocket costs. This is principally due to governments not being able to or not choosing to allocate sufficient resources to provide free, quality public education for all.

So parents and households are frequently having to pay out-of-pocket costs to ensure that their children can access education – even in schools which claim to be ‘fee-free’ - and they are also often finding that the education on offer has serious quality challenges. At the same time, there is a growing phenomenon of private schools and commercial school chains often being established where gaps exist in public education provision – either in terms of gaps in access where the public system has not reached, or where public education is deemed to be of poor quality. There has been a growth in private schools to also respond to parental demand for schools that provide religious education or education in different languages of instruction than provided by the public system.

¹ Convention on the Rights of the Child (Article 28) and Universal Declaration of Human Rights (Article 26). See Right to Education Project for overview of existing human rights treaties on this issue. See:

<http://www.right-to-education.org/issue-page/free-education>. For example, the International Covenant on Economic, Cultural and Social Rights (ICECSR).

² See: <https://sustainabledevelopment.un.org/sdg4>.

³ UNESCO (2016), ‘Global Education Monitoring Report 2016 - Education for People and Planet: Creating Sustainable Futures for All’. 61 million of primary school age, 60 million of lower secondary school age, and 142 million of upper secondary school age.

⁴ Morgan, C., Petrosino, A., and Fronius, T. (2012) ‘A systematic review of the evidence of the impact of eliminating school user fees in low-income developing countries’. London: EPPI-Centre, Social Science Research Unit, Institute of Education, University of London.

⁵ Burnett N and Kattan R (2004), ‘User fees in primary education’, The World Bank.

⁶ Ibid, p.401-404.

Delivering free, inclusive and quality education for every last child will require significantly more financing for education than is currently allocated by governments. It will also require much better use of existing resources to improve the transparency, accountability and performance of education systems, and the financing and provision of education. It is not fair that parents should be forced to pay out of pocket in order to secure a quality education for their children. In such scenarios, it is always the most deprived and those who cannot afford to pay who lose out the most.

Equally, governments are the ultimate duty-bearers to children's right to education being fulfilled. If they choose to contract out or allow private provision of education in their education systems, this should be an intentional decision and be accompanied with assurances and safeguards to ensure quality and equity. Irrespective of whether the provision of education in the system is public or private or a mix, all financing and provision of education must: 1.) Conform to national quality standards and regulation;⁷ 2.) Be accountable to parents, local communities and children; and 3.) Be equitable and meets the learning needs of the most deprived.

In this position, we focus on being objective and evidence-based, and clear on definitions and terminology.⁸ It is important to note though, that while evidence reviews have been conducted,⁹ there are still big gaps in evidence regarding access, quality, learning, cost-effectiveness, transparency and accountability, and systems-strengthening. So our position will likely need to evolve as the evidence also evolves.¹⁰

Definitions

Basic Education: It is ultimately the responsibility of governments to determine what constitutes basic education, but we support the Incheon Declaration Education 2030, which affirms that governments should “ensure the provision of 12 years of free, publicly funded, equitable quality primary and secondary education, of which at least nine years are compulsory, leading to relevant outcomes”, and also “encourage the provision of at least one year of free and compulsory quality pre-primary education and that all children have access to quality early childhood development, care and education”.¹¹ This policy applies to Basic Education. Every effort must be made to ensure that quality early childhood care and development services are made available to all, and with special effort to ensure accessibility for the most deprived children. As and when governments legislate to include pre-primary education within their basic education frameworks, that provision should be subject to national standards and the equity and learning principles and additional conditions outlined in this policy.

Free education: We define ‘free education’ as that which is free at the point of use for all children (non-discrimination). That means no formal, direct fee charged by the school or learning institution in return for allowing the child to enrol and attend. It also means no indirect costs - such as uniforms,

⁷ Noting potential scenarios where this might not be possible in practice if the state does not recognise certain forms of ethnic education, for example.

⁸ Oxford Policy Management have recently tried to follow a similar, objective and evidence-based process to formulate a policy framework on this issue, see: <http://www.opml.co.uk/publications/publicly-financed-and-sensibly-provided>.

⁹ Day-Ashley, L and Wales, J (2015) ‘The Impact of Non-State Schools in Developing Countries: A Synthesis of Two Evidence Reviews’. UK Department for International Development.

¹⁰ Recent reports which have taken positions on this issue, as so may serve as useful background documents, are: a.) The International Commission on Financing Global Education Opportunity (2016), ‘The Learning Generation: Investing in education for a changing world’; and b.) Global Campaign for Education (2016), ‘Private Profit, Public Loss: Why the push for low-fee private schools is throwing quality education off track’.

¹¹ Incheon Declaration Education 2030: Towards inclusive and equitable quality education and lifelong learning for all, p.7. Available at: <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/ED/pdf/FinalVersion-IncheonDeclaration.pdf>.

textbooks and learning materials, Parent Teacher Association fees, exam fees, and transportation costs. All efforts should be made to remove the costs associated with education, starting with removing financial barriers to education for the most deprived children, and to reduce the opportunity costs for poor households to ensure their children learn from a quality education.

Quality education and relevant and effective learning outcomes: We have 4 guiding principles for what constitutes quality education and a quality learning environment: a.) Meet learners' emotional and psychological needs; b.) Protect children's physical wellbeing; c.) Encourage and support active engagement for learners, child-centred teaching, and improved learning outcomes for all learners; and d.) Actively involve parents and local communities in planning, decision-making and action to improve education.¹² Quality education should protect children from harm and violence, both in school and on the way to school, and promote positive discipline. Quality education must also be inclusive and adhere to minimum standards of inclusion, as we outline in our Inclusive Education Handbook.¹³ Ultimately, "our understanding of a good quality education, is that children leave school with a wide range of skills relevant to their country's context and cultures that will enable them to succeed, prosper and thrive to their greatest potential".¹⁴

Most deprived children: The children from the poorest households and communities, and/or who are discriminated because of who they are or where they live, resulting in them being excluded from education (out of school) and/or from learning.

Commercial returns on investment: This is defined as the profit generated from an investment. Commercial investors will base their decision-making principally on how to generate the maximum commercial returns. This is different from income, which could be the salary that an individual who runs a private school derives from running that school. It is also different from revenue, which is necessary in order to derive profit, but is not necessarily extracted as profit.

Private schools and private provision of education: We define these as education institutions which are controlled and managed by any type of private entity and, in terms of financing, can be on a range from fully public-funded by privately operated, to fully private financed and operated.¹⁵ It is important to distinguish between different models and be clear on definitions, while also noting that distinctions are rarely straightforward in this area. We utilise the model developed by Steer et al below as a helpful guide to show the main potential variations which could exist. In particular, we distinguish between private schools which provide parents with an alternative to existing state schools, and those which provide education in localities where state provision is almost or totally absent. We also distinguish between schools which cater for the wealthier quintiles of society, and those which are focused on supporting the poorest and most deprived.

National Education Systems: The combination of laws, policies, regulations, funding and inputs/resources (teachers, books/learning materials etc.) which go into providing education for a population, and the structures by which decisions are made on funding levels, resource allocations and

¹² Tolani N and Ghorkhmazyan M (2015), 'Unpacking Quality in Child Protection and Education: Innovative frameworks to inform policy and practice', Presentation to 5th Conference of the International Society for Child Indicators, Cape Town, September 2015. See: http://isci2015.org/docs/pdfs/lc/3%20Tolani_Unpacking%20quality%20in%20child%20protection%20and%20education.pdf.

¹³ Save the Children (2016), 'Inclusive education: what, why and how – A handbook for program implementers'. See: http://images.savethechildren.it/IT/ff/img_publicazioni/img292_b.pdf.

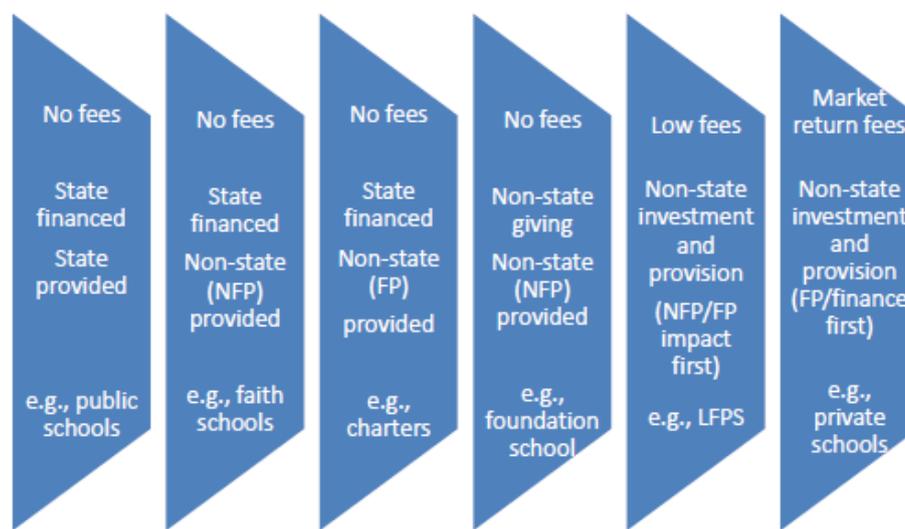
¹⁴ Save the Children (2013), 'Ending the hidden exclusion: Learning and equity in education Post-2015'. Page 23. Available at:

http://www.savethechildren.org.uk/sites/default/files/images/Ending_the_hidden_exclusion_full_report.pdf.

¹⁵ Adapted from definition offered by Moumne R and Saudemont C (2015), 'Overview of the role of private providers in education in light of the existing international legal framework', UNESCO Working Papers on Education Policy No.1. Available at: <http://unesdoc.unesco.org/images/0024/002438/243823e.pdf>.

how education is provided. This is principally about government capacity to finance, oversee and regulate, and provide education for its population.

Diagram 1: Spectrum of private and public financing and provision of education^{16,17}



Note: FP = for-profit and NFP = not-for-profit.

Save the Children's Position and Commitments

a) User fees in education

- Save the Children wants all children to learn from a quality basic education by 2030. Working hand in hand with children and their communities, our partners, governments, and our donors, we will do whatever it takes to ensure this happens, and will focus our efforts on the most deprived children.¹⁸
- We base our work on defending and promoting children's rights. All children have the right to free primary education. This is clearly enshrined in binding international human rights treaties, which almost all states have endorsed and ratified.¹⁹ The Sustainable Development Goals, while less binding, go further and Goal 4 – on inclusive and quality education for all - includes a target to ensure that, by 2030, all girls and boys complete free, equitable and quality primary and secondary education, leading to relevant and effective learning outcomes. SDG 4 also includes a target for countries to provide at least 1 year of free, quality pre-primary education.
- In line with the UN Convention on the Rights of the Child (CRC) and SDGs, Save the Children believes all children should have access to free, inclusive, quality basic education which supports

¹⁶ Steer, L., Gillard, J., Gustaffson-Wright, E., and M. Latham (2015) 'Non-state actors in education in developing countries: A framing paper for discussion', Brookings Institution, p.12.

¹⁷ Also useful to refer to: Lewis L and Patrinos H (2011), 'Framework for engaging the private sector in education'. World Bank: SABER. Available at:

http://siteresources.worldbank.org/EDUCATION/Resources/278200-1290520949227/Framework_for_Engaging_the_Private_Sector.pdf.

¹⁸ Save the Children (2015), 'Save the Children's Global Strategy: Ambition for Children 2030 and 2016-2018 Strategic Plan – Building a better world for and with children'.

¹⁹ Convention on the Rights of the Child (CRC), Article 28; Universal Declaration of Human Rights, Article 26.

them to achieve relevant and effective learning outcomes, and that all children should receive quality early childhood care and development and at least 1 year of free, pre-primary education.

- We believe no child should ever be denied their right to education and to learn from an inclusive and quality education because of financial barriers and inability to pay.
- Ensuring the financing, regulation and effective delivery of quality basic education to all children, which supports them to achieve relevant and effective learning outcomes, is a sizeable task. The reality is that it will require a vast increase in resources and a significant improvement in the regulation and delivery of education systems. The goal of universal free basic education will therefore be progressively realised. However, progress towards this goal should be equitable and should prioritise poor and deprived populations first.

b) Private schools

- Fulfilling the rights of children to universal, free, inclusive and quality basic education is ultimately the responsibility of governments. They are the duty-bearers of the right to education and stewards and regulators of national education systems. However, we believe a range of different actors can help deliver free, inclusive and quality basic education.
- Universal free basic education will require developing countries to raise more resources through fair financing such as progressive taxation and to pool those and spend adequately for the benefit of the whole population. It requires donors to better align their support behind national education plans to help countries achieve this and to reduce the fragmentation that aid often causes by funding donor priorities.
- The government's principal responsibility is to ensure their national education system: a.) has sufficient resources; b.) is regulated and managed effectively and performing efficiently; c.) is equitable and inclusive and delivering quality education and relevant and effective learning outcomes for all children; and d.) is transparent and accountable to its citizens, including children.
- We will only achieve universal provision of free basic education through strengthened inclusive education systems, including ensuring that a trained, supported, equipped, remunerated and motivated teacher is within reach of every child.
- Save the Children only supports models of financing, regulating and providing education which ensure the most deprived children have access to quality education and achieve relevant and effective learning outcomes, and which reduce the learning gaps between the most and least advantaged children within a society.
- We assess this by using the criteria here in Box 1 here.

Box 1: Our criteria for assessing the appropriate and effectiveness of different models for financing, regulation and providing education

To assess the extent to which education systems adhere to the CRC, Incheon Declaration and SDG4 goal and targets, we assess education systems and the appropriateness and effectiveness of different models of financing and providing education – both public and private – in terms of **equity and learning**.

The key question is, what is the impact on the most deprived children in terms of their ability to access and to complete quality basic education, and achieve relevant and effective learning outcomes? This is more important to us than whether the provision is public or private.

To assess the equity and learning impact of different approaches, we have **two essential and non-negotiable criteria**:

1. **Access and completion:** Does the model help or hinder the most deprived children to access and complete quality basic education and reduce equity gaps?
2. **Quality and Learning:** Does the model enable the most deprived children to learn in quality, safe and protective learning environments and improve the quality of education available to them? And does it support those children to achieve relevant and effective learning outcomes, and reduce equity gaps in learning outcomes?

In addition, our assessments take into account the following three conditions:

3. **Cost-effectiveness and efficiency:** Does the model enable more cost-effective and efficient delivery of education than other models, particularly in the long-run?
4. **Transparency, Accountability and Regulation:** Does the model improve or worsen transparency of education financing, regulation and provision to citizens and enable the most deprived to hold education financiers and providers to account, and does it comply with national quality standards?
5. **Systems-strengthening:** Does the model have any perverse short-term or long-term impacts on systems-strengthening and the ability of the government to set and enforce quality and equity standards? If so, how will those impacts affect the most deprived children?

- Clear distinctions should be drawn between short-term measures which help address immediate gaps and needs, and more long-term measures. This is important, because one of the key drivers behind the recent growth in the private provision of education in some developing countries, is the underperformance of public provision of education – either in terms of lack of access or in terms of low quality. Turning to private financiers and providers is understandable as a short-term measure, but the question is whether these models of financing and providing education are appropriate in the medium to long-term. Even if seen as short-term solution, which is not the case in some countries (such as India and Pakistan), one must consider the potential impact on system strengthening, and the potential opportunity costs in terms of public education investments.
- Save the Children believes that education is not a pure private good in economic terms. While it helps individuals to increase their human capital, it also has clear societal and public benefits which need to be taken into account. Governments should never use their own funds to subsidise profit-making forms of education provision. If commercial profit-making education providers operate

within the country, the government should ensure that they conform with national quality and equity standards and are effectively regulated; and that equity gaps are minimised within the education system. These models would be the ‘market return fees’ pillar in Diagram I. Commercial chains of education providers, such as Bridge School Academies would fall into this category. Save the Children does not think that these type of providers help generate more equitable education systems, and will not work directly on education projects with providers of education who are extracting commercial returns in exchange for their education services.

- While commercial return models that cater for the most advantaged in society will not help advance equity and learning in an education system, we believe that some community-based models of direct, private provision of education which deliver social returns and also some moderate income for the owners may be appropriate. However, it is essential that such models meet our equity and learning criteria and the additional criteria. In other words, if we are confident that the service is accessible to and meets the needs of the most deprived children; is of a high quality which supports children to achieve relevant and effective learning outcomes and reduces learning inequality; is transparent and accountable; is not having a negative impact on public provision in the nearby area; and is regulated effectively by the state and the service conforms to national quality standards and inspections. This could apply to ‘low fees’ pillar in Diagram I.
- Governments may decide that they want to allow, promote and/or contract out a certain proportion (or all) of the provision of education as the most effective way of reaching the most deprived children, closing the learning gap and delivering their national education ambitions, and meeting their international commitments under the UNCRC, SDGs and children’s right to education.²⁰ In such instances, governments should have clear medium to long-term plans (via Education Sector Plans) with clear goals and equity targets which outline the exact role for private financing and provision of education should have in their systems, and ensure that all forms of financing and provision of education meet national quality and equity standards and are effectively regulated and accountable to parents, local communities and children. This must include governments having appropriate regulation and oversight mechanisms in place to ensure they are meeting their UNCRC obligations. In such instances, Save the Children will work with others to hold governments to account for ensuring the chosen model(s) for financing, regulating and providing education meet the equity and learning criteria, and other criteria, outlined above – both for public and private provision of education – and equalise the learning gap.
- The other models in Diagram I are all ‘fee-free’. However, it is important to note that for some groups of highly deprived and often excluded children, it may not be sufficient to focus on the elimination of user fees and hidden costs alone. Depending on the context and patterns of educational exclusion, there may be the need for additional, pro-active financial measures in order to ensure access and inclusion among groups such as children with disabilities, children of disadvantaged minority groups and children without adequate family care. In some contexts, girls are also widely excluded, including as a result of severe household poverty. In such cases, earmarked subsidies to schools or social protection transfers such as cash, stipends or vouchers to parents and caregivers may be used to help ensure the inclusion of extremely deprived children. Such social protection measures need to ensure they are child-sensitive and gender-sensitive.
- In terms of Save the Children’s programme delivery work, we do not rule out being contracted as a direct provider of basic education or supporting non-state organisations who are involved in directly providing basic education, or supporting governments to establish effective public-private partnerships for the delivery of equitable and quality basic education. However, we would only do so if we were confident that this was not crowding out free, quality public provision of education

²⁰ By contrast, if a government takes the decision to close down any private school, they must ensure proper notice is given and special measures are in place to enable the children attending those schools to attend an alternative school – same as if they were closing a public school.

and that the provision offered or supported by us was genuinely free at the point of use for beneficiaries (including hidden or indirect costs), and that our key equity and learning criteria, and the additional conditions - as outlined in Box 1 - were satisfied.

- There is a need for governments to urgently and seriously address existing capacity constraints in terms of the monitoring of education financing and provision (both public and private). All schools - public, private, formal or non-formal – should be registered and meet national standards. Efforts also need to be made to strengthen teacher training, to ensure that irrespective of whether education is publically or privately provided, all children are taught by trained, supported and remunerated teachers.
- In terms of indirect provision of education services – such as exam boards; uniform and textbook providers etc. – Save the Children believes it may be more efficient for national or local government authorities to contract those services from private providers on a for-profit basis. However, there is a distinction between different indirect services and the impact they have on the quality of education and learning. For example, uniforms have less impact on the quality of education than textbooks or exam boards. The capacity of governments should be strengthened to ensure they negotiate, and monitor and enforce the delivery of, contracts which prevent excessive profit-levels and tax avoidance, and which are equitable and help meet the needs of the most deprived children. It is particularly critical to ensure any contracts for textbooks and exam boards conform with the national curriculum and local languages.
- Private education providers, just like all private actors, must not undermine government efforts to protect and fulfil children’s right to education. They must respect the rule of law, including the payment of taxes to generate public revenues, which is essential for governments to meet their obligations under the CRC. Equally, donors must also not undermine government efforts and should seek to support the strengthening of domestic education systems, and use their funding to support greater equity and learning. We will assess donors’ policies and practices on this issue using the same criteria for our own activities, focusing on equity and learning.
- In terms of public-private partnerships (PPPs), these need to be judged on a case-by-case basis against the criteria laid out above – ‘what is the end impact on the most deprived children in terms of their ability to access and to complete quality basic education (i.e. not dropout), and achieve relevant and effective learning outcomes?’ and the additional conditions. It is also important to ensure objectives for the PPP are agreed early in the process by all parties, that costs and financial risks are assessed, and that governments are confident in their capacity to monitor and regulate the PPP. It is also important to assess the opportunity cost of investing in private delivery of education including the impact on education systems-strengthening. It is important to ensure that private services do not crowd out public provision if: a.) the service in question can be provided more efficiently and effectively via public provision, or b.) there is value in retaining public service provision to ensure the end benefits meet the needs of the most deprived children.
- Save the Children will ensure all of our partnerships (including corporate partnerships) help further our ability to support the most deprived children to learn from an inclusive and quality education. We will ensure our partnerships undergo thorough due diligence reviews before being agreed and we will not partner with companies directly on projects which seek to derive a commercial return or profit from direct education provision. If we partner with an organisation who is involved in such activities, but not directly with Save the Children, we will be clear in public statements that we do not endorse those activities and will use our influence to try change their practice.