

Passing the Baton: Understanding the PPP Model of Pre-Primary Education in Mumbai

Executive Summary

Introduction and Context

There has been an increasing interest in resorting to public-private partnerships (“**PPPs**”) for the delivery of education in India over the last decade. PPPs have been advertised as improving the quality of education delivered by compensating for the low investment capabilities and lack of State capacity in education.¹

In India, PPPs operate as one of the service providers of Early Childhood Education (“**ECE**”) alongside government pre-primary grades, Anganwadi Centres (“**AWCs**”) run under the Integrated Child Development Services (ICDS) by the Ministry of Women and Child Development, and standalone private pre-schools.

However, some educationists and legal policy researchers disregard PPPs, especially where more complex partnerships shift the responsibility of delivering education from the State to private partners. Such opposition is on grounds that the State has a legal obligation to provide education to its children. A second concern is regarding the potential of PPPs to adversely impact equitable access to schooling through increased commercialisation and privatisation of education provisioning.

This report studies the PPP model run by the Education Department of the Municipal Corporation of Greater Mumbai (“**MCGM**”) in partnership with NGOs or ‘social organisations’, for the delivery of ECE through ‘balwadis’. The report investigates this model through the lens of multiple stakeholders - teachers and the organisations tasked with its operation - and through an analysis of policies and legal contracts governing its implementation. Using a framework for analysis of PPPs in education,² we identify various design and implementation-level gaps in the model with a possible bearing on the equity and quality of education delivered, and the accountability of the State. We recommend stronger State regulation over PPPs for education, and specifically for ECE, that adhere to a policy framework for delivery of ECE in the state.³

Description of the Model

The Education Department of the MCGM runs a PPP balwadi model (“**balwadi model**”) wherein social organisations (NGOs, Trusts, or companies contributing through CSR funds), hereafter organisations, run

¹ Katie Malouf Bous, ‘False Promises’ (Oxfam International, April 2019) <<https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620720/bp-world-bank-education-ppps-090419-en.pdf?sequence=1&isAllowed=yor>> accessed 27 August 2021.

² This framework was adopted from the report: Harry Anthony Patrinos and others, ‘The Role and Impact of Public-Private Partnerships in Education’ (International Bank for Reconstruction and Development / The World Bank, 2009) <<https://documents1.worldbank.org/curated/en/453461468314086643/pdf/479490PUB0Role101OFFICIAL0USE0ONLY1.pdf>> accessed 27 August 2021.

³ Chris Sakellariou and Harry Anthony Patrinos, ‘The Equity Impact of Public Finance of Private Education Provision in Côte d’Ivoire’ (2009) 29(4) International Journal of Educational Development 350.

balwadis within MCGM school buildings. Since its inception in 2007, multiple balwadis under different organisations have opened and MCGM's financial contribution for their functioning has also grown. The last tender for the running of balwadis was released in 2018, marking the most recent form of MCGM's partnership with 25 organisations currently running balwadis within MCGM schools. It is important to note here that the Education Department of the MCGM does not have the mandate to provide ECE.⁴ This mandate vests with the MCGM's Woman and Child Welfare Committee.⁵

Division of responsibilities under the balwadi model

The MCGM and organisations share responsibilities towards ECE provisioning, explained below. While some of these responsibilities find mention in Memorandums of Understanding ("MoU") between the MCGM and organisations, others have been identified through interviews with members of engaged organisations.

MCGM's Responsibilities

1. Provision of infrastructure and facilities to organisations

- Rent-free classroom in existing MCGM schools,
- Facilities including access to electricity, water, and toilets present within MCGM schools,
- Child-friendly painted classrooms including seating mats for each child, and
- Educational games and toys per the syllabus requirements.

2. Balwadi staff honorarium

The MCGM reimburses the salary, referred to as honorarium, for school staff (balwadi teachers and helpers).

- Payments are transferred by the MCGM to organisations, who are then contractually obligated to pay teachers and helpers in a timely manner.
- The administrative officer of the Education Department collects monthly attendance sheets of staff and students for honorariums to be processed.
- Teachers are paid INR 5,000 per month and helpers are paid INR 3,000 per month for ten months per year (for the period from June to March).
- Organisations are allowed to add on to these honorariums. Based on their financial capacity, some organisations make additional payments ranging from INR 1,000 to INR 10,000.

3. Maintenance fee

The MCGM pays a maintenance fee of INR 200 per balwadi per month, to cover expenses such as the purchase of chalks, dusters and other cleaning equipment.

Obligations of Organisations Running Balwadis

1. Human resource management

- Recruitment of balwadi teachers and helpers, as per qualification criteria specified by MCGM,
- Timely payment of balwadi staff honorariums, and
- Management of grievances or issues of balwadi staff that might arise.

⁴ 'Particulars of Organisation, Functions and Duties of the Department' (Chapter 2, Manual 1) (MCGM) <https://portal.mcg.gov.in/irj/go/km/docs/documents/MCGM%20Department%20List/Education%20Officer/RTI%20Manuals/Education_Officer_RTI_E02.pdf> accessed 27 August 2021.

⁵ 'Special Committees' Procedure Rules' (MCGM) <https://portal.mcg.gov.in/irj/portal/anonymous/qlspecialcom?guest_user=english> accessed 27 August 2021.

2. Delivery of education and curriculum

- There are few specifications on how education will be delivered, apart from defining minimum standards for inputs and educational qualifications of teachers and helpers.
- There is no mandated curriculum for use in the balwadis, however the MCGM makes a curriculum for ECE available to organisations. Some organisations use the MCGM curriculum while others develop their own or use curricula of other organisations.

3. Miscellaneous responsibilities

- Maintaining classroom infrastructure,
- Administrative work in line with the MCGM's monitoring mechanisms, including maintaining attendance reports of staff and students, and
- Ensuring enrolment of a minimum of 20 students to secure allotment of an MCGM classroom through a needs assessment survey. Organisations are to conduct this survey at the start of each academic year for the MCGM to gauge whether there is a demand from households in the catchment area for a balwadi.

Positioning MCGM's balwadi model in policy

The Education Department of the MCGM has a dedicated PPP policy for education, the MCGM's Public Private Partnership Programmes Document (2018)⁶ ("**PPP Policy**" or "**MCGM PPP Policy**") which defines four types of partnerships. It is the only policy framework that applies to PPPs in education within the MCGM.

'Category i' partnerships that are listed as 'Full School Management with Private Partner Teachers' are an appropriate categorisation of the balwadi model. Under this partnership, private partners are tasked with managing an existing or new MCGM school and providing free and high quality education with its own staff of teachers and school administration.

ECE, however, only finds explicit mention in this PPP Policy as a sub-point under 'Category iii' partnerships, which lists it as one of the 'specific services' that might be received through private partners. Under this partnership, private partners provide specific services relevant for improving the quality of both curricular and co-curricular education in MCGM schools such as student assessments or teacher training. It is thus unclear if the PPP Policy itself and through it, "Category i", can apply to the balwadi model.

Secondly, a state-wide policy framework - the Maharashtra Policy for Early Childhood Care and Education, 2019 ("Maharashtra ECCE Policy"), published by the Women and Child Development Department, Maharashtra - introduced norms and standards to ensure accessible and quality ECE across the state under all providers. However, the measures under this policy are yet to be implemented by the state. Along similar lines, norms and standards cited in the MCGM's PPP Policy make no reference to the Maharashtra ECCE Policy.

This lack of clarity of a policy framework governing the balwadi model leaves room for interpretation. We can interpret this PPP Policy as applicable to all PPPs run by the MCGM for the delivery of education, including ECE. Alternatively, it can be interpreted to not apply to the balwadi model, in which case there is no policy framework guiding its implementation, with only the MoU between organisations and the MCGM defining the partnership. Thus, in the following analysis we assess governance of the model on the basis of the MoU and the PPP policy under the assumption that the PPP Policy applies to our model in the first instance, and then delineate between categorisations of the model under the PPP policy, where necessary thereafter.

⁶ 'Public Private Partnership Programmes Document' (Education Department, MCGM) <<https://portal.mcg.gov.in/irj/go/km/docs/documents/MCGM%20Department%20List/Education%20Officer/Docs/MCGM%20PPP%20Policy/MCGM%20PPP%20Policy%20English%20page%20no.19%20to%2034.pdf>> accessed 27 August 2021.

Analysis of MCGM's PPP Balwadi Model for Early Childhood Education

Using a framework for analysis for the implementation of PPPs in education, we identify various design and implementation-level gaps in the model, with a possible bearing on the equity and quality of education delivered, and accountability of the State.

Principle: Rationale and Goals

Mismatch in rationale between organisations and the State: The MCGM had started the balwadi system to increase enrolment for their primary classes and ensure preparedness of the students for primary school. Organisations on the other hand, had varied responses about the rationale behind the balwadi model and the specific gap they were filling, such as catering to underserved communities or those having access to low-quality alternatives (anganwadi centres), lack of government capacity to provide ECE and the opportunity to “work for society”.

While a mismatch in rationale among partners does not, in itself, point to a design or implementation gap in the model, the stated objectives of the model should necessarily determine its governance, forming the basis of monitoring and accountability mechanisms to track the ‘success’ of the program.

The varied rationale provided by organisations also raises other concerns for the efficacy of this model, including -

- Reported inability of the MCGM to collect data on enrolled students, without which they cannot track retention in their balwadis or transitions to Grade 1. This can also have a bearing on equity, where without data on socioeconomic backgrounds of enrolled students, they would be unable to assess incidences of inequitable access.
- Stakeholders’ (parents and teachers) perceptions of the model are likely to be influenced by perceptions of organisations that take an altruistic or charity-based approach to education delivery.
- Considering that the MCGM itself does play a role in ensuring the provisioning of ECE by making AWCs available to students, it raises the question of whether, in the absence of this model, the MCGM could provide this space to AWCs instead and invest in building their capacity to deliver high-quality ECE rather than turning to private intervention.

Principle: Equity

In line with the role of the State to ensure universal access to education, we gauge whether the PPP balwadi model poses challenges to equitable access to ECE by considering two aspects of the model with direct consequences for equity – criteria for student enrolment (school choice) and norms and standards defined for inputs and other entitlements offered to students.

School Choice

The PPP Policy requires organisations to follow The Right of Children to Free and Compulsory Education Act, 2009 (“**RTE Act**”) broadly but does not mention anything about non-discrimination in enrolments explicitly. The criteria for school enrolment stipulated in the MoU on the other hand, are that the balwadis must be free, that students must be in the age range of 3-6 years, and that organisations cannot discriminate on the basis of caste, creed, colour, religion and sex.

We find that disadvantaged groups - such as children with disabilities, and children of migrant workers - face possible incidences of exclusion under this model. For example, balwadi teachers are not trained to identify or teach students with disabilities enrolled in their balwadi, while some organisations reported not formally registering or enrolling migrant children as they often leave within the school year and their learning cannot be tracked properly. This can deprive students of appropriate support and entitlements they should receive.

Norms and standards for inputs and entitlements in education

The PPP Policy pegs itself to the RTE Act in reference to minimum standards for infrastructure and inputs, called 'boundary constraints'. Since most provisions of the RTE Act are not applicable for pre-primary education, it is unclear whether they are applicable to the balwadi model. Further, the PPP policy does not include or cite provisions of the Maharashtra ECCE Policy, 2019.

Independent of the above, the MoU dictates minimum educational qualifications for eligibility of teachers and helpers, classroom-student ratio, and a range of 'support services' to be provided by the MCGM to enrolled students. The MoU also states that teaching-learning materials will be provided by both the organisations and MCGM, but there is no clear demarcation on what materials must be provided or who will provide it between the organisation and MCGM. Neither the PPP Policy nor the MoU mentions that mid-day meals ("MDMs") will be provided. The MoU also sets standards for the obligations of organisations and the MCGM under the partnership (as described above).

Both design and implementation gaps emerge depending on the interpretation of the applicability of the PPP Policy to this model. If boundary constraints detailed in the policy are applicable, their implementation is failing. If not applicable, the PPP Policy must be urgently updated to protect the rights of students in ECE.

With respect to provisions of the MoU too, there are clear implementation gaps, especially prominent in the case of entitlements to students. Non-compliance by the State violates students' right to certain entitlements. Moreover, it can also influence school choice where we might find that only the parents who can afford out-of-pocket expenditures (for example, on books or transportation costs) attend PPP balwadis, leading to a cream-skimming phenomenon⁷ among the targeted population, with further disadvantages for girl-children and children with disabilities within households.

Principle: Accountability - Monitoring Mechanism, Entry and Exit Principles, and Voice of the Stakeholders

There appears to be a lack of clarity and transparency among partners on the exact process and parameters assessed during the renewal of MoUs of organisations. Moreover, unlike what the PPP Policy states, there are no assessments of learning outcomes of students or of teaching practices, currently being implemented. Therefore, there is an implementation gap in this model, in that learning of students is not tracked, and consequently that performance of organisations is not pegged to the stated objectives of the State. With respect to provisions of the MoU, while it lacks transparency in describing the process and parameters of performance and renewal, it seems to be implemented in some form.

Moreover, that the Education Department of the MCGM is not provided with the mandate to provide ECE, further reduces its accountability.

Entry and Exit Criteria

The PPP Policy states that only 'high-quality agencies' will be engaged in partnerships with the MCGM. It describes a selection process in which organisations are scored on a list of criteria, with the scoring and ensuing selection of organisations to be conducted by a 'Selection Committee'. The scores received by organisations also have a bearing on the allocation of schools. The PPP Policy also provides for a review process for low-performing organisations, and for terminating contracts with organisations if their performance does not improve post review and over three consecutive years.

However, the MoU provides no clear entry or eligibility criteria for organisations. The MoU does provide for termination in cases where there is delay in or non-payment to balwadi staff on grounds that "*they may not be able to perform their duties as expected, and it will affect the functioning of the balwadi classes*". It also states

⁷ Dennis Epple And Richard Romano "Educational Vouchers And Cream Skimming" (2008) 49(4) International Economic Review <<https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1468-2354.2008.00516.x>> accessed 27 August 2021.

that the contract can be terminated if the organisation commits any breach and fails to remedy the same within 30 days of being given notice. Finally, the annual MoU renewal process provides a built-in mechanism for easy exit of partners under the model where performance is “*less than satisfactory*”.

The MoU currently defines exit criteria by linking it to payment of staff, for example, but not to outcomes of learning or other metrics of quality schooling. In the current interpretation of the MoU, if an organisation can meet the basic criteria of managing schools and payment of staff, they might be seen as performing well, irrespective of whether they are delivering quality education.

There is a need for greater transparency in defining both entry and exit criteria in the MoU, or else implementing the same in line with the policy. In the absence of transparency, questions about other provisions of entry and exit of organisations arise.

Voice of Stakeholders - Households and Teachers

As per the PPP Policy and MoU, the process of grievance redressal is ill-defined and the MoU relies in its entirety upon internal processes provided by the organisations to resolve disputes amongst teachers, students and parents, and the organisation. The respondents, however, did not mention that they were required to play such a definite role in the grievance redressal process with some organisations describing internal mechanisms they had put in place, while others mentioning the role of the Headmaster/Headmistress (“**HM**”) of the MCGM schools in this regard. School Management Committees and Parent-Teacher Associations that might encourage active engagement of parents and teachers with ECE delivery are also not defined under this model. Moreover, parents and teachers do have complaints about the running of the model in terms of entitlements they are provided and recurrent delays in honorarium payments, respectively.

While it is standard in PPP contracts and policies to place lesser liability on government departments, the policy and MoU state consequences of non-compliance for organisations but do not provide any clauses to hold the MCGM accountable. Given the dynamic within such partnerships, wherein the same agencies of the MCGM play roles of the purchaser of services and provider of resources in fulfillment of obligations to the partnership, organisations have little power to negotiate against incidences of non-compliance by the State. Under these circumstances, it becomes all the more important to create spaces that give voice to stakeholders to hold providers accountable.

Conclusion and Suggestions

The objectives of the MCGM’s Education Department in creating the balwadi model suggest the model has the potential to increase access to high quality ECE for urban-poor in Mumbai and increase enrolments and readiness of students for elementary education in MCGM schools. While organisations involved in the model view it positively overall, a critical assessment of the PPP balwadi model offers some definitive inferences on where it falls short.

In the absence of standardised and appropriate monitoring of partner organisations, accountability of the State and transparency of the governance process, experiences of students and the success of the balwadi model are likely to vary based on organisations running the balwadi. Second, inconsistencies between the provisions of the MCGM PPP Policy, the MoUs between organisations and MCGM for running balwadis, and stakeholders’ report of the operation of the model, point to the lack of a policy framework for its governance. Finally, while the MCGM PPP Policy pegs itself to the RTE Act, the standards set thereunder may not cater to children in early childhood.

The findings of this report and evidence from studies on the success of PPPs globally highlight the imperative need for the State to adopt a robust policy framework to guide the implementation of PPPs for education.

Robust policy framework for governance of PPP in ECE

- Empower MCGM's Education Department to deliver ECE and make it accountable for providing ECE within MCGM schools
- The rationale for PPPs must be clearly stated both in the ECE policy and MoUs for partners
- Remove barriers to education to ensure equitable access, especially for children with disabilities - by considering their unique requirements, and for children from disadvantaged backgrounds - by ensuring non-discriminatory admission mechanisms.
- Set uniform norms and standards for delivery of ECE in the state including entitlements, or adhere to those set under Maharashtra Policy for Early Childhood Care and Education, 2019
- Set-up comprehensive monitoring mechanisms, including third party evaluations of organisations' performance by key stakeholders - parents and teachers
- Entry and exit criteria should be linked to fulfilment of administrative obligations as well as assessment of the quality of performance of the organisations
- Administrative processes, including monitoring mechanisms, under the balwadi model should be made transparent, along with ensuring public availability of requisite information such as policy and tender documents
- Provide space for the voice of teachers and parents to ensure accountability on the part of MCGM, including a clear grievance redressal mechanism at their disposal
- Clearly state all obligations of organisations and MCGM in MoUs to ensure awareness of all parties to the partnership