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Thesis in Co-Tutorial to obtain a PhD in:
Public Policy at ISCTE and Sociology at UAB

On the Edge of the Knife:
The Establishment of Public-Private Partnerships in Education.
England and Portugal (1980-2015)

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Beatriz and Carolina

All your brightness makes me infinitely proud

Giving me purpose in life.

Domingos

Hand in hand we have built ourselves and a beautiful family

Giving me strength in life

Mónica and Pedro

Growing together made me stronger

Giving tenacity in life

Isabel and José

Assuring I never feel sorry for myself

Giving me life

Adelaide, Álvaro, Francelina e Manuel

Fighting for us every day of your lives

Giving us all the sense of resilience in life

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ABSTRACT

Public-Private Partnerships have been a strategy adopted by governments to share responsibility with the private sector, control public spending and enhance efficiency through market competition. Education has been no exception to this trend, yet it happens differently across the countries.

In this thesis, the aim was to understand how various parts of the education system have been transferred to private entities. The observation that encouraging legislation is far from being enough to warrant that schools move into the hands of private providers, implied that other variables might influence the possibility of policy establishment, here measured by the growth in the number of schools that are directed by private entities while paid by the state.

Based on the Multiple Streams Framework variables, which emphasises the interaction of policy, problems, politics, and entrepreneurs, an algorithm was developed to reveal the configurations that, at the legislative moment, favour the establishment of policies.

Qualitative and quantitative analysis of empirical cases show that the number of schools under Public-Private Partnership agreements increased substantially in England since the 80s, following a long path of adjustment and perseverance, while in Portugal the few experiences that subsist are strongly supported on the imbalance between demand and supply, as private providers are called for temporarily replacing the state. These different outcomes are a result of distinct configurations achieved at the time of legislation, as the equilibrium among the diverse policy dimensions influences the possibility of policy goal achievement.

This conclusion points to the fact that legislation inefficiency can be mitigated if the required configuration is carefully assessed at the time of policy adoption, and the identification of weak points is recognised and corrected. Stakeholders perseverance, policy re-designing, active entrepreneurs and a favourable political scenario are crucial aspects for increasing the possibility of long-term policy acceptability.

KEY WORDS

Public Policy, Education, Public-Private partnerships, privatisation, Policy establishment, Multiple Streams Framework, Qualitative and Quantitative methods

RESUMO

As Parcerias Público Privadas têm constituído uma estratégia adotada pelos governos por forma a partilhar responsabilidade, controlar custos e aumentar a eficiência através da implementação de mecanismos de concorrência. A educação não é exceção, no entanto as respostas têm sido diferenciadas entre países. Tentar compreender o modo como a gestão das escolas sai da esfera do estado e passa para as mãos dos privados, foi o mote desta tese. Partindo do entendimento de que não basta criar um contexto legislativo favorável para garantir a implementação das políticas, procurou-se identificar que outras variáveis influenciam a possibilidade de estabelecimento deste tipo de acordos, que foi medido pelo número de escolas geridas por entidades privadas, mas pagas pelo estado.

Neste sentido, e partindo da Teoria dos Fluxos Múltiplos que destaca a interação entre políticas, problemas, atores políticos e empreendedores, desenvolveu-se um algoritmo que permite determinar quais as configurações observáveis durante a fase de adoção de políticas que conduzem a um aumento de possibilidade de implementação.

A análise qualitativa e quantitativa dos casos empíricos mostra que diversos tipos de parcerias público-privadas foram bem implementados em Inglaterra desde os anos 80, na sequência de uma longa caminhada de adaptação e perseverança. Em Portugal têm existido menos experiências, sendo que todas elas surgiram ancoradas no argumento do desequilíbrio entre procura e oferta, onde a iniciativa privada se limita a substituir temporariamente a oferta pública, conduzindo a uma reduzida presença deste tipo de parcerias. As diferenças de implementação verificadas são resultado de configurações distintas no momento da legislação, dado que o equilíbrio entre as diferentes dimensões condiciona a possibilidade de se atingirem os objetivos.

Esta conclusão aponta para o facto de ser possível mitigar a ineficiência da legislação se a configuração das diferentes variáveis propostas for considerada durante a fase de adoção de políticas. Os pontos fracos das diversas dimensões devem ser reconhecidos e corrigidos. Perseverança, redesenho de política, empreendedores ativos e um cenário político favorável, são aspetos cruciais para que este tipo de política possa ter maior possibilidade de se tornar aceitável no longo prazo.

PALAVRAS CHAVE

Políticas Públicas, Educação, Parcerias Público-Privadas, Privatização, Implementação Política, Modelo dos Fluxos Múltiplos, Métodos Qualitativos e Quantitativos

RESUMEN

Las Alianzas Públicas Privadas han constituido una estrategia adoptada por los gobiernos para compartir responsabilidad, controlar costos y aumentar la eficiencia a través de la implementación de mecanismos de competencia. La educación no es una excepción, sin embargo las respuestas han sido diferenciadas entre países. Intentar comprender cómo la gestión de las escuelas sale de la esfera del estado y pasa a las manos de los privados, fue el mote de esta tesis. A partir del entendimiento de que no basta crear un contexto legislativo favorable para garantizar la aplicación de las políticas, se ha intentado identificar que otras variables influyen la posibilidad de establecimiento de este tipo de acuerdos, que fue medido por el número de escuelas gestionadas por entidades privadas, pero pagadas por el estado

En este sentido, y partiendo de la Teoría de los Flujos Múltiples que destaca la interacción entre políticas, problemas, actores políticos y emprendedores, se desarrolló un algoritmo que permite determinar qué configuraciones observables durante la fase de adopción de políticas que conducen a un aumento de posibilidad de aplicación.

El análisis cualitativo y cuantitativo de los casos empíricos muestra que diversos tipos de asociaciones público-privadas se han implementado bien en Inglaterra desde los años 80, tras una larga caminata de adaptación y perseverancia. En Portugal se han producido menos experiencia, todos los cuales aparecerían sus raíces en el desequilibrio de la discusión entre la demanda y la oferta, en el que el sector privado se limita a reemplazar temporalmente la oferta pública, lo que lleva a una reducción de la presencia de este tipo de asociación. Las diferencias de implementación verificadas son el resultado de configuraciones distintas en el momento de la legislación, dado que el equilibrio entre las diferentes dimensiones condiciona la posibilidad de alcanzar los objetivos.

Esta conclusión apunta al hecho de que es posible mitigar la ineficiencia de la legislación si la configuración de las diferentes variables propuestas se considera durante la fase de adopción de políticas. Los puntos débiles de las diversas dimensiones deben ser reconocidos y corregidos. Perseverancia, rediseño de política, emprendedores activos y un escenario político favorable, son aspectos cruciales para que este tipo de política pueda tener mayor posibilidad de llegar a ser aceptable a largo plazo.

PALABRAS CLAVE

Políticas Públicas, Educación, Asociaciones Público-Privadas, Privatización, Implementación Política, Modelo de los Flujos Múltiples, Métodos Cualitativos y Cuantitativos

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LIST OF ABBREVIATIONS

- AEPC – Associação do Ensino Particular e Cooperativo
- AET - Academies Enterprise Trust
- AIFS - American Institute for Foreign Study
- AMA - Association of Metropolitan Authorities
- ANESPO - Associação Nacional de Escolas Profissionais
- APEPCCA - Associação de Professores do Ensino Particular e Cooperativo com Contrato de Associação
- APPI – Associação Portuguesa de Professores de Inglês
- APS – Assisted Places Scheme
- BE – Bloco de Esquerda
- CEA - Cambridge Education Associates
- CDS – Centro Democrático Social
- CGTP Confederação Geral de Trabalhadores Portugueses
- CAF - Charities Add Foundation
- CONFAP - Confederação Nacional das Associações de Pais
- CPS – Centre for Policy Studies
- CRSE - Comissão para a Reforma do Sistema Educativo
- CTC – City Technology Colleges
- CTCT - City Technology College Trust
- DfE - Department of Education in England
- EEC - European Economic Community
- ePPP – Education Private Public Partnerships
- EU - European Union
- FFMS – Fundação Francisco Manuel dos Santos
- FLE – Forum para a Liberdade de Educação
- GCSE – General Certificate of Secondary Education*
- GDP – Gross Domestic Product
- GETAP - Gabinete Para o Ensino Tecnológico Artístico e Profissional
- GMS – Grant Maintained Schools
- IEA – Institute of Economic Affairs
- IES – International Education System
- IO – International Organizations
- IT – Informatic Technologies

LEAs – Local Education Authorities

MAT – Multi-Academy Trust

MATs (Multiple Academy Trusts)

MSF – Multiple Streams Framework

NASUWT National Association of Schoolmasters Union of Women Teachers

NERLIS - Associação de Empresários da Região de Lisboa

NM – National Mood

NPM - New Public Management

OECD – Organization for Co-operation and Development

PCP – Partido Comunista Português

PISA – Programme of International Student Assessment

PIT – Political Institutionalism Theory

PPPs – Public Private Partnerships

PRODEP I - Programa Operacional da Educação

PS – Partido Socialista

PSD – Partido Social Democrata

S1 – Problem Stream

S2 – Policy Stream

S3 – Politics Stream

S6 – Policy Entrepreneur

SSAT - Specialist Schools and Academies Trust

TVEI - Technical and Vocational Education Initiative

UGT União Geral de Trabalhadores

UK – United Kingdom

USA – United States of America

USD – United States Dollars

W – Window of Opportunity

WRT – Welfare Regimens Theory

WTO - World Trade Organization

1 INTRODUCTION

WHAT ARE WE TALKING ABOUT?

Thoughts without content are empty, intuitions without concepts are blind.

Immanuel Kant

1.1 SYNOPSIS

Questions	Why has education turned into an area of possible public-private partnerships (ePPP)? How have governments approached and legislated this idea? How have ePPPs been adopted? Who has a fundamental role in the establishment process? Can policy actors project policy completion?
Policies	Focus on policy establishment, following legislation that favours ePPPs, measured by the increase in the number of schools / students under such an agreement: (i) the state pays private schools to take students; (ii) management or teaching consigned to private providers; (iii) professional or artistic education managed by private and paid by the state.
Problems	<i>Economic:</i> efficiency to the system; the general cost of education; budget control; lack of competition <i>Social:</i> individual choice; innovation and diversity; rigidity in adapting; responsible and involved society <i>Education:</i> Poor results; lack of opportunities for all; same path; lack of fit to labour markets
Scope	Primary and secondary education, including professional and artistic courses, in what is related to ownership, management, and educational services provided.
Cases	England and Portugal from 1980 to 2015
Method	From qualitative to an algorithm inspired on the variables proposed by the MSF, with a compound set of lenses, still simple enough to allow modelling.
Hypothesis	ePPPs have an higher possibility of being established in the presence of a favourable configuration between problems, policy, politics and entrepreneurs: <ul style="list-style-type: none">•Political parties align in similar ideas.•Feasible policies•Problems are not the fulcrum point•Policy Entrepreneurs have a role•Non-establishment following legislation can be foreseen and mitigated

1.2 INTRODUCTION

Why has education turned into an area of possible public-private partnerships (ePPP)? How have governments approached and legislated this idea? How did schools move from state to privately managed? Who has a fundamental role in the process? Can policy actors understand the possibility of policy enactment during the adoption phase? Which factors should be considered to maximise the likelihood of legislation being translated into the desired actions?

This research aims to understand why the number of schools under public-private partnership agreements in England grew (Department for education, 2016) while in Portugal they remained stable in the last decades (CNE, 2017).

Since the 1980s, both countries championed the transfer of public services to the sphere of private providers through the establishment of public-private partnerships (PPPs), or in certain economic regions through blunt privatisation (Hodge & Greve, 2005; N. R. T. Tavares, 2012). Despite similar trends in policy approach towards the state steering back as the provider, education seems to tell a different story as countries shifted in substantially different directions. The puzzle that caught my attention had to do with why particular legislative efforts met fertile ground for the emergence of operative ePPPs while other legislation did not move into the establishment of a growing number of such kind of agreements.

The establishment of public-private partnerships in social welfare areas, such as education, is often surrounded by ideological issues, it tends to be associated with neoliberal ideas (Connell, 2013). In countries with reasonably established educational systems traditionally run by the state, the move into ePPPs is surrounded by legislative efforts, many times anchored on the idea of leveraging education through managing capacity and expertise (Patrinos, Barrera-Osorio, & Guaqueta, 2009) or as a “last-ditch effort to redress educational inequality, especially racial achievement gaps on standardized assessments.” (Scott & DiMartino, 2009).

A distance separates legislative adoption from the emergence of a reasonable number of schools operating under ePPP. If schools do not follow an ePPP model than the problems that the legislation is attempting to solve will not even have a chance of being resolved by the solution at stake.

1.2.1 Defining research object

The object of this research is the growth in the number of schools¹ operating under an ePPP arrangement, as a reaction to the adoption of a favourable legislative framework.

The puzzle that legislating is not enough has been around for several decades with the conscience of difficulties at the implementation level emerging in the 1970s (P. Sabatier &

¹ The dependent variable is the number of ePPP schools or alternatively the number of students being educated in schools with ePPP style of agreement. Normally these measures are equivalent.

Mazmanian, 1980). The public policy process goes through several stages, which are not independent of each other (Figure 1.1), and the configuration of one stage will affect the following moment.

The public policy process has traditionally been conceptualised into four different stages (Hill, 1997): (i) agenda setting; (ii) policy formulation and adoption; (iii) policy implementation and (iv) policy evaluation.

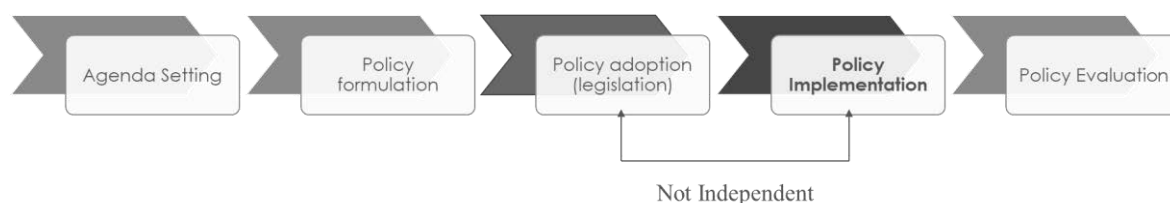


Figure 1.1 Policy stages and the focus of this research

Source: Author's Design

Once the policy is adopted, it starts a turbulent journey of implementation that:

Encompasses those actions by public and private individuals (or groups) that are directed at the achievement of objectives set forth in prior policy decisions. (Van Meter & Van Horn, 1975, p. 447)

Encompasses the process by which policies are translated into action (Hill, 1997, p. 206);

A legislation text is seldom closed nor restrictive: it does not often provide a recipe of actions to be followed. There is space for interpretation and reaction from the field actors, regularly labelled as policy enactment (Stephen J. Ball, Maguire, & Braun, 2012). What follows adoption is of most relevance for the study of public policy and my argument is that it ought to be considered at legislation adoption moment.

Enactment which “involves creative processes of interpretation and translation, that is, the recontextualisation through reading, writing and talking of the abstractions of policy ideas into contextualised practices and all the constraints that lead to the establishment of effective public-private partnerships will be analysed in the reaching to the measured variable” (Braun, Ball, Maguire, & Hoskins, 2011, p. 586) will condition the growth on the number of schools who settle an ePPP status. This measure is used to determine if implementation happened, without which a policy can be labelled as not followed.

When literature refers to phenomena such as “Educational privatization is rapidly expanding in many urban school districts” (Scott & DiMartino, 2009, p. 432) or “the number of companies providing academic services” (Patrinos et al., 2009, p. 3) the evidence comes from the counting of institutions who have engaged in cooperation with the private sector. This study does not focus on the

intricate web of variables implicated to study implementation process (Nilsen, Ståhl, Roback, & Cairney, 2013, p. 2), but solely on one indicator of implementation reaching its goal. Following the question “How do policy leaders know when a certain policy was successfully implemented?” (Lindquist & Wanna, 2015), their literature review pointed towards several dimensions and indicators, not always measurable or concrete (Figure 1.2). The measure proposed in this research is equivalent to ‘the number of new leaders placed’, which is equivalent to the number of contracts that emerged to mirror legislation.

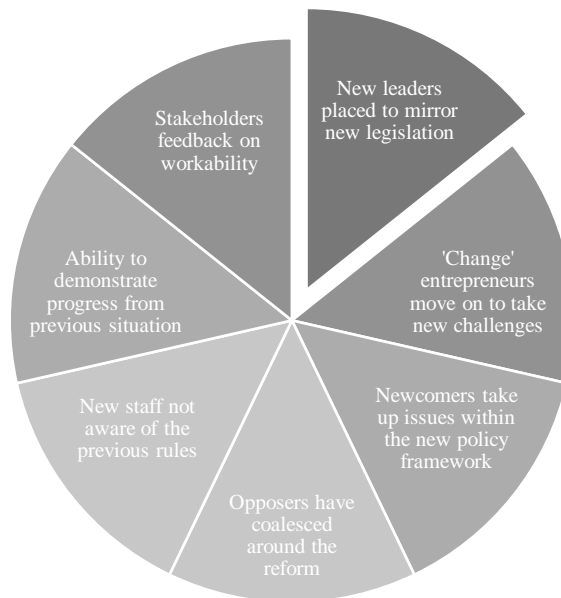


Figure 1.2 How might one know if policy implementation has succeeded?

Source: Adapted from (Lindquist & Wanna, 2015, p. 232)

Therefore, for the sake of this research the dependent variable refers to a measure of policy completion - I mean the narrow measure materialised in the number of schools working within a framework of a public-private partnership, who embraced transformation following the adoption of legislation targeted at favouring ePPPs.

If the will of the legislator towards using ePPPs to solve some education issues does not materialise in schools with such a contract, then the implementation process has not reached completion, and there is no chance for the policy to prove its capacity on solving any of the attached problems.

The actors involved in the agenda setting, policy formulation and adoption would gain in considering the required combination of variables to maximise the possibility of the legislation arriving at its target.

This thesis reinforces the view of policy completion as an interactive and negotiating process, that should be considered early on, “policy adoption and policy implementation are not two separate steps in the policy-making process” (Elliott, 1981, p. 113).

In public policy, but especially in education, there are two varieties of policies:

- (i) *Implemented* policies when practice resembles what was defined at legislation by achieving some pre-established indicators
- (ii) *Successful* policies which solve the problems they were targeting (Honig, 2006; Nilsen, 2015). It is not very common that the two kinds of policy match, and even when this happens it is hard to guarantee that a particular solution will work for the same problem in a different setting or timing.

The focus of this research is the first style of policy – that is implemented following legislation, and that is measured by the growth in the number of schools operating under an ePPP agreement. The way ePPPs may or may not solve education problems is out of scope, and I will analyse which problems were mobilised at the time of legislation, but not if they were solved by the policy completion.

How, when and why do we consider that change has occurred is in itself an interesting question (Vetterlein & Moschella, 2014) that should be carefully considered.

The empirical work that sustains this thesis in public-private partnerships in education and the variable that I attempt to explain is the ‘*completion*’ following legislation that favoured the emergence of schools working under this arrangement. Therefore, it is used as an indicator to know if implementation was completed the number of schools who engage in ePPP following a specific regulation, within a reasonable time-frame of three to five years. The growth is supposed to approximate the stated objectives of the legislator or the policymakers involved. When no objective is stated, expansion should represent a reasonable increase in the previous number of schools², about 50% increase.

1.2.2 Defining Public-Private Partnerships in Education

Public-Private Partnerships have gained terrain, and private actors have been called to share responsibility and investment with the state, despite opposition from several civil movements. As alleged by Jones (2017, p. 14) when referring to the penetration of charter schools in the USA “We have failed to stop the expansion of school choice that threatens the existence of public schools through the proliferation of charters and vouchers.”

The privatisation of education, in its multiple forms, is a phenomenon transversal to developed and developing countries across the world (Ashley, Engel, Batley, & Nicolai, 2014; Olmedo, 2013; Ron Balsera et al., 2016), despite the educational tradition of each system. Although historically there have been previous agreements with the private sector to educate, especially with religious

² For example if before the legislation there were 200 schools operating under ePPPs, a new legislation should, at least, throw this number to around 300, otherwise the effort was considered as failing at implementation level.

institutions, pro-privatisation policies and discourses have been generalised since the 1980s (Robertson & Verger, 2012). A multitude of reasons to justify such measures can be found, and they are not always related exclusively to education (Flinders, 2005).

The privatisation of education³ is referred in this work considering its strict meaning of Public-Private Partnerships (ePPPs), typically, the state remains as payer, management, teaching and property administration can be transferred to private agents (Figure 1.3). Education is free for students. There are three main forms of ePPP:

- (i) Voucher systems,
- (ii) Charter or academy schools or
- (iii) Any situation when students attend schools managed by private providers while paid by the state (Levin & Belfield, 2002). Partnerships of public schools with private providers for the supplying of managing or teaching services are also considered as ePPP.

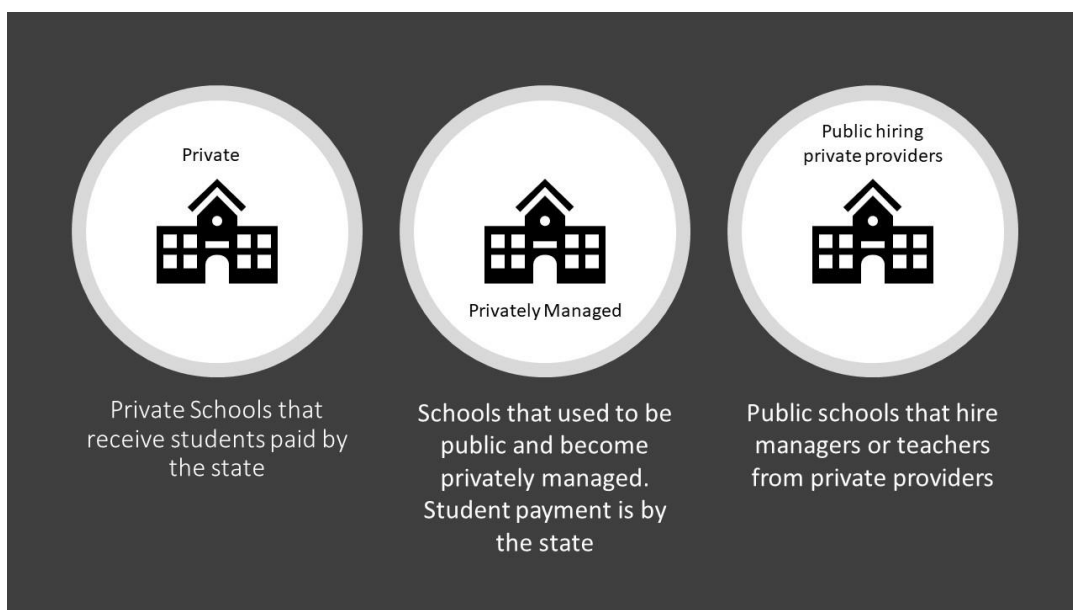


Figure 1.3 Operative definition of ePPP

Source: Author's design

Public-private partnerships in education are a relatively new reality, except in countries where historically there is a link to religious congregations, such as in the Netherlands, Spain or Belgium (Verger & Moschetti, 2017). This historically based ePPPs are out of scope, as this study is centred on understanding the establishment of more recent ePPPs, i.e. in systems where education had been run by the state until recently, and there are attempts to change into ePPPs.

³ Privatisation of education is a broader field, and there are other typologies that do not involve public-private partnerships.

In Europe the most emblematic policies are *vouchers, academy schools, free schools*, or the *contracting out* of private schools and management, the contracting of specific teacher services from private providers can also be found. Less radical measures that are prone to incorporate private agency and way of thinking in education, generally known as New Public Management (NPM) such as systematic evaluation of education performance, liberalisation of the teacher labour conditions and generally more autonomy with accountability (Ozga, 2012) is out of range.

Patrinos (2009) proposed a scale of public-private partnerships in education to illustrate the different levels of private activity from a strictly public to a private system (Figure 1.4).

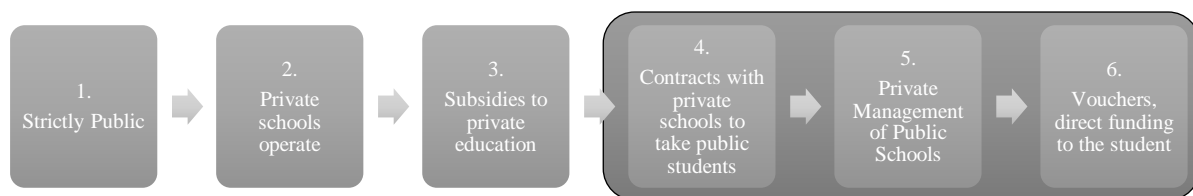


Figure 1.4 The scale of privatisation in education

Source: Adapted from Patrinos (2009)

This scale illustrates that there are several approaches on who is to provide and manage education systems. It implies that countries may follow the ‘stages’ as the idea of partnerships becomes more popular. The focus of this study is on the three boxes on the left, understanding how countries move from box 2, where private schools are allowed to operate, though parents pay fees, into the last three highlighted stages., where the attendance to private providers is paid by the state.

A slightly different definition points to three variants of education privatisation (Blaas, 2007): (1) private provision of education; (2) private funding of education; (3) regulation, decision making and accountability. Once again, the aim of the study is related to the first broad definition that is focused on private provision. The states still assume the financing and regulation, provision moves to private hands.

Public-Private Partnership solutions were developed and are supported by a broad range of political actors, typically think tanks, international organisations and private foundations or philanthropies (Ascher, Berne, & Fruchter, 1996; Murphy, 1996). They are tightly linked to the idea of “private sector services more cheaply and quickly with reduced pressure on government budgets” (Hodge & Greve, 2005, p. 7). The arguments framing privatisation measures vary, and in specified contexts it is possible to find unexpected individuals, such as left-wing party supporters (Azevedo, 2014; Driver, 2009; Gainor & Somberg, 2014), advocating for forms of privacy.

The idea of Public-Private Partnerships in general (PPPs), anchored in sharing risk and responsibility with private providers, has started long ago in areas such as energy, transport, sewage, and other community services, with an exponential attraction of academic studies since 1990 (Osei-

Kyei & Chan, 2015). The study of the most common critical success factors for PPPs establishment were: “*risk allocation and sharing, strong private consortium, political support, community/public support and transparent procurement*” (Osei-Kyei & Chan, 2015, p. 1335), converging to illustrate the need of a favourable combination of factors for policy completion. More recently the same concept has spread to health and education, based on the question of why should the state be the provider? Alternatively, is the state the most efficient provider, able to ensure the best education for all? (Friedman, 1955; Levin, 2018).

The arguments in favour of ePPPs are mainly freedom of choice, efficiency, equity, and social cohesion, associated with a more competitive education market suitable for delivering better results for all, or merely wishful thinking (Ascher et al., 1996) surrounding the capacity of private agency.

On the side of the opposition, traditionally one can find teachers’ unions, some family associations, and civil society groups. The opposition arguments are mostly supported on the risk of undermining the right to education, with areas such as equity becoming fuzzier (Levin & Belfield, 2002). On the other hand, despite a reasonable amount of literature on ePPPs, there is a lack of evidence showing real gains or losses from such schemes (Patrinos et al., 2009), depending on the framework and dependent variables at stake (Verger, Fontdevila, Rogan, & Gurney, 2018).

In Europe, discussions about education efficiency and school management have become more common in the last fifteen years, notably since OECD launched PISA⁴ survey, with major international agencies using evidence selectively to support their pet policies (Verger et al., 2018). It coincides with the emergence of a European Education Policy Space that supports constant comparison and eventually tries to influence local policy-makers to adopt similar strategies (Grek, 2009b). Despite the notable impact of OECD on policy-making in Europe, one cannot say that the same policies have been followed, as policies undergo an interpretation mechanism and must overcome many barriers and local limitations (Verger, Lubienski, & Steiner-Khamsi, 2016a). In many countries, policies recommended by international organisations are never considered. When they are brought into the agendas, local environment has the power to transform policies into different instruments, or even to refuse enactment. International organisations (IO) and other international think tanks act as policy designers and generally are used by local actors to give credibility to government agendas (Martens & Jakobi, 2010).

It is noteworthy to observe that despite the enormous relevance of ePPPs in the media⁵, very few countries have engaged in radical measures towards ePPPs, at least as can be perceived through PISA’s data when school directors answer on who owns schools versus the origin of financing. PISA has created a variable that classifies schools as either public or private according to whether a private

⁴ PISA: Programme of International Student Assessment which aims at comparing education system worldwide in students reasoning capacity as well as in several economic, social, cultural and political indicators.

⁵ For example, just the newspaper “The Guardian” reports more than 600,000 results to the search words “academy schools”

entity or a public agency has the ultimate power to make decisions concerning its affairs⁶. It has three categories: (1) independent private schools (2) government-dependent private schools controlled by a non-government organisation which receive more than 50% of their core funding from government agencies – these are classified as ePPPs for this study - (3) public schools controlled and managed by a public education authority (OECD, 2014, p. 308).

In 2012, there were only three countries within OECD (Netherlands, Belgium and Ireland) where more than 50% of schools were ePPPs, and all these countries have an old path of this typology of schools⁷. These are the historical partnerships, rooted on the participation of religious institutions acting as educators. The quantity of ePPPs has been decreasing in these group of countries.

The greatest growth has happened in the England, Sweden and Hungary. In 2012, England had 32% of schools operating through a public-private partnership, Sweden reported 31%, and in Hungary, 15% were identified. In England the growth was from nearly none in 2000⁸, while in Sweden this growth had already started before 2000, mirroring the approval and enactment of voucher system that started in the 1990s (Sahlgren, 2011). Austria, France, Ireland and Poland have also reported a smaller growth. Many countries in Europe have a small stagnant share of such schools, meaning that this has not been a target of recent policy changes. Portugal belongs to this group, with a share of about 5% of ePPPs, which were created to cater to students in locations where no public offer was available.

⁶ http://www.oecd.org/pisa/pisaproducts/PISA%202012%20Technical%20Report_Chapter%2016.pdf

⁷ Countries with a tradition of ePPPs linked to religious institutions within OECD context are: Netherlands, Belgium, Ireland, Spain, Denmark and Israel. Chile had a high percentage of ePPPs in 2000, due to the ideological move towards this typology since the 1970s, anchored on Pinochet's policies (Diaz Rios, 2018)

⁸ This number is confirmed by the diminutive number of ePPPs reported by the UKGOV statistics, where ePPPs growth starts from 2000, as will be approached in the chapter on England.

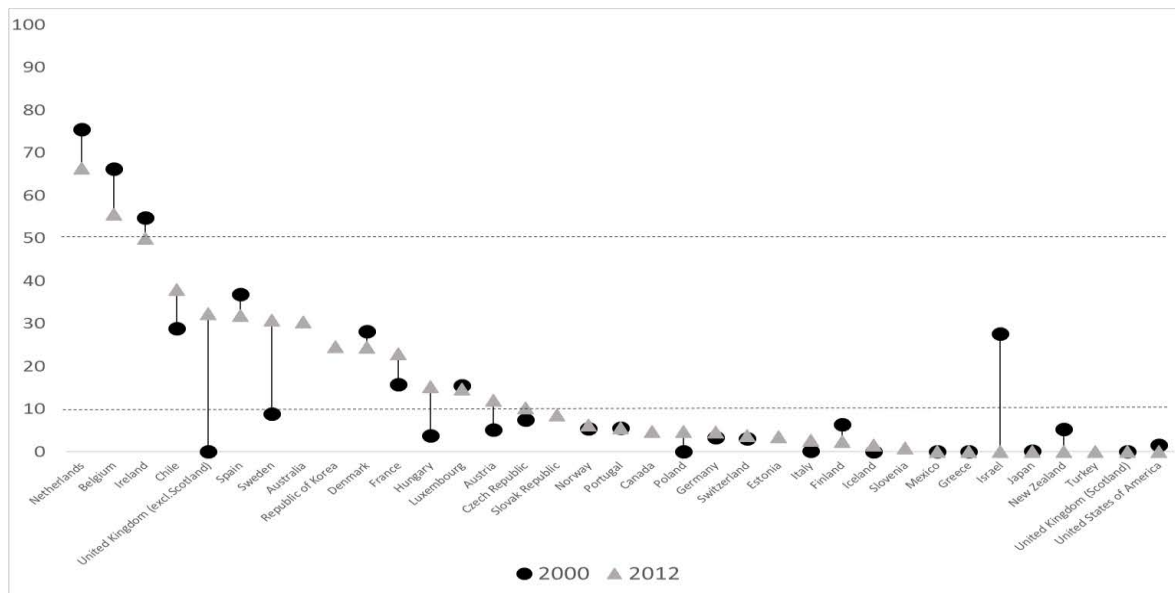


Figure 1.5 Evolution of schools in ePPP contract (%)

Source: PISA 2012. Author's data analysis

At the level of funds origin, the states have the primary responsibility for education spending. According to OECD (2017a), 85% of all education, from primary to tertiary, is supported by the national budgets, (Figure 1.6). In Portugal, 10% is supported by parents as fee payers, and in the UK about 12% also comes from parents or other private entities, this number corresponds to the number of students who attend independent schools.

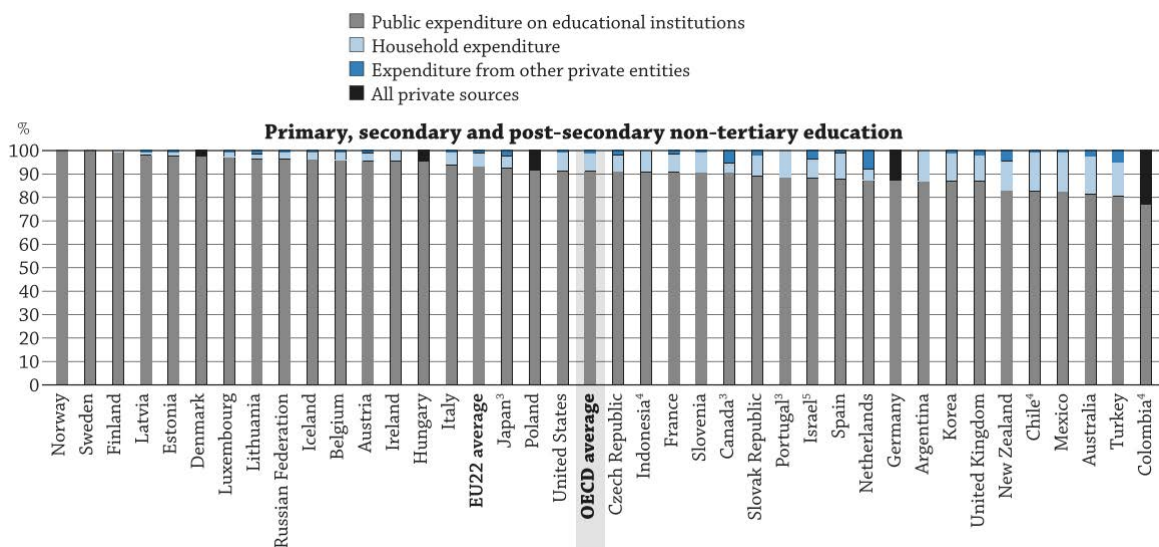


Figure 1.6 Distribution of public and private expenditure on educational institutions (2014)

Source: Taken from OECD (2017a)

With a higher trend for ePPPs, a larger influence of International Organizations and the emerging interest of public opinion on alternative methods for managing schools, educational

innovation and diversification, a scenario of increasing importance of education (Levin, 2018), it seems pertinent to understand how change happens in legislative terms and what are the configurations that enhance founding new ePPPs possibility. Ideas are necessary, the global trend to believe private agents do it better is widely accepted and spread (van Gestel, Denis, Ferlie, & McDermott, 2018), and yet legislation and policy establishment in relation to ePPPs vary quite a lot, even within countries that seem to welcome public-private partnerships in most economic areas (Diaz Rios, 2018).

1.3 THE SCOPE OF THE STUDY

Education is vast, follows the students for many years, throughout several different paths. In this study, neither pre-school nor university will be considered because the driving forces of such levels of schooling are substantially different and would compromise comparability. Pre-school or University is out of the compulsory education schemes adopted by most European countries, including the countries under study. Partnerships established to provide education to children with special needs is also out of our scope as these schools represent an interface between education, health and social security ministries and serve a purpose, that is not the trend to privatise education that emerged since the 1980s.

Primary and secondary education, including technical and artistic courses, are the focus of this study in what is related to ownership, management, and educational services provision, from the perspective of ePPPs as defined above.

All sorts of service provision that are not directly linked to education will be excluded:

- (i) Peripheral services as cleaning, transport or meals; education materials (books, IT, equipment);
- (ii) Education infrastructure (building construction and maintenance);
- (iii) Exam making or
- (iv) Teacher training among many other services that surround education systems.

In recent years, all areas of the economy, mainly if managed by the state, have been on the edge to move into private hands, or at least to adopt management tools traditionally reserved to private providers (van Gestel et al., 2018). Education is no exception to this discussion. As one of the most relevant resource-consuming welfare area (Hanushek, Humpage, Ravina, Behrman, & Engle, 1990), most countries have not resisted change, to a larger or more controlled scale (Zajda, 2006). In most OECD countries education budgets represent a minimum of 5% of GDP.

The trend for more efficiency and better services was enhanced in the 1980s, with the arrival of Margaret Thatcher to power in the UK (Edwards, 1989) and Ronald Reagan in the USA (Sellar & Lingard, 2014). For this reason, the temporal spectrum at the country level analysis begins in the 1980s. The theoretical approaches to market-oriented ePPPs were first developed by the seminal work of Friedman (1955) as the conceptual father of this policy line.

Although questions such as “Who Should be educated?” or “What role should the state play in education?” are still a philosophical discussion (Noddings, 2018, p. 18), in the European states under study, the country’s goal is to provide access to education to every child⁹, and this access is meant to be free to the families. As a consequence, this sector is not susceptible to regular privatisation, understood as a public company selling more than 50% of its shares to private individuals (Starr, 1988). The state keeps on guaranteeing payment and access to all, even if property and management belong to private entities. Therefore, in this context privatisation assumes different lines to regular economic sector privatisation, such as energy, transport or communication, the term public-private partnership make more sense as the state, and private providers keep a solid link (Patrinos et al., 2009). Education is a fundamental human right (Verger, 2011), and it is written in most constitutions around Europe. Private providers can be considered at the management and teaching level, still not to be paid by users, except for a small percentage of schools that are entirely private, generally known as independent fee-paying schools, typically supplying a minority around 10% (Figure 1.6.) The state will keep its steering responsibilities as well as its expenditure duties (Maroy, 2000).

Thus, ePPPs are defined as: private providers being financed to supply public service, or private providers taking over the management of schools or systems where the money follows the students, so there is competition between providers (Blaas, 2007).

The dependent variable in this study is defined as the establishment of ePPPs, and this is measured as the number of students attending education in an ePPP scheme¹⁰. Students are either attending private schools while paid by the state; attending schools that used to be public, but management moved to private hands or attending public schools that have contracts with private providers for the supplying of management or teaching. The primary objective is to understand how, following legislation approval, the numbers of students attending ePPPs increases to the targets established by policymakers, or, if there are no relevant changes in the proportion of students attending ePPP schools, a situation that is characterised as a non-implementation.

1.4 THE POLICIES

The privatisation of education is not only related to ownership, but to the actors involved in the provision of the services. “Education itself cannot be commodified; but access to education can be” (Connell, 2013, p. 99). There are two fundamental natures of privatisation (Stephen J Ball & Youdell, 2007):

⁹ In Portugal this goal is stated in the Basic Law of Education (1986), and in England it is stated in the Education Act 1918 that abolished fees for elementary schools.

¹⁰ When number of students is not available I will use, as an approximation, the number of schools that adopt one of the defined typologies.

- *The exogenous* privatisation of public education which means the opening of public education services to private sector participation with a possibility of for-profit basis, where the private sector has the right to design, manage and deliver several aspects of public education;
- *The endogenous* privatisation which is the act of importing managerial ideas and techniques from the private sector in order to make the public sector more business-like. The second kind of privatisation overlaps the concept of New Public Management, which, in the education sector, implies diversifying offer, listening more to parents, evaluating teachers and schools, implementing accountability systems – although there is not a direct link to a strict privatisation agenda (Maroy, 2009).

Within the exogenous style of privatisation policy measures as vouchers, charter or academy schools or temporary contracts for the specific provision of a service may be adopted.

Therefore, for this work I am referring to ‘exogenous privatisation’ when I refer to Education Public-private Partnerships (ePPPs), and “endogenous privatisation” is related with ‘New Public Management’ (NPM). Within each of these two big lines of privatisation, several policies compete for adoption at a point in time. Some of these policies are complementary, and the adoption of one eases the adoption of another (Christ & Dobbins, 2016).

Literature recognises vouchers, academy schools, charter schools or free-schools as well as any other forms of education service provided by a school under private management as exogenous privatisation (Stephen J Ball & Youdell, 2007).

Within the endogenous set of policies, there are several policies which objective is to liberalise school management and make the system more competitive and accountable, even if they do not make sense everywhere (Hanushek, Link, & Woessmann, 2013).

Vouchers are defined by attributing an annual cost to the education of each student, and that amount of money is linked to that child. Vouchers are educational coupons that entitle each student to a prescribed amount of schooling (Levin & Belfield, 2002). Wherever a child’s family decides to send the child, the money is to be given to the school where she is registered, no matter if it is public or private. The school’s revenue is based on the number of students who enrol if not enough students are enrolled in a particular school, that school needs to cut its costs or close. Education under a voucher system still involves government funding, but the government may not provide schools, in the limit provision may be entirely made by private companies (Cave, 2001).

This idea was advanced by Friedman (1955) and initially seen as a strictly economic logic for schools. However, it has gained many supporters as it is simple to link to the idea of choice and therefore better educational opportunities for all, including the disadvantaged students (Fronius, Petrosino, & Morgan, 2012). The main pillars that justify this trend of the argument are consumer choice, promotion of competition and equality of opportunities, as every student would have access to private education, and it is assumed, but not proved, that these schools are better (Anne West & Currie, 2008).

Behind this idea lies the traditional economic concepts of balance between demand and offer, where competition leads to the best solutions. In the process, all the system improves as everyone must fight for a market share or close the doors.

Let the subsidy be made available to parents regardless where they send their children-- provided only that it be to schools that satisfy specified minimum standards-- and a wide variety of schools will spring up to meet the demand (...) (Friedman, 1955, pp 6)

So far, in Europe, only Sweden implemented a universal voucher scheme. Private schools in Sweden can be both for profit and not for profit, yet they cannot charge any extra fees to students. Profit must come from efficiency gains. According to Sahlgren (2011), quite a lot of joint stock companies entered the business, while foundations and non-profit organisations kept only a small share of the market. The joint stock companies tend to form groups and grow, trying to gain from economies of scale.

In a way, vouchers have a similar mechanism to Academy Schools in England or Charter schools in the USA. The state pays private institutions to teach students who opt for them (Higham, 2014). In England, there is also a similar scheme that is known as Free-schools, which are new private schools created with state support to launch innovative projects. Children attend without any emoluments.

Charter in USA and Academy in the UK are schools within the public system but are managed by parents, teachers, civic or social organisations, companies or foundations who want to provide differentiated education options available for all the community. The premises of these schools may have belonged to the state, and in many cases, public schools were previously working in the space. In a way, similar to voucher schemes, in terms that these schools are supposed to insert diversity and competition in the system, still, they cannot be run for profit, and the state financially supports them in an outline that is not always connected to the number of children registered. They can also be sponsored by foundations and other not for profit institutions (Higham, 2014; Long, 2015; Osborne & Gaebler, 1992).

Academies Schools are the British equivalent to Charter Schools which are funded by the government yet independent from central control. They may specialise in a specific area such as arts, science, technology. In the case of city Academies, their main particularity is that the government allows them to be sponsored by a private organisation. Their primary goal is also to bring competition to the sector and provide parents with more choice.

Since the beginning of the year 2000, academy schools in England have expanded (Figure 1.7), and the new goal is stated by the government at 100% of academies, or similar, until 2020¹¹.

¹¹ <http://www.theguardian.com/education/2016/mar/15/every-english-school-to-become-an-academy-ministers-to-announce>

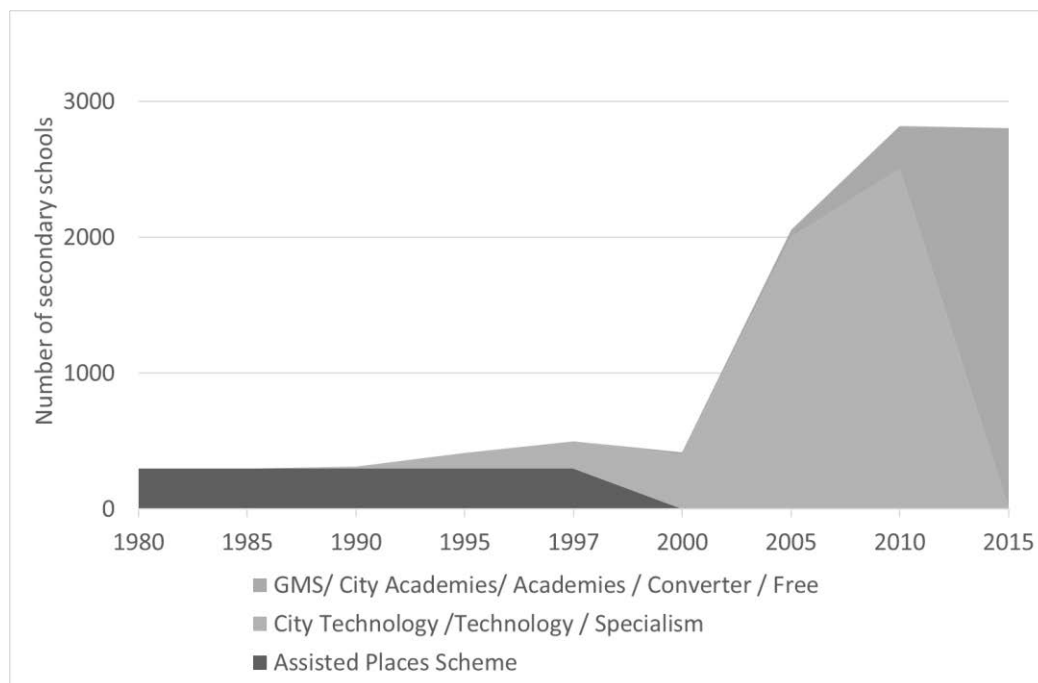


Figure 1.7 Number of secondary schools under any typology of ePPPs, England

Source: Estimated from GOV.UK

It is clear that the ePPP movement has shyly started in the 1980s, and only after 2000, it has experienced a sharp growth. There have been several programs to transform school management and ownership, and some of the programs progressed into a different name as time went by.

Academies have much autonomy and a survey developed in 2014 by the Department of Education (DfE) showed “that 87% say they are now buying in services previously provided by the Local Authority from elsewhere, 55% have changed their curriculum, 8% have changed the length of their school day, and 4% have changed their school terms.”¹². Many other changes are reported, but it is hard to understand if changes are a result of privatisation or if they would have happened anyhow.

Another common form of ePPPs has to do with private schools stepping in to supply education in locations where the state does not hold enough offer, due to population pressures or to the enlargement of the system, for example enlarging the number of compulsory years of education. In specific circumstances, the government may establish supply agreements with private providers, which may offer the entire service or just some of the services required by the intricate structure of the school.

Students and families are worried about high achievement, safety, environment and schools reputation (OECD, 2015b) not directly with who supplies the service. If private contractors are more efficient than governments, there might be pressure for the contracting of educational services. Such an argument presents politically less contentious, as far as the core business is kept under state control (Levin & Belfield, 2002).

¹² The UK independent fact checking charity, retrieved online 10 June 2016

Portugal has marginally contracted the above kind of services since the 1980s, with few oscillations in quantity (Figure 1.8). Such scope of agreements, Association Contracts, cover about 5% of students and tend to be geographically concentrated, the number of schools with these contracts has been between 80 and 100 since legislation was approved. Still, some companies have managed to grow and manage more than one school with the objective of benefiting from efficiency gains, as the government payment is lower than what they would charge, had they gone independent private. Such education groups become entirely dependent on the state, and, due to the temporary nature of these contracts, may progress onto the verge of bankruptcy if the government reduces the scope of the agreements¹³. The most prominent part of ePPPs is constituted by the professional schools¹⁴ that emerged and stabilised in the 1990s, around 200 schools. Some professional schools belong to the groups that also manage association contracts.

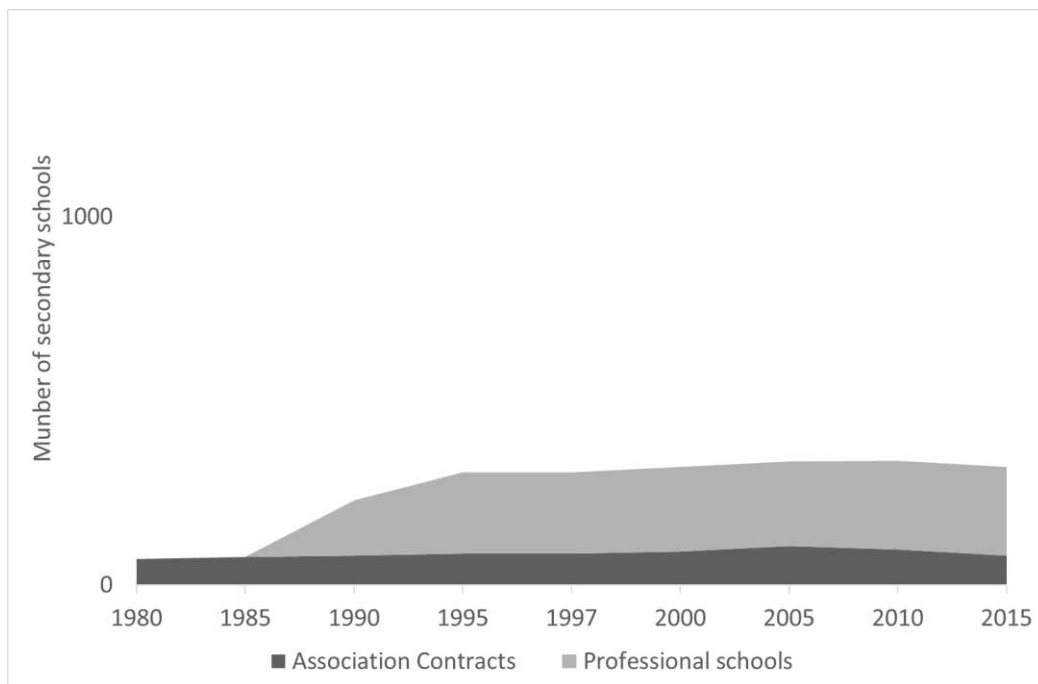


Figure 1.8 Number of secondary schools under any typology of ePPPs, Portugal¹⁵

Source: Estimated from DGEEC

¹³ A sharp reduction in these agreements has happened recently in Portugal with several schools closing or reducing quite sharply.

¹⁴ As professional schools tend to be small, the percentage of schools is not proportional to the percentage of students benefiting from ePPPs. Association contract represented about 5% of the low and upper secondary students, while Professional schools cater for about 3-4% of low and upper secondary education total.

¹⁵ This figure includes only the contracts that involve agreements with full schools, or at least a full class. Direct support to parents and teachers hired privately do not appear in the figure. The first benefits individual students disperse across many schools and the second is only for primary schools, so it does not fit the analysis at this point.

Schools provide several services that complement education. These include instruction not only of the traditional subjects but also some complementary or after school experiments. Some systems may acquire these complementary teaching as outsourcing (Ng, Chan, & Yuen, 2017).

The third typology of ePPPs is related to technical/professional educational paths that are equivalent to secondary education. It is common that governments may require partnerships with local institutions and companies in search of business knowledge. The goal of this educational path is to provide qualified labour to the market. Therefore there is the need to train students in partnerships. In both countries, England and Portugal, there is evidence of this strand of practice as ePPP (Azevedo, 2014; McCulloch, 1989).

The exogenous privatisation policies that are the scope of this study resumed in Figure 1.9, which clarifies on the three main typologies of ePPPs. The policies that have been approved in England and Portugal were identified, and they constitute the scope of the analysis.

Out of our scope, as said above, are other provisions of schools such as food, sports facilities, transport, counselling services among others. Private companies provide many of these secondary services as an outsourcing service. Given this large number of services, numerous companies have emerged as satellites to schools.

Endogenous privatisation, also described as New Public Management (NPM) in education, is also out of this study's scope. NPM implies the promotion of school autonomy and a managerialist approach (Gunter, 2011), generally associated with more accountability of teachers and school community. Some countries, who are not willing to get private providers so directly involved, with the correspondent loss of direct power, prefer to act more mildly, trying to bring change from the inside. Autonomy (Hodge & Greve, 2005) means the reduction of regulation to enable public schools a better response to changes in students' needs and reduce costs including teachers' pay. The autonomy package may include fewer regulations for the choice of school by parents as well as curricular freedom. In some way, this approximates academy schools, without officially giving management away.

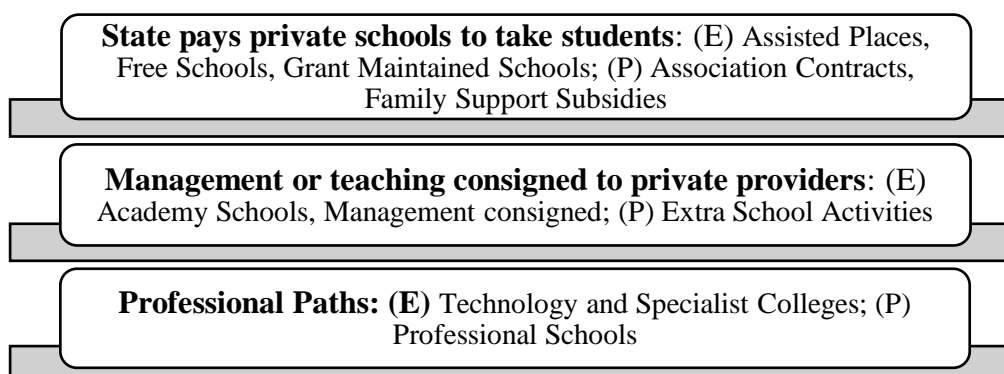


Figure 1.9 Policy Strands under study and policies in England (E) and Portugal (P)

Source: author's conceptualisation

Another popular measure to improve the system, bringing it nearer a private mode of management is to transform the curriculum making it stricter with clear targets in mind – generally tests or national standardised exams, where content and moment for teaching is taken away from the teacher’s hands and centrally defined. The big goal is to introduce a perception of a rigorous and demanding system, where teachers are accountable for results (Verger & Curran, 2014). Eyes are kept on the outcomes and learning becomes an industrialised process, measurable by success at the exam. It is usually attached to the creation of rankings, which are publicly available, and parents are informed of the relative performance of each school. Even subsidies and incentives can be attached to performance.

Parents might also be given a choice to apply to schools with better results and schools are pressured in several manners, including more money, to target results. Therefore, schools must respond to demands from the central government, who in turn will develop assessment tools for quality control, and students must show they have acquired specific skills and knowledge.

The upheld idea is to identify schools in trouble so that help can be put in place for better results. Schools became accountable for their results, and general goals are set at the beginning of each year, with money ties in case they are not achieved. Schools must compromise for grants. In England, the control for results led to the academisation movements, endogenous and exogenous privatisation are mechanisms tightly tied.

At the central government level, competition between the private and public sector can also be accomplished through tax grants to schools and parents. As reported by Cedefop (European Centre for the Development of Vocational Training, 2009, p. 120):

Evaluation and impact assessment of tax incentives (allowances, exemptions, credits, relief and deferrals) to promote education and training is focused on three main types of tax: personal income tax, corporate income tax and value-added tax. Tax incentives to stimulate enterprises and individuals to undertake education and training are readily available in Europe, but they are not the backbone of public education and training policies. Most EU Member States opt for direct funding and provision of learning services. In addition, tax policies are largely unconnected with education and training strategies, though in recent years increasing attention has been devoted to this issue. Selected experience shows that tax incentives are considered more effective where they are used in concert with other policy measures rather than on their own.

The governments may create a mechanism of tax allowances for families whose children attend private schools; this is not a direct incentive to private schools is a mode of paying part of the fees. This measure increases the capability of choice to middle-class parents who cannot quite afford private education but may be sensitive to this incentive.

In real terms, this practice can be seen as a direct incentive to private schools. In some systems, these tax incentives can be big enough and, depending on parents' tax range, it can represent half of the school's payment, as these are taxes that the government will not receive from taxpayers. Tax exemption is a category of incentive that benefits especially more affluent families, as one needs to have the income to pay education in advance. While it is a very inequitable scheme of incentive it tends to be seen with greater benevolence than any other form of incentives to private schools and new management policies.

Another option is the reduction in taxes paid by private schools, both income taxes or VAT, with individual credits, meaning that governments do not receive the tax from this group of business, as it would from any other class. Typically the argument for such a singular regime comes from the perspective of public service, following the same logic of credits to charities or philanthropies. Education is therefore treated as a public business under private responsibility, through these class of incentives they can charge less to parents, and therefore enlarge their social scope. It is somehow a subsidy to the ones who need the least, as only the richest can still afford private education.

As was made clear the diversity of policies available to create some class of privatisation in education is vast, and decision-makers are faced with choosing the best option to solve the problems that emerge in education. Constant comparison with other countries makes intervention more urgent and every country might need to show how well they are treating their children, and indirectly leading with the future competitiveness of the nations through investing in *Human Capital* (Eurydice, 2014).

With such a vast field there was the need to close the research question, and therefore I focused on the most extreme methods of privatisation and centred on understanding how and why the legislative openness towards ePPPs was enacted, and what were the factors conditioning the emergence of such agreements. Why does ePPPs establishment succeed or fail (Figure 1.10), despite welcoming legislative efforts? When success is referred, it means that a rising number of students attending schools¹⁶ under an ePPP scheme, and this growth can be traced to a legislative effort. When I talk about establishment failure, I am referring to a non-increase in the number of students attending such typology of schools, following a law which objective was to create a fertile ground for ePPPs growth.

In this research, there is no focus on whether privatisation of education has an impact on the quality of education, parental choice, equity, education fairness or learning effectiveness. The results of ePPPs are a very relevant subject (Verger et al., 2018), while out of this study scope.

¹⁶ This measure is equivalent to the rising number of schools establishing ePPPs agreements

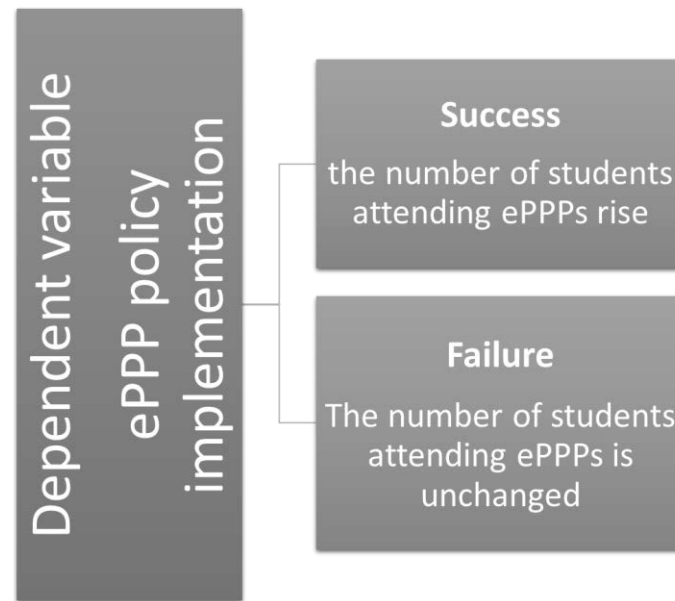


Figure 1.10 Dependent Variable Specification

Source: author's conceptualisation

1.5 THE PROBLEMS

Whenever a policy is legislated and adopted, it is generally attached to a problem in need of a solution. Otherwise, policies would make no sense. Some problems stay unsolved for a long time (Fioretti, 2009; Ritker, 1996), and they keep on being attached to solutions. Problems act as frames to the policies, embellishing and giving rationale to the decision makers' need to present work (Cohen, March, & Olsen, 1972).

Education fulfils several social and individual needs, which can be in conflict and thus originate different policies. Schools exist to: prepare citizens; it trains workers and prepares individuals for competing for social positions (Labaree, 1997), the last goal is sometimes framed as social mobility, that enhances the individualistic over the collective goals of education.

Privatisation can be attached to different problems depending on the politics of the moment. It has been shown that the choice in favour of ePPPs as the solution follows a diversity of paths (Verger, Fontdevila, & Zancajo, 2016), when it is analysed around the world, namely:

- *Reshaping the role of the state* in education: privatisation as a state sector reform to solve problems anchored in economic arguments such as inefficiency;
- *Education privatisation in social democratic welfare* states, to solve social issues, namely lack of choice and involvement of parents;
- *Scaling-up privatisation* or school choice reforms combining both economic and social arguments;

- *Historical public-private partnerships* in countries with a tradition of religious education and as a quick answer to education expansion that happened during the first half of the XX century;
- *De facto privatisation* in low-income countries, this order of privatisation has to do with lack of offer in countries where the governments have not managed to implement a welfare state, mostly out of Europe;
- *Taking advantage of calamities*: privatisation via disaster, which is a quick solution to implement in devastated areas, either following a war or a natural cataclysm. The model followed in New Orleans following Katrina destruction powers, where philanthropies had an essential role in providing new premises. It is also out of this study since there was no such scenario in Europe during the period under study. In such a case the problem presented itself as an opportunity for change.

There are mainly two levels of arguments, problems in need of a solution, that are mobilised to support privatisation measures:

- (i) Economic arguments not always exclusive to education and
- (ii) Social arguments, linked to new social needs of the population – parents, students and society as a whole. Within the geographical frame of this research, the attention goes to governments trying to argue for parental choice, more responsibility to teachers, a better offer for the students, a more diversified offer to face new economic challenges and the need of proximity between students and real society. Overall the idea is to present solutions that can attach to the idea of solving the big and undefined problem of quality and equity in education. Privatisation as a solution is attached to two big lines of arguments: Economic and Social.

1.5.1 Economic arguments

Arguments for privatisation or management changes tend to have an economic nature and link to periods of crisis or recession. Education systems verge to be part of the problem, generally as too expensive for the results obtained. Therefore, reform pressures arise and are conducive to cost-efficiency measures and budget cuts. It is a common argument that privatising will bring more efficiency to the system and reduce the general cost of education, leading to better budget control.

The crisis excuse is also quite common as governments in different circumstances would not be able to justify such radical changes to society (Quiggin, 2006), in times of growth and prosperity there is no argument for cutting expenses.

The 1980s are marked by a shift from educational equity to an emphasis on efficiency and excellence (King, 2004). Money matters and the works of Hanushek have influenced the focus on the equilibrium between resources and outcomes, and how it could be calculated and achieved in a sector that the market cannot be left to work by itself (Lockheed & Hanushek, 1994). Efficiency is very

difficult to measure in education as the outcome of the system is multi-facet, it is most of the times just an idea that is fed by political discourses to pursue a particular policy path. Studies in efficiency (Flores, 2017b) show that it is not the least inefficient countries that adopt radical changes, nor there is any evidence of the need to change because of inefficiency in countries that do implement amendments to management or ownership. It is also shown that the way money is spent varies a lot in between countries and it does not directly link to results neither in amount nor distribution typology.

The most common variables that emerge from such a concern are related to the efficiency and efficacy of the system. Society understands that education outcomes are weak and tend to believe that a significant management reform might bring new energy to the system, and ultimately improve outcome. The outcome of education is adults with “*skills and attitudes needed by a productive workforce*” (Connell, 2013, p. 104). Education outcome argument has become more prominent since OECD started international evaluation, introducing more competition between nations, and within schools in the same constituency. The idea of evaluating what students know on the verge of starting adult life (OECD, 2013), corroborates the efficacy argument – school as an industry producing a final product that suits the market needs.

Another crucial line of economic rationale is linked to the right-wing view that by fragmenting public services, the power of unions and professional lobbies can be undermined (Verger & Curran, 2014) and therefore the amount of protest reduced. With particular relevance in education, a labour-intensive sector, where strikes and protests for rights tend to constitute a relevant corps of noise. As argued ahead, this was a powerful motivation at the origin of partnership moves in England during the conservative period of the 1980s-90s.

The economic arguments were the basis for the immense education reform in Chile that started in 1981 under Pinochet and was directly anchored on Friedman’s work and with the stated objective of “*improving education under severe economic constraints*” (Carnoy, 1998, p. 309). After nearly 40 years of voucher systems evidence points towards a system “*fuelled by inequality and segregation*” (Diaz Rios, 2018, p. 8). Evidence like the one collected in Chile may prove wrong the idea that economic arguments constitute a solid argument to support policies in the area of education privatisation.

The arguments around the globalisation of education can be seen as economic reasons for privatisation of education, once national systems should become more independent from the state to be able to quickly answer to global pressure and produce human capital that can answer competition (Zajda, 2006). In European Union, there has been a shift in the guiding of education policy, even though education continues outside of the international agenda, with each country attaching to its autonomy in an area considered high stakes. Nevertheless, According to Walkenhorst (2008, p. 567) “*in short, there is a paradigmatic shift in policy aims, away from pro-integrationist towards pro-market orientation*”, which is transversal to most European countries.

1.5.2 Social/educational arguments

Lack of choice for parents is another frequent argument, as the introduction of school privatisation is associated with new pedagogies, personalised school projects and often alternative paths to educate (Wiborg, 2013).

The argument of *individual choice* has become very strong and appealing to the middle-class electorate, who do not have enough economic power to pursue entirely private education but has the ambition for their children to mix with the right colleagues. The choice of school is seen as an essential decision “*multi-faceted tangible and complex*” (Reay & Ball, 1998, p. 440).

Choice arguments match with *lack of competition* among schools leading to poor outcomes. This order of argument is based on traditional liberal ideology, which advocates the power of the markets to achieve stability through demand and supply forces – bad schools will be driven out of the market, and good schools will emerge and multiply. The trouble is that parents do not agree on what a good school is, nor on what works best (Schneider, 2018).

Another restriction to free choice ideas, adds up from the fact that education switching schools are highly disruptive to students and their families. Thus only parents who are deeply convinced of underperformance will bother to choose another school, making the issue of free choice extraordinarily biased and limited to most families (Wolf, 2008).

Still, related is the issue of *innovation and diversity*, an ambition of parents and educators. This argument is often linked to artistic education or specific project-based schools. There is the general belief that the current school system is no longer fit for educating 21st-century children as it is based on an ‘industrial’ model, developed for the 19th century, where the labour market was in need of people able to reproduce and not to innovate (Cullem, 2013). Therefore, schools need reform and cater to different needs and abilities, modernise is the root idea.

Another argument, closely related to the previous one, has to do with regional *rigidity in adapting* to local needs and specific problems of the population, as state schools must follow a standard curriculum and methodology. This argument is very much based on ‘each child is a child’ and education is expected to become more personalised and less standardised. Sir Ken Robinson is one of the most well-known actors on this duality, especially following his vastly viewed TED talk¹⁷.

The argument that links ePPPs to better performance has also become a focal aspect of privatisation, as in many countries the idea that students achieve better results in private education has been unproblematic to promote, and yet it remains a myth, without any definitive answer as this evaluation is highly dependent on which dimension is being measured (Bloom, Lemos, Sadun, & Van Reenen, 2015). Bloom et al. (2015) showed that strong management links to better school results, more than ownership, so their results favour schemes such as Academy Schools. This argument is naturally mined by sharp differences in economic and social backgrounds of families, which are

¹⁷ ‘Do schools kill creativity?’ - https://www.ted.com/talks/ken_robinson_says_schools_kill_creativity

always tricky to measure. Lubienski couple challenged this assumption, by controlling for several social-economic differences they showed that public schools match or outperform private education (C. Lubienski & Lubienski, 2013). Aqeduto Project¹⁸ that analysed PISA data in several dimensions has also published conclusions that after controlling for the background of the students, there were no differences in mathematics scores, between public and ePPP schools. Differences were found between public and strictly private schools, favourable to the latter.

Intermediate measures such as school rankings act as tools to enlarge the gap between schools. A study in the Netherlands has shown that there is a net increase in demand for the schools that have classified higher in the ranking (Koning & Van Der Wiel, 2010), especially for schools that remain in a high position for several years. The rise in demand can be as high as 20%, it favours private schools, yet the distance highly constrains demand, as students will not be willing to travel for a long time to get to school.

1.6 THE CASES

The choice of Portugal and England was derived from the evaluation of similarities in the chosen criteria, and a different outcome regarding ePPPs (Table 1-1). Anchored on the most similar case theories that establish the choice of cases that are as similar as possible in a set of predefined variables, except about the phenomenon under study (Anckar, 2008). The biggest problem with this method is that one is unable to keep constant every confounding factor, incurring the risk of interpreting effects that are not the real explanation.

The fulcrum point of this study is to understand if the dependent variable – the creation of new ePPPs measured by the increment on the number of students attending this typology – has a higher chance of being positive when a specific configuration of the independent variables happen. Thus, the focus is on confirming if the theoretical conception applies to this problem, the focus is on the independent variables. Hence, the attempt to understand if different outcomes can be related to different configurations on the explanatory variables.

In this study, England and not United Kingdom (UK) is considered because the countries of Scotland, Wales and Northern Ireland have a significant level of autonomy about the educational administration and they do not follow the same guidelines nor policy direction¹⁹. For this reason, England can be treated as a country on itself.

The choice was directed initially by the observation that both countries have a strong presence of public-private partnerships in all sorts of economic areas, including health²⁰ and other welfare state

¹⁸ <http://www.aqeduto.pt/estudos-aqeduto/q7-estudo/>

¹⁹ <https://www.ft.com/content/f6ae0b84-adf6-11e3-bc07-00144feab7de>

²⁰ <https://www.gov.uk/government/publications/public-private-partnerships/public-private-partnerships> (England) and <http://www.acss.min-saude.pt/2016/10/12/parcerias-publico-privadas/> (Portugal)

services, but in education, they have followed, so far, different paths (Figure 1.4). In England, ePPPs have expanded to vast percentages of students in the education system, especially at secondary level while in Portugal they have never progressed from residual levels. This observation identified the dependent variables with different outcomes (Table 1-1).

The control variables that have originated in the puzzle are:

The propensity for Public-Private Partnerships (PPPs) in several economic areas: according to the Financial Times²¹ in 2016 there were more than 700 operational PPPs accounting for more than 0.5% of the GDP. In 2010 Portugal was the European leader in PPPs agreements, with an accumulated value of 28 million Euros²², with the highest GDP percentage. When considering investment in PPPs per capita, in 2008 Portugal had by far the highest amount, 1,2% of per capita GDP while the United Kingdom came next with 0.6% (Sarmiento, 2009).

Governments with a neoliberal philosophical anchor: Both countries have had right-wing pro-privatisation governments during similar periods. In England, the Conservative party has been 24 years in power while in Portugal PSD (Social Democratic Party) was in power for about 21 years. The idea that a right-wing government will create the conditions to move into ePPPs is also a variable of similarity.

Similar education systems in relation to public school structure before 1980: In 1980, before the emergence of privatisation of education in the global agenda, both governments had an education system that was almost public, only 5% of students attended private education, mostly in private fee-paying schools. Thus, both countries accepted the idea that private education was acceptable, it was a privilege of the few who could afford it.

Expenditure on education as a percentage of GDP: Both countries spent similar percentages of GDP in 2015– Portugal 4.5%; England spent 4.8, in 2014. In 1980, this indicator was smaller to Portugal 3%, while in England it was about 4%, resulting from a universal system in England at the time²³. This similarity reveals similar relative importance given to education within the country budget.

Geographical proximity: both are European countries, with several historical links, and democracies with a parliamentary system.

Table 1-1 Criteria to support the choice of empirical cases

Dependent Variable	Control Variables					
Number of students	PPPs	in	%	of public	Conservative	Education % GDP

²¹ <https://www.ft.com/content/ae138d76-ff88-11e7-9650-9c0ad2d7c5b5>

²² <https://www.publico.pt/2010/05/24/economia/noticia/portugal-e-o-pais-da-ue-que-mais-recorreu-a-contratos-de-parcerias-publicoprivadas-1438575>

²³ <http://ec.europa.eu/eurostat/web/education-and-training/data/database>

	attending ePPPS	economy	schools 1980	years in power	(1980 – 2015)
England	High	Popular	95%	24	3% - 4.5%
Portugal	Low	Popular	95%	21	4% - 4.8%

Sources: UKGOV; DGEEC; OECD

In England, there has been much talk and interest in changing school management, increasing school responsibility to results. There are several relevant studies that attempt to explain the political process (S. J. Ball, Maguire, & Braun, 2012; Hatcher, 2011; Walford, 2014) and many others trying to understand if this is good or bad for students (Sibieta & Chowdry, 2011; Whitty & Power, 2000), and overall for the future of the country. Despite a considerable amount of literature on this issue, not much attention has been given to the reasons leading to the emergence of new contracts and to what were the mechanisms that took education in England from almost public to a scenario of mixed offer, with a predominance of Academy schools and Free schools, specially at secondary level.

In Portugal, ePPPs have frequently been in the rhetoric and legislative will of several governments, but it has never emerged as a proper alternative to the public system. The Portuguese case is understudied as areas such as autonomy and accountability have caught more attention. For this reason, Portugal is also a stimulating case-study.

Despite some similarities in critical variables that contribute to constituting the puzzle of this research, some other variables are not so similar and must also be referred and considered during the analysis, a short list was considered:

Education coverage: The education system in England by the beginning of the 1990s was reachable by the majority of the population, while in Portugal the percentage of the population who did not attend education above primary was still very high. Hence, the maturity of the system and the variety of problems faced by education could be very different, especially about the pressure on the budget in the case of England and in the case of Portugal on the need to a quick answer to the requirement of getting every child and adolescent in school.

Size and population of the Country: England (53 Million inhabitants) is much bigger and more populated than Portugal (10 Million inhabitants), and the school's administration is more decentralised from the government, with more power placed on local education administration (LEAs).

GDP per capita: Portugal was in 1980 a country emerging from poverty within the European context, with a GDP per capita of 3400\$/year while England had a 10700\$/year – a proportion of 1/3. In 2015 there is still a difference in England it is 44000\$, and in Portugal, it is 20000\$ - a proportion of 1/2.

Democratic maturity: While England was an old parliamentary democracy with its origins in the XVII century, and with no dictatorship during the XX century, Portugal had emerged from an extended period of dictatorship and w1980, was trying to stabilise from the revolutionary period.

Membership to EU: In 1980 Portugal was still applying to become a UE²⁴ member while England had been a full member since 1972.

Reckoning that there are no two countries precisely the same, and that policy design and implementation are susceptible to several variables and circumstances, analysing countries with some relevant similarities is interesting. Using the same framework to understand policy completion can be enlightening to a better comprehension of how variables must be aligned to increase the possibility of achieving the target. Although I will engage in some country comparison in the last chapter, this work aims to separately map the process that led to the embracing of ePPPs in England and the (almost) non-establishment in Portugal. The study has no induction ambition, facts and conclusions cannot be imported into different circumstances, policies or geographies.

1.7 THE QUESTIONS

The study of policies' implementation in education still calls for new approaches and ideas. Education is still a system in need to get rid of:

inequities and inefficiencies, that will, in other words, require massive interventions at all levels (...) Much as we know about cognitive aspects of learning, pedagogical strategies, and reform implementation, we currently lack the modelling capability needed to help practitioners and policymakers explore the potential impact of proposed interventions, since efforts in this area are still at a very preliminary stage of development” (Mason, 2008, pp. 39, 120).

Policies, problems, and politics are common to every country; they may vary in scale, the intensity of influence or in time. Independently of these variations all the variables exposed before are present in the policy decision processes, all over the world and they are particularly relevant for the analysis of complex implementation processes.

- 1) What are the processes, motivation, and circumstances that conduct to effective establishment of new ePPPs?
- 2) Why do some countries adopt change and others are more resistant, despite international convergence and a similar propensity to private partnerships as a manner of managing public services?
- 3) Can policy completion be accessed early on, during the design and approval process, as a manner of reducing legislation inefficiency?
- 4) Is there a right moment for a policy to be released, with a higher chance of being retained?

²⁴ At the time European Economic Community (EEC).

1.8 THE HYPOTHESIS

Legislation adoption does not guarantee policy completion. Different actors, policy design and problems should have a specific alignment to increase the possibility of policy acceptance.

The capacity of particular policies to be implemented is also related to the manner policies were adopted and to the choosing of the correct time when the streams merged into a window of opportunity

Programmatic ideas matter, still they are far from being enough for policy fulfilment. ePPPs will only be acceptable in a scenario where conservative and labour governments converge ideologically, accepting the same policy even if anchored in different argument strands.

Policies need to be feasible, well defined regarding cost-benefit and established within a robust policy network.

The way problems are framed in speech is a turning point for a policy to become acceptable, even if there is no evidence capable of proving that a specific policy can solve the problems.

The existence of policy entrepreneurs able to support policy design and adapt it to new actors/circumstances is a fundamental element in long-term policy implementation.

Legislation inefficiency, measured as the percentage of policies that are legislated but not adopted, can be mitigated if the required configuration is carefully accessed at the time of policy adoption, and the identification of weak points are recognised and corrected.

1.9 THE ORGANIZATION

In Chapter 2 a revision of literature will be developed with double focus:

- (i) What is known about ePPPs around the world, especially in the perspective of political process and implementation and
- (ii) What are the leading public policy theories that could constitute a set of lenses to answer the questions stated and to test the hypothesis at stake.

In chapter 3 a methodological proposal is advanced, with the objective of structuring research and showing how complexity can be mingled with feasibility. From a qualitative approach, a move into the proposal of an algorithm that can enlighten the possibility of policy establishment, especially in the context of non-imposing policies²⁵.

Chapter 4 is dedicated to the English empirical case. Chapter 5 is the empirical analysis of Portugal. In these chapters the results of the qualitative analysis are exposed and organised by policy strands, moving from one piece of legislation to the following showing the evolutive aspects of policy. Emphasis is given to the variables of the model which will lead to the algorithm approach.

²⁵ I consider imposing policies measures such as increasing a tax or deciding to increase budgets. This kind of measures involves the creation of mechanisms that guarantee payment, the ground actors are must respect while the law is active.

Chapter 6 is the conclusion, where a comparison of the empirical the cases is developed and the answers to the questions coupled with how hypothesis turned out.

2 THEORETICAL PERSPECTIVES ON EPPPS

HOW HAVE EPPPS BEEN STUDIED?

Until we understand why our society adopts its policies, we will be poorly equipped to give useful advice on how to change them.

George Stigler

2.1 SYNOPSIS

Understanding Establishment	Establishment happens when a policy is enacted and arrives at the targeted population. Policy completion is a fundamental subject in public policy that has been over-regarded by policymakers, probably due to its complexity.
The Theories that explain ePPPs	<p>Different approaches from different frameworks to conclude that there has been no proper attention given to the emergence process of new ePPPs, most work is based on understanding influence from International Organizations and evaluating how good or bad these moves have been for improving education outcomes.</p> <p>Several theoretical frameworks could be adopted to approach our questions. I have opted for a composite set of lenses that was inspired in Multiple Streams Framework (MSF), and further developed to approach completion as a consequence of the ripeness level of the streams at legislation moment.</p>

2.2 INTRODUCTION

A vast bibliography is now available focusing on Education Public-Private Partnerships (ePPPs) and New Management Policies (NMP) as ePPPs seem to be a global trend (Stephen J. Ball, 2012b; Mundy & Verger, 2015; Verger, Lubienski, & Steiner-Khamsi, 2016b). Despite the prolific production, many questions remain unanswered, especially at the implementation process mechanisms.

What are the processes, motivation and circumstances for the establishment of new education policies? Why do some countries in Europe adopt these changes while others are more resistant? Is there a combination of independent variables that enhance the completion of policies?

Every process of policy implementation and change evolves through three central mechanisms (Jessop, 2010):

- (i) The need to vary (emergence of new practices);
- (ii) Policy selection (which policy to adopt) and the last but the most relevant
- (iii) Retention (the ongoing realisation of the chosen policy). For this study, our focus is on retention²⁶, which implies the study of the two previous stages.

Dividing the political process into mechanisms helps a better understanding of challenging political issues.

The need for modification is the motivation to re-visit the *modus operandi* of specific well-established structures, such as education. “Almost every politician vows to spend more on education” (Caplan, 2018, p. 1). This impetus may come from the perception of an international educational crisis²⁷ (World Bank, 2018) - internally the electorate feels the results are not as expected, or maybe there were bad results in international assessments, or education is inadequate for the future needs of society. The perception of crisis might be induced by other systematic events that end up evolving education - economic crisis, a state seen as an inefficient and lousy manager, the economic need for increased competition. Education became a central point for the competitiveness of nations (Romer, 1989), and the feeling that education is failing big groups of students, by not providing the appropriate tools for the future. The discussion on education diversity, parent’s choice, curriculum flexibility, pedagogical approaches and so on, have gained crescent attention and the growth of international assessments have introduced new modes of governance, and different ways of looking at problems and results (Sellar & Lingard, 2014).

Governments feel pressured to present work and to adopt different methodologies of providing the service. “In moments of crisis, policy-makers perceive changing their education systems, or importing new policies from elsewhere, as more necessary” (Verger et al., 2016: 37). The moments of

²⁶ Retention and implementation are used with the same meaning – the dependent variable, i.e., number of students attending schools in any ePPP scheme.

²⁷ The google search for “education crisis” produced 211000 entries (searched on 20 May 2018)

crises or general cry for change can be seen as a window of opportunities to advance reforms and to approve and implement a favourite policy.

The selection of a policy that matches the required reform is another essential decision of the political process. This selection has sometimes been made before the problem was identified and it is just a policy in wait for the right problem – *“Policies cannot address problems because problem definitions are vague and constantly shifting”* (Zahariadis & Al, 2007, p. 5). There are always many possible solutions available, so the option for a particular policy relates to its credibility and consistency with the problems it is supposed to address. It also needs to be acceptable to the public opinion, the public sector and in line with the prevailing welfare institutions. Finally, it must fit within the budgetary and economic capacities of the government in question (Verger, 2012).

As public opinion has easier access to information, there is a demand for evidence and studies, as the ground argument. Still, numbers and technical arguments, alone, are not enough to state an argument. The building of comprehension by society is mediated by situational, societal and ideological views of each group of individuals at each moment and place. Argumentation *“embraces an understanding of human action as intermediated and embedded in symbolically rich social and cultural contexts”* (Fisher & Gottweis, 2012, p. 5). Thus, studies matter but the mode policies are framed for acceptance, may assume a primordial point for acceptability.

Data and discourse content come from institutions that orbit the governments and use their power of influence. Think tanks, International Organizations, intellectual movements, consultancies, philanthropies, and others invest appropriate amounts of time and money in search of policy solutions and how to frame them for acceptability that is made available to governments (Stephen J Ball & Youdell, 2007).

2.3 FOCUS ON POLICY ESTABLISHMENT

Another crucial moment is the retention of the selected policy measures. Implementation goes beyond the legislation moment. Implementation is completed when a specified policy arrives at the targeted population. In our case, the number of students attending schools under ePPP agreements increases.

Many policies go through the two previous stages, they are even legislated and thrown into society, but they are never implemented, and no changes seem to happen. The period that goes from choosing until retention can be quite sizable or it can even never happen. Following a government decision, policies must face different stakeholders who tend to support or oppose the decision, typically in an up-d policy decision making (Hill, 1997). Governments tend to form coalitions and create groups of pressure in order to retain their ideas and overcome veto points. The role of active police makers goes far beyond the ruling moment. The capacity of particular policies to surpass such turbulent waters is also related to the manner policies were adopted and to the choosing of the correct time when the streams merged into a window of opportunity.

As argued by Teodorovic (2008, p. 34) in her study about why the Argentinian Federal Law of Education that attempted to reduce substantial educational inequities between the rich and the poor failed at the implementation stage:

The Federal Law of Education seems to have been doomed from the outset: it was rushed and ill-defined, it neglected many issues important for its implementation, and it failed to galvanise support needed for its realisation. Other policy-makers should learn from the Argentine example: for policy to succeed, thoughtful consideration of problems, solutions and politics streams needs to be undertaken; obstacles on all levels recognised and addressed, and implementation carried out with full force.

The lack of consideration about difficulties following legislative approval is approached by Hess (2013, p. 23) while considering why charter schools have not achieved the promised benefits in the USA:

Getting public employees to actually do what policymakers think they've told them to do turns out to be immensely difficult. (...) here too, the gap between promise and reality is explained in large part by the gap between policy and implementation.

Policy implementation is a fundamental subject in public policy that has been over-regarded by policy actors, probably due to its complexity. Policy-makers tend to look at completion as a technical process following policy approval and assume that once a policy is legislated, it will be executed by administrative staff and get to the ground. When they realise something is failing the trend is to develop more inspection mechanisms and try to force legislation. Overlooking the system complexity and the need for involving multiple stakeholders or producing clear and feasible legislation. The implementation used to be regarded as a top-d mechanism (Jans, 2007), and not a circular issue that starts even before agenda setting.

A recent revision, published as an OECD working paper (Viennet & Pont, 2017), showed that several bottlenecks can prevent target reaching and consequently policy completion. The authors identified a range of “determinants that hinder or facilitate the implementation process” (p.6), which start with a “*smart policy design*” developed in a “*conductive context*”, involving “stakeholders” in order to reach to a coherent strategy.

Within the OECD countries, there is a proliferation of legislation in Education, as governments try to answer to the need to achieve better results. According to OECD (2015a), there were more than 450 laws in the period from 2008 -2014, out of which 10% were related to school Governance.

Policy reform implies change, and some actors put the fault of non-achievement on resistance and path dependency, which is probably not a sufficient variable to explain. The point of

implementation of policies in education is the acknowledgement of complexity and multi-stakeholder property.

Viennet and Pont (2017) in their literature review found 18 frameworks of research directed at understanding policy target achievement (Figure 2.1), and most of these are the same used in public policy analysis, that tend to have a partial focus on few variables.

Despite acknowledging the advantages of each framework, they propose a multidimensional framework that was imported from healthcare, suggesting that any analysis should look at:

- (i) Characteristics of the policy;
- (ii) Characteristics of the managers;
- (iii) Characteristics of the end users;
- (iv) Characteristics of the context
- (v) Characteristics of strategies or means of implementation.

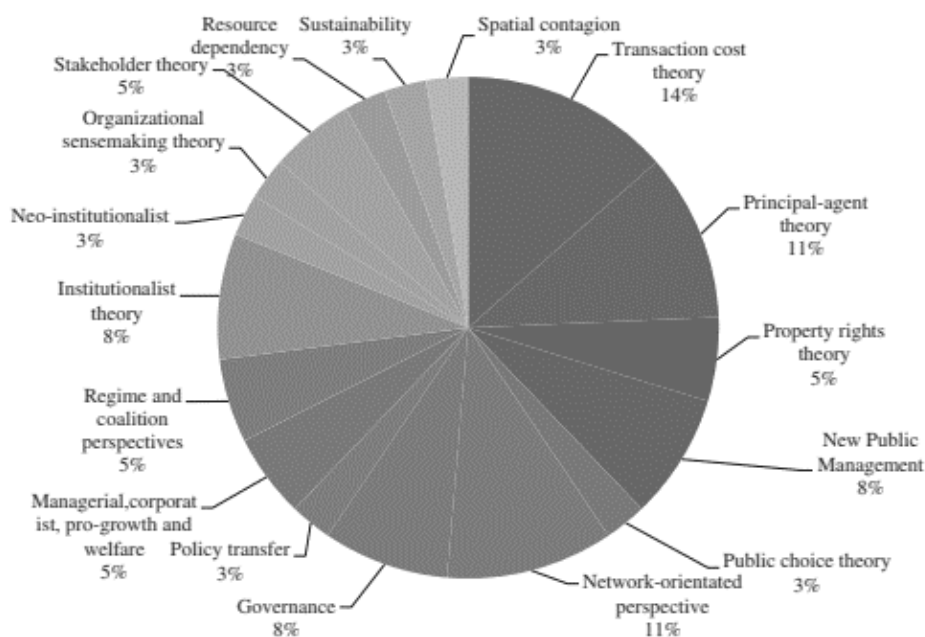


Figure 2.1 Main theories used to study PPPs in general

Source: Taken from Wang et al. (2018)

While the model proposed is complete and multidimensional, it lacks some parsimony necessary for analysis. Thus the proposed model for analysis contemplates the multitude of this model but attempts a more feasible and objective analysis.

There are several manners and angles of looking at public policy events and problems. Public policy is a multifold field with multiple actors, problems and solutions available. The idea of each theoretical frame is to simplify to focus on a small part of the problem, eventually the most determinant aspect. Therefore, there are a diversity of perspectives, all with advantages and

limitations. As Ball (1998) emphasizes education policy is a big patchwork of theories, ideas and practices therefore hard to simplify in a simple theory that tries to reduce it to one dimension.

The choice of this particular aspect of education governance policy – the establishment of ePPPs - brings a clear advantage from the technical point of view: a more straightforward definition of what completion is, as it can be measured by the number of schools that adhere to the legislated conditions. The measuring of success is not as diffuse as in other education policies, that target quality, equity of the generalist concept of better education. As will be seen in further detail (Figure 1.9) there are three typologies of ePPPs: (1) state pays for students to attend private schools; (2) state consigns management and teaching to private providers; (3) state engages in partnerships for professional/technical paths.

Education was one of the latest economic areas to adopt the ePPPs label as a managerial solution, and it is covered in multiple configurations, with states being able to position themselves in several degrees of ePPPs (Verger & Moschetti, 2017). In this work, the focus goes from moderate to integral aspects of the range, i.e. contracts with private schools, private management of public schools and vouchers, where funding follows the students.

Public-Private Partnerships have become a prevalent tool to deliver services around the world (Wang, Xiong, Wu, & Zhu, 2018) including welfare services, mostly in the sphere of the state as a provider until the 1970s. According to the authors, who developed a literature review on general Public-Private Partnerships, England and Portugal are among the countries that “have witnessed a steady growth in the number of PPP projects” (p.293), making the states more dependent on private cooperation. PPPs have been vastly studied in the last forty years, especially in Economics using a multitude of frameworks and points of view. While adapting the concept to education, I concentrated on frameworks that were able to explain the process and had a link to the public policy tradition.

Following a literature review for what has been done, and how this political process has so far been studied, I argue that Multiple Streams Framework (MSF), with some methodological adaptations to insert some understated components, is a set of lenses that have the capacity to bring together several perspectives into one coherent model of analysis.

To engage in an in-depth study of a subject, one needs to keep the mind open to the combination of different forces. Every model has a fascinating set of variables to be analysed, but MSF has a gregarious potential.

2.4 FOCUS ON THEORIES TO EXPLAIN EPPPS

In the following section, several public policy theories are explored. Following an initial description of what the theory is about, move to describe studies that used that theory to access education policies, as linked to the administration as possible and finally explain why the theoretical approach might not be suitable to answer the research question: *What variables matter in the political process of the ePPPs establishment?*

The idea of this section is to bridge into an integrative approach, by recognising the critical variables that each framework conceptualises as being necessary for policy establishment. The methodology that is fully explained in chapter 3 is inspired by the works developed under different theoretical approaches, all contributing to a clearer understanding of the variables involved in a multifaceted process. The challenge is to integrate while keeping the parsimony that allows for clear comprehension.

The claim for an integrative approach to education policy has been claimed by scholars (Berkhout & Wielemans, 1999) who argue that the nature of education as the building block for the future requires a broader perspective that “would enable this comparison in countries with diverse and changing education governance structures, but that are being shaped by similar forces within the global context” (p.402).

2.4.1 Public Choice

Public choice is a liberal macro theory based on the principle that the state fails and therefore cannot be in charge, the private initiative does better. The public choice theory was directly imported from economics into politics (Mueller, 2004, p. 32) and it was based on strong assumptions, which in its origins were related to the calculation of the probability of success of one choice over the others:

- The community faces a binary choice between x and y, with only one of the two choices being the “right” choice for the community.
- Everyone in the community wants to make the right choice.
- The probability p that a citizen votes for the right choice is greater than 0.5.

This theory explains a particular way of calling private agents into the scope of public services. It is an individualistic theory, that is based on individual decision making and not in group decision (Clune, 2001). Most political commentators who have sympathy for social-democratic political systems look at the presence of private players as a coming back to this policy, which has been used more by economists than policy analysts, and has not achieved in Europe the predominance it had in the USA (Kurrild-Klitgaard, 2018). This theory is based on the rollback of the frontiers of the state, and it imports concepts from the economic theories of rational choice leading to market balances (Friedman, 1955). It is hostile to the state; it fails on a precise definition of the state concept, as it is posed as a mere source of inefficiency, as individuals act in a self-interest manner.

The most critical assumption is that people are always rational, self-interested and utility maximisers. Individuals are always able to choose the option that most obey to the former assumption and self-interest is the prime motivation for choice.

The methodology for deducting policies is top down. Basically, has got to do with the fact that individuals value the private sector more than the public sector; therefore the trend is to reduce the

boundaries of the state and move towards a self-regulatory system, where each individual guards his/her self-interest. The global markets are guided by an “invisible hand” (Smith, 1776) towards equilibrium. In a way, it is a theory that can explain implementation and policy process, as it grounds on the idea that when everyone is rational, the best choice will emerge, therefore there is no need for persuasion or any specific configuration.

State intervention will only undermine the action of this hand and introduce noise. When competition is perfect, there is no need for state intervention. Nevertheless, it is more than often that competition is not perfect either because there is a Monopoly; there are externalities (costs and benefits that are not borne by the consumer); the product/service is a public good and individuals cannot be excluded from consuming it, nor the consumption of others reduces the availability of the good. Welfare system logic gains a reason in the presence of these failures and state has a role to prevent and correct failures, acting as a guardian of the public interest.

The public choice theory argues that the state fails as much as any other agent. Therefore, one is comparing imperfect markets with equally imperfect states, that would fail while:

- Rent-seeking, once they create winners and losers, creating special privileges and benefiting supporters;
- Fighting to retain the next election, which means that there is a timing for politics no matter the real needs of the economy or society
- Practices of vote trading, pork barrel, when in parliament some members approve legislation with no direct effect on them as an exchange coin for later votes, so legislation is not fair or even consistent over time;
- Budget maximising is another problem identified within the state structure that results in a constant growth of budget needs, so budgets increase not as an answer to more social problems but as political manipulation to keep electors happy as one increases expenditure and cuts taxes.

According to Wang et al. (2018), 3% of the articles studying Public-Private Partnerships (PPPs), in general, were based on Public Choice Theory.

This model is, nevertheless, unable to answer why do countries privatise some sectors and do not follow the same rule for other sectors (Zahariadis, 1995). It focusses on the problem, but it does not provide any means of explaining why the governments keep some economic areas for themselves. Welfare areas are the biggest employers in most OECD economies, so according to the theory’s assumptions they were meant to be on the list to be privatised, and this is far from happening everywhere, including in countries where governments are strongly pro-market.

Straightforward application of economic theory to study education and the education market while designing education policies is fraught with many pitfalls. While attaining efficiency in resource use and competitiveness are the dominant concerns for policymakers in the emerging

global knowledge economy, inclusive and socially cohesive growth also deserves prime attention from policymakers. (Chattopadhyay, 2012, pp 5).

The idea of market mechanisms in education as presented by Lubienski et al (2017) roots the expansion of ePPPs in education on the ideas advocated by this framework of analysis, stating that the reason for such an option roots on the idea that the states are “inherently pathological” (p. 5) as providers of public service. He presents a historical evolution of ePPPs rooted in public choice arguments. The final point of his contribution has to do with the persistence of inequalities no matter the “good intentions of speech”, as markets tend to create inequality, they cannot be the solution for the problem created by themselves – markets are part of the problem, not the solution.

A recent study on the outsourcing of extra-curricular activities at primary school level in Hong Kong (Ng et al., 2017), has also adopted as the main idea the notion that this is part of a neoliberal strategy that aims at giving away education to private providers. The authors did not fully explore the argument; they conclude that bringing private providers into public schools create problems of quality and cooperation between teachers and these providers. They do not focus on the process, but the practical consequences felt by teachers and school directors.

Nevertheless, no study targeted at explaining ePPPs or NMPs applying this theory was found, there are some studies in satellite areas, which expose the flaws of this theory to explain contemporary policymaking. In a philosophical article on how democracy loses when education is seen as a public choice commodity Hugh Lauder (Lauder, 1991) argues against public choice and neo-liberal theories in understanding political decisions, especially in a heterogeneous field such as education, by concluding that this simple idea is too frail to explain it all. It probably explains the beginning of the process, where the ideas come from, it is undoubtedly a focal aspect, but far from enough.

Public Choice Theory was on the basis of the first experiment, in OECD territory, with public-private partnership in education, which happened in Chile, during the dictatorship years, under the strong influence of ‘Chicago Boys’ a group of government advisors educated at Chicago under the supervision of Milton Friedman (Levin & Belfield, 2002). Nevertheless, it would fail to explain why this policy was not reversed after Pinochet stepped d and a left-wing party took over.

Public choice can also explain the beginning of the education movement in England (Stoten, 2011) but it fails to explain its evolution and especially the recent consolidation.

A study about Russia (Chankseliani, 2014) trying to identify private trends in education departs from public choice theories and tries to understand to what extent Friedman’s ideas have been imported into post-Soviet Russia, but it comes to the conclusion that this is not the case as private education is not a trend in the studied country.

Another study on modelling education according to Public Choice Theory reasoning for developing economies (Gallagher, 1993) shows that, if this were the case, education sector would

suffer permanent alterations of supply and countries would never be able to rely on education as a supplier of a crucial productive factor - human knowledge.

Trying to understand the concepts of equity and efficiency in school reform (King, 2004, pp 143), two parallel themes to ePPPs and NPM, public choice was also mobilized as a set of explaining variables, to be found insufficient to how public sector decides amid “conflicting power, values, preferences and beliefs” .

School governance and the mode of board decision making, an area attached to public school management, was studied using a public choice framework (Rada, 1988) in an attempt to create a predictive model of decision making. Its focus is micromanagement of schools, calling attention to each member of the board operating within a single school district. Hence, some assumptions were made about the behaviour and motivations of the actors, these were attached to resources, rules and circumstances and the outcome of the model was a particular pattern of action. The most immediate assumption is that board members act in a self-interested and rational manner, even if uncertainty and costs frame the decision. The peculiar stability is placed at the centre of the model which is envisaged to calculate the probability of a selected decision “By making assumptions of individual actors and given particular decision rules, circumstances, and resources we can logically deduce the sort of behaviours these actors will likely exhibit. These predictions should be tested against observations. If observations prove predictions false, then assumptions must be revised, or the theory discarded.”(Rada, 1988, pp 234) they launched the theory but did not pursue the collection of data.

Education as a public good is not susceptible to straight privatisation, as happens in other economic areas. The governments are committed to assuring some payment and guarantee universal access. Education is an area where efficiency is seen as central, as it implies a constant investment from the state. Education is an area with strong externalities, i.e. the non-education of one individual affects the wellbeing of many others. According to Friedman (Friedman, 1955²⁸):

There are only three major grounds on which government intervention is to be justified. One is ‘natural monopoly’ or similar market imperfection which makes effective competition impossible. A second is the existence of substantial ‘neighbourhood effects,’ i.e., the action of one individual imposes significant costs on other individuals. The third derives from an ambiguity in the ultimate objective rather than from the difficulty of achieving it by voluntary exchange, namely, paternalistic concern for children and other irresponsible individuals.

He goes on to argue that there is space for some private providers to act while states roll back to a role as legislators and referees, leaving open space for private providers to deal with market demand. Free choice is always the big argument.

²⁸ Retrieved from <http://www.schoolchoices.org/roo/fried1.htm>

Despite the ideas of Milton Friedman (Friedman, 1955) about the commodification of education, and the crescent view of education as a means of production (knowledge capital) public choice theory is not the best tool to analyse what I intend to look at in this thesis. One cannot forget that choice, the right of individual choice for education care is one of the most used arguments in favour of education privatisation or opening to private providers who tend to be flexible enough to diversify offer.

As explained above, this set of reasoning cannot explain the full option for school management, it offers some tools, that throw some light onto parts of the problem. As argued by Schug et al. (1994, pp. 277) the systematic application of economic principles such as “scarcity, cost, incentive, competition and mutual exchange” could help the understanding of individual decisions within each school but also at the broader school system approach.

2.4.2 Welfare-State Regimes Theory (WRT)

The classification proposed by Esping-Andersen (1990) where the states are divided into clustered typologies could be a relevant framework to explain privatisation movements. Each set of countries is characterised by a specific institutional and social framework that acts as a mould for the adoption of policies or socio-political trends. In this classification there is a clear distinction between

- (i) Liberal states;
- (ii) Social democratic countries;
- (iii) Conservative welfare regimes and
- (iv) South European countries.

According to this theory, liberal states would be more open to the adoption and retention of market-based ideas, including for education. Social democratic welfare states ought to prefer decentralisation, where citizens can have an active voice and conservative welfare states, would prefer keeping the tradition as it naturally privileges the ruling elites.

This theory has been put to the test as a robust set of lenses to analyse ePPPs and NMPs (Klitgaard, 2007) in a comparative case study research, where Klitgaard looked at the USA (representing a liberal economy), Sweden (representing a social democratic country) and Germany as a conservative welfare state.

He set the hypothesis that assumed the most prominent trend to privatisation and NPM was to come from the USA, Sweden was expected to be immune to this trend, instead, they should embark on changes that comprised parents and community, and Germany was supposed to resist this tendency. He recognises that most studies were on cash transfer benefits and very little has been done to ascertain this categorisation when it comes to social welfare services.

His research made it clear that the clustering of countries according to the welfare benefit theory leads to no conclusion. There was no correlation between country typology and changes in an education organisation.

This theory has been used to answer a similar question, where the author tried to find an explanation to different policy strands in countries that can represent the main political clusters. The article concludes that only the conservative welfare state acted within the hypothesised and expected by this framework:

The article identifies, however, a clear lack of correlation between adoption of the school-choice policy and welfare state regimes (...) Like most social security schemes in the liberal regime, the limited experiments with vouchers in the United States have been targeted toward disadvantaged social groups. The social democratic counterpart has in contrast implemented school vouchers as a universal social right with citizenship as the primary criteria for entitlement. And finally, the conservative welfare state rejected or rather did not even consider, school vouchers as a real possibility since universal vouchers would threaten the rights and privileges” (Klitgaard, 2007, pp 444 and 496)

On top of the above conclusions, it is also noteworthy to refer that ideology change over time, and socialism within UK’s third wave labour is only slightly related to previous versions of the same party. The same can be said for social democratic, liberal or conservative parties. More than the official trend of a party, what matters are the ideas, and the actors behind those ideas.

Klitgaard, at the final of his work, suggests that maybe turning to institutional theory would bring a better explanation, as political decisions are not stand alone decisions made at one point in time, but often require successive affirmative votes along with a chain of decisions.

2.4.3 Political Institutionalism Theory (PIT)

In political institutionalism rules, procedures and prescriptions are the primary tools for a political decision as they define what is needed, forbidden or allowed within any political systems (Ostrom, 1986).

The success of a political move depends, more than anything else on the successive points of veto within the political system (Immergut, 1990). Adapting the framework to the privatisation of education, this sort of policies would be more likely in countries with few points of veto. Veto points are indeed crucial for a problem to move from the agenda into policy adoption, they cannot explain why policies become the favourite in a given circumstance and later on why they are successfully implemented and translated in daily action by the actors involved.

Institutions influence the speed of attending some public issues, the efficiency of identifying public preferences and the mode in which policies attract new players. Occasionally, institutions can account for change when they adjust, or when a new pressure group gain influence over established sets of institutions; the resultant change may be more substantial than would be expected. When this is the case, institutionalism is not the best set of tools to analyse such moves.

Nation-level political or economic institutions mediate policy (Hall & Taylor, 1996). Political institutionalism recognises that different degrees of autonomy and access to political control, and

policy entrepreneurs and organisations may be able to track their interests by making choices within institutional constraints (Amenta 2005 and Ingram and Clay 2000, retrieved from Wiseman et al., 2014). Institutionalism strength is a compelling idea that cannot be discarded of any model, as institutional limitations can, indeed act as limits to what is feasible and not possible within each political system.

Institutionalism is a robust approach to explain why policy does not change or keeps on returning to the same despite some spurs of modification. They are generally stable, which means they set out routines and constrain human action. However, is it any good to explain the change? (John, 2003).

Unless networks and power relations entirely circumvent institutions, they generally affect how policy is made as they influence the speed at which political systems attend to public problems, the efficiency with which they aggregate public preferences, and the way in which policies attract rent seekers and principals seek to control their agents (Strom, Muller, & Bergman, 2003). Given that institutions constrain public action and affect the costs and benefits of political participation, such an effect is to be expected. However, does institutionalism explain policy change? In part, it does, but institutionalists find it harder to explain bursts of change, such as improvements in policy performance or the imminence of policy adversities, which are some of the crucial issues. Institutions can account for change when they adjust, especially concerning one set of interests and policy concerns. Institutions often are the grit in political systems, promoting reform, for example, by blocking changes initially. The other alternative is when new groups gain institutional power by conquering one branch of the state and can advance their interests. For example, one way to explain the advance of the civil rights movement in the 1950s and 1960s is through the institutional variation within U.S. polity. Of course, social change must play its role, but an institution, the Supreme Court, which embodied—perhaps by chance—the values of the reformers and gave them leverage, was useful in propelling progressive social policy ideas into the mainstream. Institutional reform can also promote change, say, between levels of government. Moreover, it is possible that institutions themselves evolve.

In the 1990s some authors targeted decision making in education, trying to understand why some governments can more efficiently turn ideas into legislation, while other governments seem to promote the same ideas for long periods of time without any success, through institutional lenses. Thelen (2004) in a study about Germany's vocational education noticed that political decisions are not decisions made at one particular point in time, most policies need successive votes from several institutions in the chain of the decision, the veto points at work. She also argues that institutions can be so strong that even following major disruptive events, such as wars, they find a manner of re-implementing old policies, again and again, working as a barrier to any manner of change. Thelen's work shows the strength of this theory in explaining why things do not change, but it fails in enlightening change.

Astiz's work on Argentina (retrieved from Wiseman et al., 2014), focusing policy ratification and community participation concludes that nation-states are not mere receptors of others policies and ideas; they possess autonomy that emerges from state-society relations as well as historical and cultural processes which may determine change or reform outcomes. This work wanted to prove why countries do not accept supra-national theories in the same manner, making an attention-grabbing argument on how national and sub-national institutions interpret and appropriate such ideas. Once again it emphasises the strength of this framework in creating obstacles to change and not in accepting the transformation.

In 2010, Klitgaard (2010) revisited the voucher subject using institutionalism theories to access the differences in primary school voucher options, using the USA and Sweden as empirical cases. The explanation found for the universal voucher system in Sweden versus the limited federal experiences in the USA lies on veto points structure, arguing that in the USA a multitude of veto points act as an impediment for federal governments to fulfil their preferences. As the different powers have not been held by the same ideological trend, it is laborious to make radical ideas come through the full system. Some state constitutions are more permissive and have more straightforward modes of the decision, which justifies sporadic voucher emergence in a few states. On the other hand, Sweden governments have a formidable autonomy when only one political force controls the majority in parliament, in which case only the unions could act as a veto-point and at the time they did not see voucher programmes as a threat to their associates, allowing for the measure to move on.

Despite these nuances, it is not assured that institutional approaches offer an all-encompassing theory of policy change, mainly because institutions are better at explaining the dampening rather than the amplifying of political processes. They are generally stable, which means they set out routines and constrain human action. Klitgaard work is a foremost contribution to understanding the different choice of policies, it still leaves the puzzle partially open, as it fails to explain why such policies did not move ahead in other European countries with institutional backgrounds similar to Sweden.

Institutional approach is also centred on domestic actors and structures which ends being very narrow to understand the process of private actors in education since this is very much a global movement, where ideas and influence easily cross borders.

Institutionalism emphasises only part of the problem. It calls attention to the role of history, veto points and local structures that typically succeed at stopping change. Institutionalism hardly ever gives a reasonable explanation for the political nor structural change. Institutions are to become also part of a complete model.

Within institutionalism, a focus on path dependency emerges as a specific case. Policies available are limited and firmly anchored on past experiences, even when the circumstances that made those policies possible in the past do not hold any longer. It is grounded in the idea that story matters, and it does. It is an excellent approach to explain why there is no change, and also to explain why people are so averse to change, even when they recognise that the current solution is not so good. The

theory explores the idea of how resistance to novelty brings the decisions to sub-optimal, perpetuating inefficiency.

This theory departed from historical institutionalism, and is characterised by: Critical Juncture and Reactive Sequences: (...)political development is often punctuated by critical movements or junctures that shape the basic contours of social life (Pierson, 2000, p. 251).

The theory of path dependency focuses on the costs of switching, as so much has already been invested in the current policy. Therefore, incremental changes are more common than changes that break with the past. The costs of change are related to set up costs, learning effects, coordination effects and adaptive costs.

The path is undoubtedly a main aspect to consider in any policy, and a policy that is just incremental is a more straightforward policy, and the national mood can be easily moulded to be favourable. The path will transpire into feedback, and a trace will help a longer-term implementation. Still, it is not enough to explain the full picture (Stuteville & Jumara, 2010).

Education is a very conservative sector, and traditionally rooted in the cultures and practices of local agents. As Lingard (2018) puts it, the emergence of international policy actors such as OECD or big edu-businesses have placed a strain in education systems “interweaving between the effects of the global diffusion of modernity and the nascent global education policy field, mediated by the path dependency of national cultures and histories, as manifested in national schooling systems (...)”. Therefore, path dependency is naturally a resistance to change and has to be considered in the possibility of policy establishment. Nevertheless, it is not enough to explain the change. Moreover, occasionally abrupt change that despite all the negative story still manages to emerge.

A study by Creasy (2018, p. 57) where he argues that “Neoliberal ideas are not enough to sustain the introduction of competitiveness in education - as NPM brings pressure to bear upon how any sector or provider of education is organised, some of these doctrines will have a greater influence than others. This is the consequences of path dependency combined with the way that working practices become cultural forms”, also acknowledging that path is an essential aspect of change and policy interpretation, and even local design. Thus, as time goes by the reality shows that to the different extent most countries have been inserting elements of competition in the re-shaping of education.

The study of Takayama (2012) is a good illustration of how path dependency can determine different outcomes in education policies. Her research is centred in the adoption of standardised tests in Australia and Japan, where this policy emerged in similar mode despite different constitutional and administrative paths. Her conclusion highlights that the main difference for policy acceptance was anchored in the formulation around the problem: in Australia, the arguments were around the need for school and teacher accountability, while in Japan accountability fell as an argument and the focus was on pedagogic improvement and access to data for policymaking. She concludes that the different

arguments for the implementation of a similar policy are traces of the influence of path dependency in policy acceptability, contributing to overcome one of the main criticisms to path dependency:

this theory fails to recognise that the seemingly convergent policies are often limited to the level of policy discourse, whereas what gets implemented on the ground can be radically different. (G Steiner-Khamsi, 2004, p. 519).

The same line of argument, indicating that national institutions in respect for the history and previous country developments transform international recommendations into acceptable policy designs is argued by (Maurer, 2012) in his study on vocational education and training in the context of developing countries that benefit from external agencies development support. Once again is institutionalism providing arguments against the global theory models (see section 2.4.6)

Path dependency is, therefore, another aspect to consider in the tough process of policy completion.

2.4.4 Governing Party Perspectives

Right-wing governments with neo-liberal agendas are, theoretically, prone to market-oriented agendas, where they tend to privilege private initiative over public provision. Neo-liberal policies, in its relation to the markets, can be resumed as:

Markets for neo-liberals and the rules of exchange are sacrosanct to the functioning of the economy and, by implication, to the existence of capitalism; they exist as the only alternative to some form of rational organisation of economic life. They are part of a natural, 'spontaneous' order of 'civilised' values and mutual cooperation, which sustain capitalism and freedom in Western societies. (Turner, 2008, pp115)

In contrast, social democrats believe in cooperation and in a role for the state to ensure economic growth while at the same time protecting societies from capitalism's destructive consequences. Therefore social democracies tend to have strong welfare states. Governments and states act as the guardians of society, in Western Europe, there was a general commitment to protect society from the devastating effects of the markets. Social democrats were backed on Keynesianism economic theories. Such ideas were accepted by the European destroyed society, in need of investment and protection.

John Maynard Keynes (Keynes, 1965) argued that state action would be necessary to avoid economic crises, which would threaten democracy and economic harmony. He was not against the markets, and he believed in a society managed by capitalistic forces mediated by the state. Reunite private ership of the means of production with the democratic management of the economy would be possible, as well as a fair redistribution of wealth among the population.

After the international petrol crisis of 1973, and with economic contraction social democratic ideas started to suffer a drawback in most countries, except in European Nordic countries, such as Sweden, Finland and Norway. Social democrats should not be prone to give away welfare parts of the government into private hands. Therefore one would expect that moves such as education vouchers or concession of schools to private managers would not happen at least when social democratic parties were in government.

Finally, if the socialists are in power, their expected approach would be to impede private action altogether and dominate the economy and society by ventures managed and promoted by the state. They acknowledge that capitalist control of the means of production ignore social responsibility as it is, exclusively, concerned with individual benefit. Therefore the nation's resources belong to the collective and are to be used to promote human equality. It is clear that during a socialist government no privatisations ought to occur, even less in services that are directly linked to social equality discussions, such as education.

The empirical question is: Is it possible to find a match between the government in power and policies as stated in political manifestos? The opening to private management practices and private providers has happened during moments of right-wing governments? Is it the opening of the door? Who is more active in pursuing such a strategy?

The Manifesto Project²⁹ provides content analysis of party's electoral manifestos, in more than 50 countries since 1945. This content analysis allows a better understanding of the relative right-left positions of the parties. The "rile" index measures the percentage of right-wing and left-wing positions expressed by the parties in their electoral programmes. For example, if a party says it wants to limit welfare state, it is connected to the right; if the party states an expansion of the welfare system, it is connected to the left. About the subject of this thesis, it is relevant to understand that belonging to a political family does not always match the concerns expressed in programmes. For example, it is apparent that the Labour party in England moved towards the right during Tony Blair's years and, at that time the ideological distance towards the Conservative Party was reduced (Figure 4.3). The notion that parties do not have a stable ideology is a compelling argument on the limitations of this theory. Wiborg (2013, p. 2) in her article about neo-liberal policies argues that:

The variation in neo-liberal policy on education in Scandinavia is usually ascribed to the increasing power of the Right. However, this article differs from most other education research in that it argues, on the contrary, that the answer is to be found mainly within the social democratic parties themselves.

Her study focuses on Denmark, Norway and Sweden, which are countries seen as similar regarding their tradition and institutional background, so that several variables could be levelled and a

²⁹ <https://manifesto-project.wzb.eu/>

brighter focus on government changes was prone to enhance different attitudes. Concerning the adoption of neo-liberal policies in education, these countries vary profoundly, and they do not match political cycles to neoliberal politicians in power.

The same has been concluded for England, where Tony Blair's Labour government represented the most substantial move towards the participation of private individuals at schools, representing a rollback of state's influence:

Academies will remain at the heart of the [government's] programme, with continued and new opportunities to develop them" can be read at the white paper on education *Higher Standards Better Schools for All* (DfES, 2006, p.8).

Nonetheless, it was still during Margaret Thatcher's government that the idea of private providers started, it was during a labour government that such measures were implemented. (Anne West, 2014; Anne West & Bailey, 2013).

These studies are unanimous in concluding that neo-liberal ideas and government political colours are far from the determinant variables in the process of school management changes. So, they call for other studies and other insights into this process. Although I ascertain that ideas matter, and that the governing party privileges some policies over others, the trouble is that this is just one variable within a set of several variables that will be considered and included in the model adopted to answer the question.

2.4.5 Global Policy Ideas Theory

The most commonly explored line of explanation for changes in education management and the growing intervention of private agents is based on the dynamics of promoting global policy ideas, and how these ideas predispose policy-makers, public opinion and national institutions towards different strategies. Many arguments that lie behind these ideas emerge with a technical layer and is promoted as good practices and are perceived as valid even though there is lack of evidence on how useful they are (Verger, 2012).

Within the European context, the Open Method of Coordination (OMC) became a soft policy instrument, set to influence local governments to adopt standard measures in what used to be education, but has become 'learning' for European talk. Most recommendations are targeted at improving the "knowledge economy" and therefore the need for a better link between 'learning' the 'labour markets'.

Despite all the recommendations and discussions, the reality is that countries take these pressures differently and the change of the systems has been slow and in different directions. A recent study (Alexiadou, Fink-Hafner, & Lange, 2016) focus on how 'new' EU countries take OMC more seriously than 'old' partners.

Countries can take international influence differently, and it is thought that well-established democracies inform themselves in the international markets, but then take their discretionary power to take action inside (Knill & Tosun, 2011). There are paths through which international influence is set:

- (i) Copying;
- (ii) Emulation;
- (iii) Combination;
- (iv) Inspiration.

In relation to education policy a Globally Structured Education Agenda (GSAE) has been identified, and it acts as the driving force of capitalistic moves, this approach stresses that most current significant educational changes are understood as being embedded within interdependent local, national, and global political economy complexes (R. Dale, 2000). Being that every state is to address education policy if they want to successfully integrate into an increasingly globalised and competitive knowledge economy, as so many times referred in international research (Cullem, 2013; Jacobsson, 2004).

Despite this view, and the strong presence of such organisation and general international climate, not every country reacts in the same manner. Despite the international dimension to privatising education services, “the outcome is still mostly ‘national’ in its manifestation (Alexiadou, 2013).

The influence of international actors is many times made through informal channels hard to trace: private meetings, summits, conversations, personal relationships and social events. The network structure that is created by the government and decision centres is intricate, as Ball as shown in his studies on interconnections of people and institutions (Stephen J. Ball, 2012a).

Globalisation stands a point when they identify the role of international institutions, supra-national, in designing and promoting lines of action. What this theory cannot answer is why countries react in such different modes, once they are exposed to the same line of thought and similar solutions. Therefore, it is essential to consider the role of global influence as one more piece of our model, predominantly at the policy drawing stage with an arm stretched to policy entrepreneurs who make the diffusion and local framing of the policies.

2.4.6 Network and government steering the engine

This analytical frame is recent and not consensual to be part of the public policy analysis toolbox. Still, it seems to fit perfectly to particular empirical studies, especially those concerned with identifying who holds power, and how the state has progressed in the last 30 years or so.

Network theory moves the focus from government to governance with the inclusion of multiple actors at multiple levels. These actors are public, non-profit private or purely profit-driven private agents. The focus of this theory is the network and how the diverse agents link and influence the outcome.

Stoker (1998) defined “governance is ultimately concerned with creating the conditions for the ordered rule and collective action”, there is no difference in the output, but in the process, that does not use sanction and coercion relying on cooperation instead. For Osborne & Gaebler (1992) governments might make better use of available resources. It is not necessarily a reduction in the presence of the state; it is instead a repositioning, that is far too often associated with budget cuts and crisis. Nevertheless, the reality is that no modern state can function without delegation (Flinders, 2005). Most western countries now face a concentric structure where the state is shifting towards a regulatory role, recognising that innovation and efficiency might be more available from other sources. The typical structure is like the circles made by a stone thrown into the water.

The relocation of services from the centre to the periphery tends to be slow, and autonomy is gained discretely. Network governance is a framework which explains the changing processes of governing.

This theory follows reality; recently many empirical studies have been developed proving that a broad scope reorganisation of providers is underway.

There are many opponents to the way the states are evolving especially as this transition is not straightforward because further problems can arise in future principally linked to:

- (i) Long-term cost control;
- (ii) Democracy guaranteeing;
- (iii) Too much complexity to be steered from central government;
- (iv) Regulation, control and evaluation;
- (v) Knowledge transference and loss of negotiating power for governments;
- (vi) Democratically illegitimate as they are not elected and tend to hold long-term contracts;
- (vii) Lack of transparency and corruption rise.

The book “Global Education Inc.: New Policy Networks and the Neo-Liberal Imaginary” (Exley, Braun, & Ball, 2011) is very clear in the manner it enlightens the importance of networks and several layers of business and actors that are now present in education structures all over the world, suggesting the beginning of the end of education as a welfare state affair. He shows how a multi-centre net of interests move and connect to change the face of the industry as they gain credibility and legitimacy to do so by supporting their views on international organisations. Therefore, Networks and Global theories are very much interlinked, with the critical difference being that the first focus on connections and the second is more interested in the influence of transnational players and implementation of similar solutions all over the world. For Ball what is emerging is not the privatisation of education, but a modality of metagovernance where complexity is immense, making it all very hard to understand to the citizen and the actors involved, as each player has only a small share of knowledge and the full picture becomes blurry. With such a system it is challenging to make informed choices and to control what is education at all.

Social Impact Bonds are an emerging instrument that is based on the idea that governments can pass welfare services to private companies, actually for productivity gains. The idea has been applied in the UK and USA under the name “Pay for Success” that is a scheme that allows banks to finance public service with potential gains, tied to metrics of efficiency and savings. Projects like this, theoretically are rooted on the idea that the state is not fit to be a provider, as there are better people for that, and all they have to do is guarantee that the service is being delivered at a predefined quality/results level. The gains come from efficiency; the service is only paid when “an independent evaluator determines whether the agreed-upon outcomes have been met”³⁰. This is not an academic study trying to explain how education is privatised or moves into ePPP; it is a clear empirical application of this set of theory, which builds upon the state stepping away as a provider, paying upon the achievement of results and guaranteeing the control mechanisms. “Pay for Success has been advocated by philanthropists, corporate consulting firms, politicians, and investment banks on the grounds of improving accountability, cost savings, risk transfer, and market discipline” (Saltman, 2017, p.1) suggesting that the influence of the multiple players has been a key for the operationalisation of this scheme. It is not there to solve any education problem but solely to satisfy the investment needs of capital who gain double power – investment imposes the ideas on what education should be.

The same idea of the government moving from the provider into regulatory is also explored by Benish (2018) where he looks at social services in general, including education. In this work the need for the state to regulate instead of providing has been the main argument for the government to let go of its traditional mission of public welfare services. The rollback of the state as a provider is similar to public choice theories. Still, it is not strictly anchored on the idea that individuals have the rationality of choice and are able by their own choices to provide the best collective choice.

This framework seems to have some hypothesis that fit our questions, as it is very connected to the rise of private schools based on this general trend of more public-private partnerships when the government re-thinks its role.

Education is a sector that has traditionally been dominated to the public provision, and there is a high influence on the result caused by who is the direct provider, even if there have been several re-arrangements over the control of the various parts of the system.

Understanding the history of this collaboration, the departments within education which are already being provided by private sources and attempting to draw a design where public and private together can achieve better results for the whole is an enlightening way of researching this subject.

The variables that are chosen for analysis under this theory frame are:

- (i) The state keeps its role as financing source making sure that education is free for the children;

³⁰ <http://www.payforsuccess.org/> (consulted on the 28 February 2018)

- (ii) Private agents are called into the equation to provide the services and manage schools, as it is believed that the state is not the best provider;
- (iii) Private agents bring competition, innovation, efficiency, expertise and flexibility into the system.

An education system that is due to evolve towards more privatisation faces an enormous challenge where the state must create mechanisms for managing complexity, certifying accountability and ensuring depoliticisation without losing control and influence. Network governance is about building a network structure that links all these actors and makes sense of the role of the state both in its capacity as a direct provider, a ruler and a financial institution.

Once again, some aspects of the network theory will be called into our model, as networking between private and public agents becomes compulsory for the emergence of education partnerships. Nevertheless, this theory focusses on the process of creating these networks but does not give any insight into the full story: why and how some states are willing to bring private agents and practices into education while other countries are more cautious and opt for another kind of solutions.

2.4.7 Complexity Theory and Punctuated Equilibrium

Complexity theory explores how independent individuals interact with each other. It is derived from the work of equilibrium in nature, analysing the loops that have the power to change balances and the whole system. The main idea is that the system is more than the sum of the parts, and it is developed by the interaction of the parts. This theory is used to identify instability and disorder. It was based on the idea of Complex Adaptive Systems (CAS) that are self-organised and find order in the middle of chaos, as the agents co-evolve in the natural constraints created by the system. Nevertheless, the individual interaction can combine to change; the key is the interaction and not the sole wish of an individual.

Complexity theory can deal with problems that do not obey a linear relationship, introducing the idea of the importance of interactions. As Byrne (1998, p. 3) said: “Linearity and order seemed to be being forced on a world which isn’t like that”, so he recommends a framework to adapt complexity theories, emerging from biology to social sciences. By stating that there is the need to join qualitative approaches to quantitative, as it is impossible to get a full detailed picture exclusively from quantitative data.

These concepts are very relevant for policy implementation because it moves away from the policy as the will of governments or parliaments, into the interaction with several other actors and ideas.

In his book, dedicated to applying complex theory to education, Byrne (1998) he looks at the fact that both Conservative and Labour government were buying into the Ofsted evaluation of schools and teachers to use it as an argument to change school administration and teacher selection. He argues that linear models for analysing performance are inadequate to access large education datasets

supporting the decision. One of the problems is related to the fact that datasets are unable to host dynamics and the imminent evolutionary characteristic of learning. When one accesses a student at 15 years old, it is not the present school that is at stake as he is the product of at least nine years in formal education, with several schools and many different teachers/environments.

The work developed by Snyder (2013) using complex theory as the basis for analysing policies in several different scenarios concludes that any educational reform must consider the complexity and borrow possible poise from ecology. He identifies the following critical elements for reform:

- (i) Continuous collaboration and interaction between the system actors, where they have the chance to share and encourage each other;
- (ii) Propose a reform as interactive, experimental and flexible to incorporate local adjustments;
- (iii) Never start a reform based on the inadequacy of the present actors, as those are the ones that will be in charge of implementation;
- (iv) Never attempt reforms that break with continuity, try to cure a small issue at a time;
- (v) Look outside to other fields as an answer might be found somewhere else.

However, agreement with the ideas exposed by the authors, acknowledging that one needs to consider a broader picture when analysing policy process, the use of complexity theory on its own, does not establish a clear set of variables to analyse. It results in the suggestion of overall complexity, which does not help modelling or clear comprehension of a required configuration with strong and weak knots.

The Punctuated Equilibrium Theory (Araújo & Rodrigues, 2016), which was derived from the complex systems approach, look at policy process as stable and characterised by incremental policies that do not break with the past. Occasionally a sudden change can interrupt this equilibrium, but it usually is associated with the crisis. This model advocates that change may be rare. In this manner, the authors, Baumgartner, Jones and True (2007), designed a theory that could explain stability but also change. The authors suggest primarily two variables to justify change: on the one hand the policy image – that is related to the mode a policy is presented and discussed and on the other, the policy subsystem which is communities of people who assume the paper of developing policies, understand problems, and verify the matching before moving into political agenda. Change occurs when there is a breach of policy image, and for some reason, the idea monopoly does not hold any more and simultaneously the political subsystem is ready to present a new direction.

Punctuated equilibrium has a close parallel to the evolution of species, making a parallel to policy change.

The study by Holyoke et al. (2009) departed from the punctuated equilibrium to show that radical change in the system emerge in agendas as a consequence of shocks to the policy subsystems when they manage to displace some interests and substitute them. Nevertheless, to answer the question

of what happens to policies after passing the complicated nets of legislation. They look at the evolution of the charter schools in the USA. They conclude that the power of elites is reduced during implementation stages and the success of completion by the state depends more on interest groups such as teachers and parents than on elite. Another relevant variable for policy establishment was the capacity of learning with neighbouring states, correcting the policy/problem perception for better acceptance. The authors recognise the importance of policy entrepreneurs in designing the policy and selling it to politicians; they still agree that the variables contemplated in the punctuated equilibrium theory are incomplete for explaining different target achievements.

Once again, this perspective is fundamental, and, there are long periods of stability, followed either by incremental change and occasionally by discontinuity points. This theory seems limited in considering the importance of national mood and the media. Much of the power is placed in the hands of experts, and governments with their ideas and compromises are set aside.

This model would be easier to operationalise; it seems incomplete as it does not reach the entire complexity of the problem. Despite acknowledging the importance of interactions, they are limited to a closed circle of Illuminati, and there is little role for the people who are in charge of accepting the policy. It is probably hard to identify the rupture points for policies that were approved at the political level but failed at implementation.

2.4.8 Advocacy Coalitions Framework

Sabatier and Jenkins-Smith (1993) developed this framework to deal with problems involving real conflict, technical disputes and several groups of pressure or antagonist ideas. The idea was to include the importance of engaging the actors that are on the ground, inserting the notion of intricate networks of ideas and interest that interact and will allow or prevent change. These actors will re-interpret policies and reconstruct a policy according to their views. Implementation is not only a technical procedure, but it is a constructive moment of the policy itself.

Advocacy Coalition Framework aimed at answering to public policy literature by providing an answer to several needs (Weible et al., 2011, p. 349):

A need to take longer-term time perspectives to understand policy change; a need for a more complex view of subsystems to include both researchers and intergovernmental relations; a need for more attention to the role of science and policy analysis in public policy; and a need for a more realistic model of the individual rooted more deeply in psychology rather than microeconomics.

The prime unit of analysis is what is known as the policy subsystem which is organised around particular policy problems. They assume that policy actors specialise in a subsystem because only specialists can understand how to achieve change. In turn, the behaviour of the actors in the subsystem is affected by factors from the broader political environment – fundamental values and

constitutional structures. This framework puts specific emphasis on the values and beliefs of policymakers. The policy actors, within a specialist subsystem, tend to seek allied who share their beliefs, thus creating a coalition, as a mean of increasing the likelihood of achieving their goals (Cooper, Cibulka, & Fusarelli, 2008). Coalition groups can include all sort of actors – from academics to journalists, interest group leaders, philanthropies and think tanks. The coalitions mobilise resources and knowledge in order to transform beliefs in policies.

The policy change occurs when one coalition is stronger than its opponents. One of the problems of the coalition theory is a divergence of beliefs within a coalition, and how to prevent collapse. The objective of the framework goes far beyond the identification of beliefs and fractions within a political change moment: it intends to explain belief change that can support policy change over time. The model in itself changes over time to incorporate new beliefs and knowledge that comes from the empirical application of the framework.

The work by Diaz-Rios (2018) studies the different evolution of education privatisation in Latin America, using the three different paths traced by Chile, Argentina and Colombia – marketisation, erosion and dualization. She uses the political coalitional approach to show that global policy ideas are re-interpreted by local coalitions that gain the power to either accept the international ideas and press for implementation, re-interpret or reject the idea, creating a new conceptualisation that can lead to different conception, and political path. In Chile, there was the influence of unbalanced coalitions, with strong pro-market supporter's vs very weak supporters of state-run schools, which originated a marketised system which has grown slowly. Only recently the coalitions pro-state are emerging due to rocketing costs of public-private partnerships. Weak coalition characterise the case of Argentina, which has culminated on disinvestment to historically low levels. Finally, the case of Colombia is characterised by coalitions that are equally strong, resulting in a dual system where private and public co-exist.

Ball (2011) has developed an argument that focuses on the role of philanthropies as relevant players in England, contributing to the growing privatisation of schools, he does not use the coalition framework for his analysis, but reunites evidence on how elite actors have a relevant influence “in delivery, dialogue and decision-making” (p. 647). He concludes that the influence goes beyond investment and management of several forms of ePPP. Influence is hidden “Various of the interviewees were members of these groups which offered a whole set of elusive but important formal and informal and opportunistic engagements with politicians and policymakers at meetings and events” (p.654). Despite considering philanthropies and their numerous links to capital and politics, he establishes that they are not the sole variable to be analysed in the change of the system, and no analysis is provided on advocates against privatisation nor in the respective balance of strength.

2.4.9 Multiple Streams Framework (MSF)

This framework is an adaptation to public policy from a management theory known as the Garbage Can theory (Cohen et al., 1972). I have opted to call it a framework, even if some call Multiple Streams a model or even a theory, following the definition advanced by Nilsen (2015) where he makes clear that a framework only describes empirical phenomena by fitting them into a set of categories. A framework denotes a structure it does not attempt, as a theory, to create abstract continuums nor to have a vast scope of explanation,

The Garbage Can theory has been developed by computer simulation as an analytical tool based on empirical studies of “organized anarchies” (Cohen, 1972), which are characterised as organisations that:

- (i) Work based on “a variety of inconsistent and ill-defined preferences”, being that these structures end up discovering the best solutions through practice;
- (ii) The available technology is unclear and its members do not fully understand the processes;
- (iii) Participants vary in the amount of time and effort they devote to different domains, is that the boundaries of action are uncertain.

This model was later adapted as an analytical tool to public policy by Kingdon (Kingdon, 1984), that adapted the garbage can model to study agenda settings. The model is very much the same, where ‘garbage cans’ were transformed into independent streams flowing in a serendipity manner, each carrying an aspect of political decision: policy, problems and politics. The metaphor was very appealing to researchers, as it can “simplify complexity and illuminate policy dynamics” (Howlett, McConnell, & Perl, 2016, p. 73)

Kingdon developed the MSF to deal with the problem of agenda setting within the USA government. By doing this, he was, inevitably bringing to strands of research together. Agenda setting is the first step in the public policy cycle theory³¹. By enlarging Multiple Streams Framework to other stages of the policy cycle, it can provide a non-linear complex vision on how policies succeed or fail at implementation stage, which has been done by several scholars with the adaptation of what is the exact meaning of streams, once the pair problem/policy come together (Howlett, McConnell, & Perl, 2017). The enlargement to more streams has been proposed by Howlett (2015) for a better fit to different policy stages.

³¹ Centred in the idea of sequential practical activity in policies, where every policy could be neatly divided into 5 to 7 chronological phases. It was developed by Lasswell in the 1950s and has been praised and widely used. Recently the model has developed into the five main stages: agenda-setting; policy formulation, decision making, implementation and evaluation (Hatcher & Troyna, 1994). This nature of analysis relies on the idea of top-d policy, where a set of goals are defined, together with the means for achievement (P. Sabatier & Mazmanian, 1980). As it is a step by step model it is easier to analyse and identify strengths and weaknesses, and it satisfies the pre-conceived idea by politicians of their capacity to deliver.

This question will be approached in some paragraphs. Let's, for now, concentrate on what sort of hypothesis are supported by the MSF.

Later MSF was further developed and enlarged by Zahariadis (1995) who enlarged its usage to EU and different moments of policy stage, making the model one of the most popular frameworks in public policy studies (M. D. M. Jones et al., 2016).

The ground for multiple streams framework lies in the observation that there is not always a rationale for policy, nor there is always an intention of solving problems (Zohlnhofer & Rub, 2016, p. 3):

So, it is fair to say that governments in all advanced democracies often do not fully understand the problem they have to deal with and they do not know if the policies they choose will solve the problems at hand.

There is also a problem activity and latency. Some problems are very active, some problems are never solved, other problems shift choice many times, and other problems come and go in short periods while others remain for more extended periods. There are problems known as latent once they are active but never attach to any choice.

The core attraction of MSF (Figure 2.2) is the capability of leading with solutions looking out for problems that they can be attached to, problems get under the attention of policymakers through focusing events, or indicators that change perception, they are brought in by groups of interest or problems emerge as a feedback to previous policies. When a problem appears, the solution is ready to be tested and coupled. The problem stream is not very active and is not the target of policymakers. The activity in the policy stream, where experts in policy areas are busy contributing with ideas. These policies are put forward by policy entrepreneurs and are discussed and modified until they have a right shape to be brought on the agenda. To this policy activity, Kingdon (1984, p. 166) called the "primaeval policy soup" figuratively where everything is at a boil, and any form of life may emerge. Proposals need to involve a community of experts and be accepted in relation to feasibility, value-acceptability, financial viability. The political stream is characterised by power and negotiations, in this stream governments, parliaments and other formal institutions are called into action to get policies and problems into their agenda. The weight of political ideas, public opinion (or national mood) and stability of power are critical, as it is a fundamental variable for the acceptability of solutions.

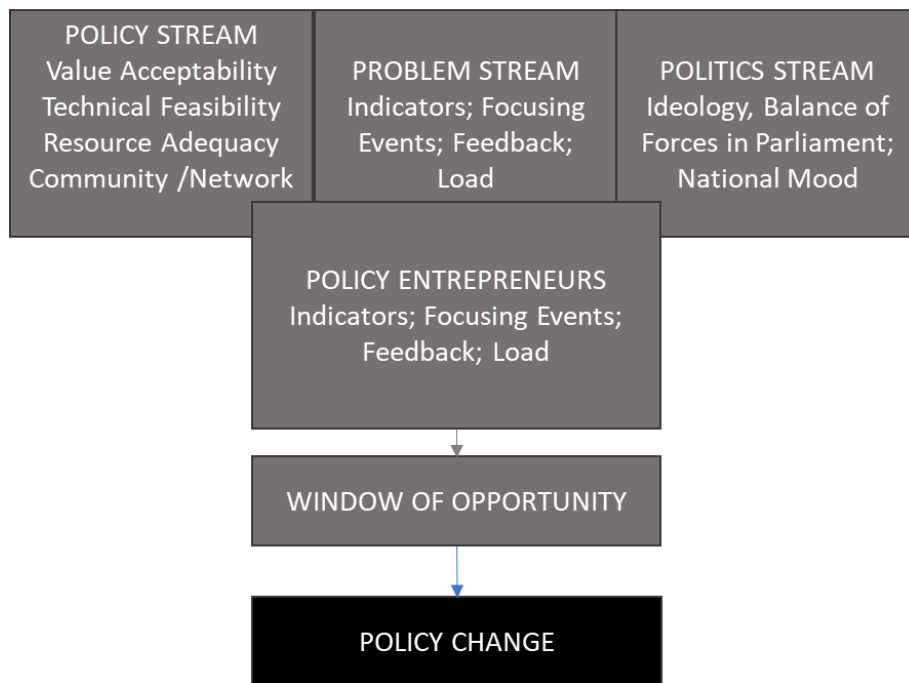


Figure 2.2 Multiple Streams Framework Scheme

Source: Adapted from Jones et al. (2016)

Most of the time the streams flow without disturbance, but occasionally a window of opportunity opens for a change to emerge into agenda, and possibly into further political stages. The opening of this window is the opportunity for policy entrepreneurs to advocate in favour of their favourite pair policy/problem. The window generally opens in the problem stream when a problem emerges into attention, or in the politics, stream by changed in government or parliament. If the window opens in a moment when there is no ripeness in the streams, not much will happen. A solution must be ready and adaptable to a problem, both moving through a favourable political environment.

Finally, the model recognises the activity of policy entrepreneurs who are willing to invest resources (time, money, knowledge) to develop and promote policies that they perceive as sound. As mainstream politicians do not hold much information and knowledge, policy entrepreneurs become fundamental figures in policy change.

Another aspect of this model is the way some space is left for bad-luck, bad-timing or just unavailability of a good solution for the problem at hand. The probabilistic assumption in the model is inspiring as nothing is pre-determined; nonetheless policies follow the rules of serendipity. Sometimes the game is set towards a sin-sin situation, other times this is not the case. There is no certainty just a probability of occurrence.

In the education sector, there is a permanent problem to tackle, general and diffuse ideas are at stake, such as increase success, increase equality, better international results, better adjustment to working markets, and so on. Most choices are made by flight or oversight, i.e. other choices are attached to a particular problem, but it seems to have no result, therefore changing seems to be a constant need, with a regular complaint of constant changing, arriving from school level actors

(Almeida & Vieira, 2017). Problem-solving progress is hardly measured, and choices are not likely to solve problems. When problems are eventually solved, it is hard to find a direct link to the choice provided, or which choice made a difference, as problems tend to be attached to several choices.

How the state looks at education depends on: what solutions are in the stream; to which problems these solutions could fit; what are the feelings of the society, when is the best time to act and who are the available participants.

Therefore, if solutions like ‘privatisation of schools’; ‘vouchers for choice’; ‘curricular autonomy’ happen to meet problems such as ‘unsuccess’; ‘lack of choice freedom’; ‘lack of efficiency’; ‘need for flexibility’; ‘budget constraints’ in a time when the right actors with the right amount of energy are around, a window of opportunity opens for new choices to substitute previous ones.

As the state boundaries become more blurred so do the governing instruments and mechanisms for decision. Actors move fast, in between many problems and solutions, never holding all the information or being able to see the complete picture. Decisions are random. Explaining randomness is one of the features of MSF.

Having said all this, the multiple stream model seems a good departing point for analysing the education system, namely in its relation public-private, and in the usage of instruments to facilitate this relationship.

To give an example, for most individuals (including policy designers) what difference does it make if one uses a voucher or a tax exemption to allow more competition from private sources? The choice will be random, depending on what is the preferred solution of involved actors. Agenda setting is a vital issue, but tackling solutions for problems depend on political entrepreneurs being available and with the right amount of energy to tackle those issues (Herweg, 2017).

This model did not, initially, leave space for ideology or power of the political actors, even if it does not claim to explain the full picture. Ideology and the weight of ideas end up being latent in the political stream, where the parties in power, international pressures, union and other forces are represented. Policy entrepreneurs do also have their ideas and ideology, therefore influencing the course of matching policies to problems. As insistently stated by Zahariadis (1995) - ideas matter!

The MSF works with a very appealing metaphor even if it is not straightforward how to use it or to identify when a decision is made based on such a process.

Although stream models were developed to introduce dynamics and randomisation to the stage model of analysis, showing that the way problems and solutions get into the agendas is an ad-hoc process and do not always come in an organised way. They do not substitute the logical line of analysis that divides the policy process into clear stages as argued by (Howlett, McConell, & Perl, 2013, p. 74) “combining the two metaphors – cycles and streams – thus has the potential to create a powerful conceptual apparatus”.

The idea of a framework of analysis is to capture the main features in a political decision process, although the MSF was initially developed to work with agenda setting, many authors have departed from the basilar idea to explain different policy cycles, within different continents and countries and in several areas of decision making (Rawat & Morris, 2016).

As argued by Howlett et al. (2017) the direct transposition of one framework initially designed for the agenda-setting stage may not be possible. Therefore the models need to undergo some change by “a combination of elements from each model can advance both policy thinking and the policy cycle framework’s application”.

Five Streams Framework for the Policy Process (Howlett et al., 2017) was proposed as a model of melting the MSF with the five policy stages logic, where instead of one window of opportunity there would be a series of critical junctures, where the five streams had to move together in order to advance the policy. The idea is appealing and undoubtedly useful if one is concerned with the full cycle of the policy. In the model, attention should be kept at the completion stage, and the argument flows from the idea that not ripe variables (streams) at legislative stage will reduce the possibility of policy fulfilment.

Zahariadis (Zahariadis, 1995, 2008a, 2008b, 2016; 2016) has used the framework to study different political problems, from different perspectives, stages and geographical contexts. The set of variables resulting from the conceptual framework have proved good lenses to understand policy agenda, adoption and implementation.

In a recent study, Zahariadis et al. (2016) has used the framework to explain why policies have a higher chance of failing at end-stage due to configuration failures at the agenda-setting/adoption process. He uses MSF to access why policies approved by a vast parliamentary majority are then abandoned at operationalisation level. Probably the reason for non-target reaching is nested in an adverse mood from the local actors (p.68):

Although passed by an unprecedented majority in Greek Parliament, the Law immediately faced resistance by coalitions of university unions, some rectors and professors, and the youth organisations of political parties operating in universities because it shook up the status quo.

The same idea was advanced by Teodorovic (2008) with her analysis on why the Federal Law of Education in Argentina failed despite its good intentions, extensive parliamentary support and even strong local and international entrepreneurs. She concluded that the problem remained with a very low national mood, as the policy was drawn and approved in an out of touch manner with the people who were to implement it, leading to a boycott from the field.

Multiple Streams Framework was used by Chow (Chow, 2014) to understand the changes in the national education curriculum in Hong Kong. He gathers qualitative information from sources such as newspapers to understand the process of policy adoption and its consequences for target achievement. By showing that not enough attention was given to national mood, especially parents’

concerns and opposition that were not incorporated in the policy design the result was the shelving of the reform, with the government allowing schools the right to decide on how to use the new curriculum. This is an excellent example of the usage of the MSF to show non-completion after legislation that could have been forecasted, had the government paid attention to the ripeness and merging of the streams, which were not ready at the time of adoption.

Jones et al. (2016) in a review of the MSF usage to explain public policy, conclude that the method is essentially qualitative with very few scholars engaging in a quantitative approach, and some attempts were also found related to the usage of mixed models. They concluded (p. 23): “The strong preference for qualitative methodology among MSA 32scholars suggests the approach may be difficult to operationalise regarding measurable variables”. Regarding content, 8% of the analysed papers were in Education while 14% were in Governance.

Qualitative analysis derives from content analysis of documents, speeches, interviews developed by journalists or other researchers, legislation, political manifestos among others. It was the basis of the original research by Kingdon and has been followed by many other researchers, howbeit to smaller extensions. The study by Kingdon (1984) was an ongoing study, as he was trying to understand the mechanism of agenda setting while it was happening. Most are other qualitative studies are retrospective, and authors do not engage in the analysis of the enormous quantity of documents.

At the quantitative level, very few studies have been attempted and the ones referred by Jones et al. (2016) are not in education and are used with different assumptions, methods and sets of data. Jones et al. (2016) found: (i) linear regressions; (ii) logistic regressions:

1. Linear regressions (Travis & Zahariadis, 2002) where a linear model was built from long-term data for the USA including information on political parties, trade balances and GNP per capita to explain the level of Foreign Aid Policy. The model included multiplicative terms to create relationships and mirror the crossed effects of independent variables, or moderation effects when the impact is greater when two variables act simultaneously. They concluded that a democratic senate and socialist ideology link to a reduction on foreign aid, while a higher GNP per capita is associated with a growth in foreign aid.
2. In the same review, some logistic regressions were also found, is that this method is usually used to access the changes in the possibility of success associated with the variance in independent variables. Robinson and Eller (2010) ran a survey at Texas schools to test the relationship between streams in policies of school violence. They found that individuals that were involved in the solution for school violence prevention were also involved in solving the problem, increasing the possibility of policy fulfilment and effective problem relief. The other elements in MSF were not tested, but in a way, this logistic model clarifies the importance of the involvement of local actors in policy design.

³² The authors use Multiple Streams Approach (MSA)

Finally, the model has also been used in mixed methods approach which traditionally gathers data from document analysis (interviews and content analysis) and combines with data from surveys which is suited for quantitative models. Such is the case of Mole (2002) where he studies why policy intention is so different from policy establishment in relation to small business support. He concludes that policies with very intricate designs tend to be amended at street-level, reducing the chances of respect for the original intention, this conclusion is made out of focus groups and a survey of 175 local business supporting units around the UK.

Whatever the method, MSF presents itself as a complete approach that looks at several variables that have a complex influence on policy change, and the examples approached show that ripeness and stream convergence is essential to increase the possibility of policy success – either in being implemented or in solving the problem they were adopted for.

2.5 CONCLUSION

From the theories and frameworks explored above (Table 2-1) one can resume the main variables approached:

The idea defended and defended in the next chapter is: the possibility of policy change increases, via the active emergence of ePPPs, when all the variables isolated by each theory/framework are brought into consideration (Figure 2.3). The variables that compose each dimension – the same dimensions considered in MSF – mirror aspects of each framework and all of them are relevant for policy objective fulfilment:

- The choice by individuals is a focal component for policy design and tends to be a problem – what steadiness between the right for individual choice and the need for public limits.
- The welfare state is inevitably an inheritance from the political and ideological history of each country and will be present in the politics stream, establishing limits for what is acceptable by a specific society in a precise moment.

Table 2-1 Resume of the analysed policies and main variables

Theory	Focus
Public Choice	Individual choice will prompt to the best system. Less state and more private initiative.
Welfare-State Regime Theory	Some countries have a higher propensity for specific categorisation of policies.
Political Institutionalism	The changes in the systems are highly conditioned by institutions and path dependency, what has happened in the past is determinant for change.
Governing Party	The ideas of the government in power are the ones that get into the agendas and latter are approved. Policy change depends on the party.
Global Policy	ePPPs happen because of international organisations and educational globalisation,

Ideas	where countries copy each other or follow recommendations.
Network and steering	The state is not the best provider, the role of the state is to finance and control private providers.
Complexity theory	The interaction between individuals and networks are the core of change.
Advocacy Coalitions	Policy change happens due to the influence of coalitions when pro-movements have more influence than against voices.
Multiple Streams Framework	When a window of opportunity opens, there is a moment for change when pre-prepared policies are matched to acceptable problems within a favourable political scenario. Policy entrepreneurs have a central role in coupling the streams.

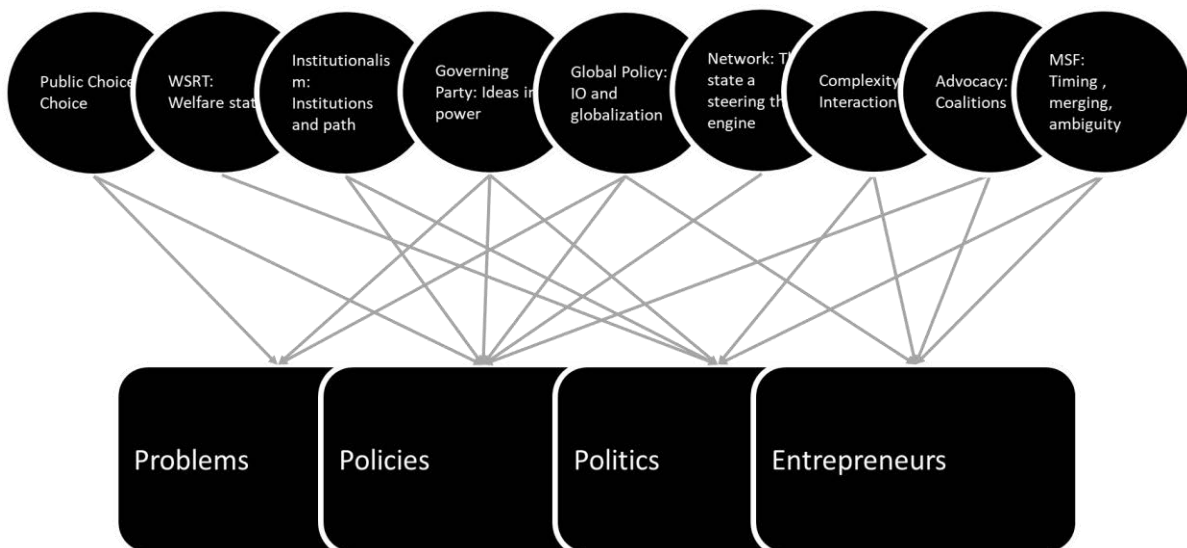


Figure 2.3 Bringing the frameworks together

Source: author's design

- The same for institution configuration and policy path, they also set the trend for acceptability of policy design and will be considered for the feasibility of the policy.
- The governing party and the equilibrium of ideas in parliaments are also key variables, as many times the opportunity for a policy comes from an opportunity that opens at ideological change.
- Global institutions are notable players in a globalised world and countries tend to get inspiration from their partners, or follow international studies calling attention to problems and possible solutions or even have to follow the rules and guidelines compulsorily. Institutions such as EU, OECD, UN, WTO among many others cannot be overlooked in policy design, problem pickers and even as relevant influencers or entrepreneurs.
- The idea that the governments step back as providers and assume a position of legislator and supervisor will have to be considered in the policy design that this attitude will privilege.

- Complexity interactions are also relevant as the decisions emerge from a multiplicity of actors working together, these actors can be institutional or individuals at any level of the policy process. Interactions have to be considered.
- Advocacy coalitions are no more than groups of pressure that want to influence for a problem to be solved or a policy to be implemented, they are policy entrepreneurs and in a world of imperfect information several individuals or institutions, play their role in pushing their agenda forward. They are present as entrepreneurs, and they also influence the design of policies.
- Finally, timing, ambiguity and the need to merge of several dimensions is the inspiring root of the model, and these characteristics have to be taken into account when considering the chances of successful policy completion.

3 ANALYTICAL INTEGRATIVE FRAMEWORK

FROM MULTIPLE STREAMS FRAMEWORK INTO AN ALGORITHM OF POSSIBILITY

The art of simplicity is a puzzle of complexity.

Douglas Horton

3.1 SYNOPSIS

Adapting MSF	Multiple Streams Framework is used to understand agenda setting; here I depart from the same idea: the possibility increases when the three dimensions – politics, policies and problems - are ripe and meet during an opening of the opportunity window in the presence of policy entrepreneurs. The idea is to use the concept of ripeness of these five dimensions at the legislation adoption moment to evaluate the possibility of successful establishment, by understanding how the configuration was achieved.
Concept Definition	Starting from definitions of what is considered as the problems, policies and politics with relevance for governments, policymakers and national mood. Bearing in mind that non-state policy actors and International Organizations (IO) are also relevant players, who constitute policy entrepreneurs. National mood, with an emphasis on the cooperation of field actors, who will be in charge of policy completion, is probably a fundamental aspect to be considered for the possibility of the successful establishment of ePPP agreements. A characterisation of the window of opportunity will also capture my attention before moving into more technical aspects of modelling.
The Method	I propose a codebook for qualitative analysis of legislation, politicians' discourses, electoral programmes, parliamentary discussions, and newspaper articles to identify the model components. From this analysis it is possible to recount the story of policy legislation and its completion, bearing in mind that I am concerned about how things were at legislation adoption moment. The method will be replicated for all the policies identified.
From qualitative to an algorithm approach	Following the development of a list of sentences to be qualified with 'true' or 'false' it became possible to create an algorithm based on the strength of each dimension to access whether the configuration tends to the side of successful or unsuccessful establishment possibility.

3.2 INTRODUCTION

A combination of frameworks is not an original idea, as researchers understand that most changes are multifaceted. Cairney (2013) combines variables from different models to set a complete comprehension of health policy. By joining in one framework, the strength of coalitions and ideas imported from ACF, with path dependency and the importance of history imported from institutionalism with the importance of the right timing imported from MSF the authors create a more composite model that enables the understanding of multi-levelled, multi-factorial change. The empirical case used is the reform in the English National Health System, and they conclude on the need for a favourable configuration to be achieved in order for policy acceptance and enactment.

the preparation of the NHS Plan illustrates the interdependent role of ideas, institutions, and timing, the creation and use of opportunities, building of coalitions, and the development of legitimacy (Cairney, 2013, p. 12).

The objective of this work is to focus on the process of decision and unveil why changes to school administration have been happening in some countries and not in others. As explored in chapter 2, it is not only ideology, nor tradition, nor international pressure, nor any of the other approaches explored above. It is probably a combination of all those that can only happen at rare moments in time when all the forces (streams) converge in a precise manner.

As the idea behind this research is to test a model that inserts several dimensions of an entangled puzzle, I follow the suggestion made by (Cairney, 2013) and suggest a model of analysis that is simple enough to be operationalised and sophisticated enough to insert several dimensions and circular combinations of variables. Although it is principally inspired on the MSF, probably because it is a multi-dimension framework, I incorporate relevant variables found in other approaches (Figure 2.3).

The model proposed was driven by the question asked and therefore has no intention of universal application to other areas of public policy. Departing from a specific set of questions a framework of analysis was built upon other models (Cohen et al., 1972; Zahariadis, 2008a).

The focus of the work is to analyse why some policies are implemented, and others fail at this stage, with the creation of ePPPs. Regulatory failure has been one of the Achilles' tendons in policymaking as "the responsibility of policymakers does not end with the publication of the rule" (OECD, 2000, p. 7). Our model is a tool to analyse policies at the moment of a ruling by understanding if the right configuration was achieved to enable feasibility of compliance by the field actors.

This problem becomes more challenging as the rules carry fewer enforcement elements and rely on the creating of conditions for change to happen. Governments would better concentrate more on measuring implementation success than looking at their performance indicators, after all the

outcome needs to be thought about at the early stages of policy design, problem matching and support gathering. Constant policy completion failure leads to the devaluation of regulatory elements and breaks government credibility (Mugambwa et al., 2017).

A policy that is developed and ruled behind the scenes and does not account for the approval configuration as a lower possibility of reaching its objectives, this is the core of our hypothesis, and consequently, a methodology for variable configuration evaluation is proposed.

3.3 ADAPTING MULTIPLE STREAM FRAMEWORK

What is the public policy path that countries follow to achieve the changes that have been happening in education public-private partnerships in recent years? Why and how do some countries shift towards partnerships in education? Why are there some countries resilient to these moves, despite similar legislation effort?

ePPPs seem to be a solution in search of a problem that it can solve, this concept matches the views of Multiple Streams Framework (Kingdon, 1984), where he shows that privatisation is a solution floating in the policy stream, waiting for political entrepreneurs who can match a solution to a problem, within a favourable political environment. The model drifts from MSF as I cease considering streams and look at each dimension as variables with an explanatory power to predict the possibility of policy reaching one of its goals – the establishment of schools working under an ePPP scheme.

Instead of considering that in each stream there are several policies, problems and politics floating and waiting to be picked and coupled together, I look at the policy design, the problem chosen to be coupled to it, the political circumstances and the measures taken by the entrepreneurs. The variables have a specific configuration at the moment of policy adoption, and it is this configuration, the ripeness and readiness of the elements that will allow evaluating the possibilities of an effective presence of ePPPs.

The configuration is not pre-established, and several configurations are due to be well succeeded as far as the inequation proposed ahead is respected. The algorithm does not calculate a probability, still and all it establishes that specific configurations are prone to be implemented while others are not.

The variables considered for analyses can be resumed by the scheme (Figure 3.1), that resumes completion chances increase in the presence of a sensible policy design that matches logical and justifiable problems, within a favourable politics configuration and is pulled by skilled entrepreneurs. I advocate that all these variables are to be considered during the policy selection, design and before legislation. When the policymakers do not have a broad view, the policies are likely to be frozen at the implementation level. Therefore they do not reach the terrain and have no possibility of proving if they were the solution to a problem.

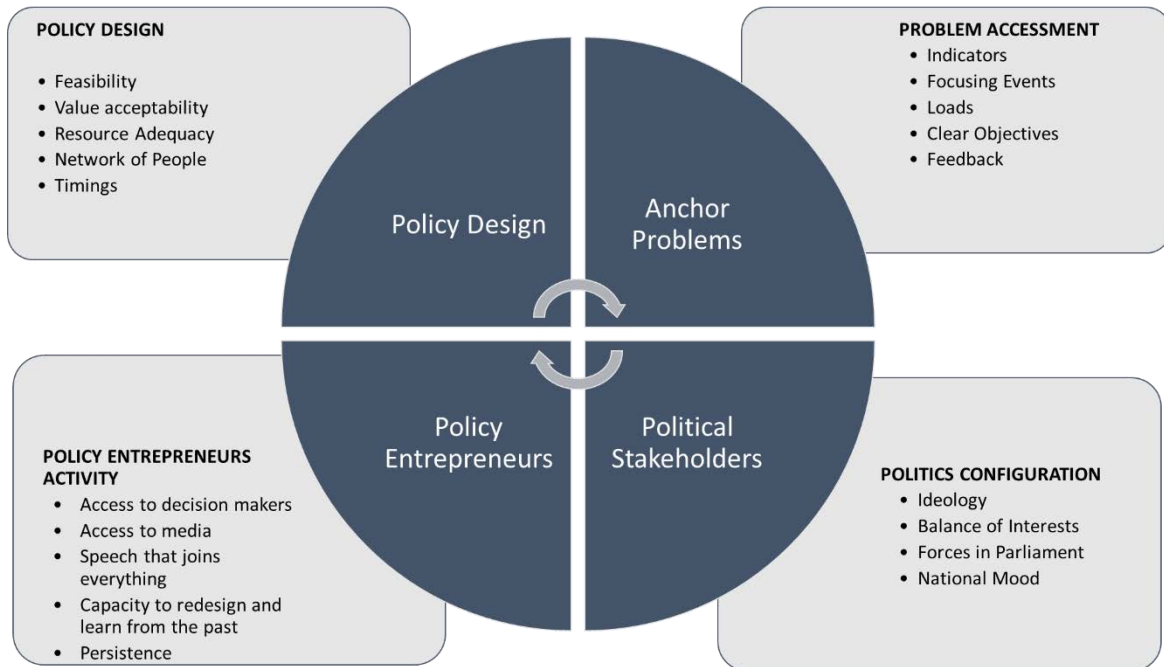


Figure 3.1 Dimensions and components considered in the model proposed

Source: Author's design

3.3.1 Sound Policy Design

Policies are the solutions that are proposed at a precise moment. “Policies are government statements of what it intends to do or not to do, including laws, regulations, decisions, or orders. Public policy, on the other hand, is a more specific term, which refers to a long series of actions carried out to solve societal problems” (Knill & Tosun, 2011, p. 2). Despite this logical argument, many times a policy exists for its sake, and the problems are just pretexts for policy change. The reasons for policies can be ideological or merely preferred solutions by policy makers influenced by local or international entrepreneurs. It can also be seen as ambiguity, as there are many ways to frame any policy to a problem (Cairney & Jones, 2016).

A thoughtful policy needs to consider several dimensions:

- Need to be drawn for value acceptability “proposals that do not conform to the values of policymakers are less likely to be considered for adoption” (Sabatier, 1999, p. 72). Value acceptability links the policy design to the ideas of the government in power and the expectations of the affected community.
- The concept of value is connected to resource adequacy, which goes beyond the value. Resources also include the existence of physical and knowledge conditions that allow for a policy to become operational. If the resources required for a policy are inadequate to the

technical or human conditions of the space of policy implementation, the resources are not adequate.

- Technical feasibility is also an essential aspect to take into consideration, as a policy cannot be too hard to implement, and it has to be executed within the usage of available resources, without breaking with previous technical assumptions and traditions.
- A good policy design has to contemplate the existence of a network of individuals who are able and willing to take it forward. Policy network is somehow different from entrepreneurs as I refer to the people involved in implementing the policy who do not have to be involved in pressing for a particular measure to be adopted and implemented. The strength of these actors is linked to their reputation and institutional power (Ingold & Leifeld, 2014) often at a local or micro level.

A policy becomes harder, therefore more difficult to approve and implement, when one or more of the subcategories are not well accounted for or drawn. In the model suggested, I set out to establish a value to describe policies from very hard to quite straightforward. The classification is in line with the simulations developed by Zahariadis et al. (2007) where policies range from 0,2 to 0,5, with the first being a hard policy and the latter the most straightforward case. Criteria for quantification will be developed ahead.

Policy design incorporates the need to consider the right of choice by individuals (Public Policy Theory), and whether the state should be the provider or step back into steering and controlling (Network and government steering the engine). The design of a policy must consider the ideas of the government in power (Governing Party Perspectives) and the current practices on partner countries as well as the recommendations and guidelines promoted by International Organizations (Global Policy). The feasibility and acceptability of policy are always evaluated against the institutional setting, previous legislation (Institutionalism) as well as the relative strength of the diverse coalitions that advocate for specific problems or policies (Advocacy coalitions). The drawing of a sound policy involves variables imported from several theoretical public policy frameworks.

3.3.2 Logic and Justifiable Problems

Problems are the issues that policy attempts to solve. There are several typologies of problems and levels of evidence. A very thought-provoking aspect of public policy research is trying to understand why problems raise into the public sphere. A problem can also be harder or easier to solve, and the conscience of the problem depends on how it emerges and the amount of information available. Therefore, the problem that was attached to the chosen policy needs to be evaluated on several dimensions:

- Some problems are unseen until the occurrence of a sudden event or scandal (Verger, Lubienski, et al., 2016b) that unexpectedly turns the populations' eyes into it. For example,

the 2017 fires in Portugal were a focusing event that called the attention to the problem of a poorly planned and administered forest. The problem was already there, for many years, but very much unseen for most people.

- Problems can also appear following the release of data that call the attention to problems that were also not very visible. The emergence of data published by international bodies such as PISA has been a dominant source of uncovering problems that were not being handled. In England on of the basis of problematization that supports the creation of ePPPs is poor classifications by Ofsted, which are clear indicators of calling attention to problems. Some problems emerge as a consequence of a previous policy that by targeting specified aspects uncovers others, which had been dormant at a second layer.
- Problems can be merely loaded by policymakers or problem brokers who use knowledge, values and emotions to frame them into policy sphere (Knaggård, 2015). Sometimes the problem brokers are also the policy designers, but in other moments they limit their action to calling attention to a problem and leave the solutions for others to decide. For example, the cases of same-sex marriage started to be talked about in marginal groups and slowly moved into the mainstream, calling the attention in a loading process to issues that so far had been away from the public sphere. Many people believe nowadays that “there is something decidedly wrong in education” (Apple, 2016, p. 128) and this feeling emerges from the ideas placed in the public sphere by problem brokers.
- Some other problems emerge as a result of previous policies, in a feedback process. For example, when a government successfully implements a policy to reduce early school leaving but is later faced by overcrowded schools with students who face year repetition due to learning below the required minimum. The problem of repetition emerges as feedback on the previous policy.
- Finally, a problem is more accessible to solve when the responsible entity can set clear targets for solution by quantifying within a reasonable timeframe how the policy can reduce the problem. The number of people that are affected by the problem is also a relevant aspect of evaluating problem difficulty.

Problems are also quantified following a determined criterion, in a range from 0,2 to 0,5 the latter is a more manageable and the first a tough problem. The dimension of the problem concerning its quantification involves criteria such as the number of people affected, the mode of appearance makes some problems more urgent than others, therefore more susceptible to being accepted to attach a policy. Some problems keep on being attached to different solutions, though without being solved. As they are permanent concerns, people are sensitive to them and willing to attempt different solutions.

Problems also emerge within a choice for citizens as this is one of the inherent conflicts of a public policy decision – where are the boundaries between the public and the private (Public Choice). The problem under analysis, the emergence of ePPPs, is particularly prone to the idea of choice and to what extent parents are entitled to choose a school. The ideas of the government will also play a role to play as it will confine what problems are to be given attention to, conservative governments tend to be more sensitive to issue in the area of choice, while socialist governments tend to give more attention to cooperation and solving problems within the public school (Governing Party). International Organizations do also play a crucial role in problem definition as they are very active in the production of reports that evaluate the systems and call attention to specific issues (Global Policy). The establishment of international goals is also a tool for governments to prioritise problems within education. Some entrepreneurs, like think tanks or philanthropies, can also have a strong word to say at the local level on uncovering problems or calling attention to particular aspects, in detriment of others.

3.3.3 Politics Stakeholders

Politics is a complicated setting, where the balance between numerous facts must be considered. “Politics constitute the broader environment within which policy is made” (Ackrill, Kay, & Zahariadis, 2013, p. 873).

- In a first plan, there is the party in power, with its ideology and pet policies to implement. Usually, the parties carry an inheritance from previous mandates and promises made during the campaign.
- At a second level, one finds the administrative structure and other veto points that must be considered for the acceptance of policies.
- Still, at an institutional level one finds the institutions attached to the public sectors, such as the schools, or the ministries or even the force of particular professional classes. Unions and Employers’ association which also constitute essential forces to impede or support policies.
- In this stream, there is also the national mood which is the public opinion towards a particular problem/policy and is extensible to the views of the actors that will implement the policy on the ground, even if they are not a policy target.

These forces altogether must also be ripe and in consonance for a policy to be approved and then for its completion. Failing to consider these actors can constitute an insurmountable obstacle for policy concretising.

In the algorithm, the interaction of national mood and the policy/ problem pair is treated with extraordinary relevance, as studies on policy failures have shown that this is a crucial element (Chow, 2014; Teodorovic, 2008; Zahariadis & Exadaktylos, 2016). For this reason, the political stakeholders

are divided into two - one measures the government and opposition control and the other the national mood and institutional opinion on the policy at stake.

The level of agreement on the policy between government and opposition is measured from 0 to 0,2, with the latter referring to policies that gather support from the main parties. The national mood is measured from 0.2 to 1 and is a multiplicative term, to guarantee the interaction effect. A national mood of '0.2' is when relevant factions of populations are expressively against the policy, and '1' is when there is a largescale favour. The evaluation grid is contemplated ahead.

The politics stakeholder's configuration is a reflex of the traditional welfare policies of a country (WSRT). It includes the history of the country's institutions and policy paths (Institutionalism) and inevitably must contemplate the compound mode of relationships established in between individuals or institutions (Complexity Interactions). Timing is also a necessary consideration in the politics stakeholders (MSF), as in a democracy the configuration of this variable tends to change in relatively short cycles.

3.3.4 Policy Entrepreneur Context

Non-state actors, both locally and internationally are also crucial elements in the political scenario. They shape policy-making in many sectors including education, and they tend to be highly regarded actors, who represent strong and clear voices to the capitalist state that prioritises the interests of business and elites in decision-making processes "discernible policy networks that operate around particular policy ideas" (Lubienski, Brewer, & La Londe, 2015: 2). Private actors are increasingly more active in matters that used to be for exclusive government intervention.

It is not simply education and education services that are subject to privatisation tendencies, but education policy itself – through advice, consultation, research, evaluations and forms of influence – is being privatised. Private sector organisations and NGOs are increasingly involved in both policy formation and policy implementation. (Ball & Youdell, 2007, p.105).

Literature (Stephen J. Ball & Junemann, 2011; Barkan, 2011; Christopher Lubienski et al., 2016) identifies mainly the following non-governmental entrepreneurs:

- Think tanks and similar organisations whose activity focuses on the production, management, and dissemination of education privatisation ideas.
- Media which disseminates and favour these solutions as well succeeded;
- Prestigious individual policy actors, in the context of education privatisation reforms;
- Involvement of the business sector such as lawyers, consultants, and philanthropists;
- International organisations acting in the country or as a consultant organism

All these actors create a robust network of influence, and in recent years they have gained an interest in education both within and outside their countries. Philanthropies that are inevitably linked

to successful businesses assume the leading role in showing the world how education could be much better if some of their knowledge and ideas were imported into the sector. They have the money, the time, invest in specialists and have ease of access to media. Some of them are in and out of the governments, and when not directly, through the financing of causes, campaigns and political parties.

Such individuals or institutions are also seen as “knowledge-brokers”³³, who spend resources on framing the problems so that they can be coupled to pet policies. They gather indicators to “establish a link between the belief that something is wrong and needs to be managed politically and the tools for measuring the problem” (Knaggard, 2016). Framing is also an essential part of policy approval; it is highly political and ideological, it affects how issues are perceived by society and institutions, having the capacity to change the general mood preparing the field for policy implementation. It is not the identity of the individual but its capacity, skills and resources to persuade the other about a course for action. This concept leads to the development of policy entrepreneurs as the primary responsibility for framing ideas and creating a communication strategy, the absence of this capacity or person constitutes a point of failure to policy goal realisation. “Discourse is the conditions under which certain statements are considered to be the truth” (Stephen J. Ball, 2015, p. 307); therefore it takes a central role in policy making, adoption and completion.

The level of access to decision-makers measures the strength of the entrepreneurs, as they need to be able to talk and influence politicians and other stakeholders. They also need to have access to the media, so they can communicate the policy and its objectives and prepare the path for acceptance. They usually are the ones who stay attached to a pet policy for long periods and must be persistent and be ready to learn with failures and be available for redesigning, reframing and fighting again for approval and target achieving.

I propose a tool to evaluate the strength of the entrepreneur that ranges from 0,4 to 1, where the first refers to an active entrepreneur and the latter signals absence or weakness.

Once again, the entrepreneur activity mirrors some of the most common theoretical frameworks, as exposed above. International organisations (Global Policy) and its influence is a relevant player in this structure of the model in the same manner Advocacy Coalitions are evidenced as a broader synonymous of entrepreneurs. MSF is also included as the entrepreneurs have an essential role as couplers, being responsible for verifying the ripeness in the different streams.

3.3.4.1 International organisations in the model

Ideas that circulate internationally can be one of the drivers of management update, and countries try to respond in similar manners even if the problems are different (e.g. climate change, ageing population, financial crises), this convergence makes a country seem more modern and well prepared for international competition (Hodge & Greve, 2005).

³³ “Knowledge-brokers was initially presented by Karin Litfin (1994, 1995) in a study for international ozone politics” (Knaggard, 2016)

In some cases, it is possible that international political convergence is the result of imposition following agreements or the need for international financial help attached to the adoption of specific policies (Teodorovic, 2008).

Sometimes it is compulsory for countries to comply with international rules and binding agreements that countries subscribe in multilateral negotiations. This convergence is often the result of increasing economic integration and competitiveness.

Finally, policy convergence can also be caused by soft policy, resulting from learning or just from getting inspired by the way others solve their problems. Still, most policies promoted or implemented by foreign partners tend to undergo an interpretation by local institutions: “national institutions still matter a great deal, in part because they mediate the impact of globalisation on national states” (Beland).

International organisations are especially active in the drawing of policies and in producing documents and reports filled with recommendations from external experts to improve specific parts of the system. In privatisation, international organisations such as OECD, EU, World Bank and others have been prolific (Gita Steiner-Khamsi, 2016). In this research, international organisations will be identified as policy producers and as policy entrepreneurs. Institutions such as OECD have growing influence in policy recommendation, as they design solutions and then move around the world promoting them, trying to persuade politicians, and national mood to follow a solution. Examples of OECD as policy entrepreneurs can be recently noticed in Portugal in the curricular flexibilization programme, where the government was working with OECD in preparing policy, launching it, presenting the policy to the remaining actors, and now, the same institution was granted with external evaluation duties³⁴.

3.3.5 Windows of opportunity

A relevant aspect of policymaking is the idea of windows of opportunity that makes a policy possible. A window of opportunity can open for several reasons, either in the problem stream with events such as calamities (natural or otherwise), the release of relevant data, or in the politics stream with for example a new government or a new minister. When a cataclysm happens, it becomes clear that measures for improving and preventing need adoption, therefore the opportunity to change arises, such was the case for charter schools in New Orleans (USA) following Katrina’s damages (Dixson, Buras, & Jeffers, 2015).

However, unexpected events are not the only way for opening a window of opportunity, when the government changes a window opens, as the new government needs to provide changes and show work, this is a very common moment for bringing issues around.

³⁴ <https://www.portugal.gov.pt/pt/gc21/comunicacao/comunicado?i=autonomia-e-flexibilidade-curricular-ocde-faz-avaliacao-intercalar-do-projeto-piloto>

Events such as PISA results may also cause windows of opportunity, as education is placed in the centre of attention, and the desire to improve grows, eventually by copying measures implemented by others. Lousy education results and non-popular decisions in education can bring fragility into a government. Therefore this is an area that most governments need to show work, yet structural changes are rare. As stated by PISA's Director, Andreas Schleicher³⁵, "as a politician, you can lose an election over education issues, but you can rarely win one because it takes far more than an election cycle to translate intentions into results".

Education is a sector with high visibility, as everybody relates to education once we have been there, we have children or friends or grandchildren in the system. It is an area of policy to which most society is sensitive to, as it is seen as the future of the state. Actors might use it to make their point, without any direct connection to education. So, windows of opportunity might be random, as education is a policy area of high visibility.

Policy windows are politically opportune moments in time. They open in either the problem or the politics stream, and they are either predictable or unpredictable. Moreover, while they frequently open on their, they are sometimes opened by specific individuals. (Zahariadis & Al, 2007: 14)

When adapting the MSF to the study of policy performance, there are no more alternative policies, alternative problems, and alternative politics. Analysis becomes a picture of the configuration of already chosen policies/ problems and politics to evaluate if the relationship preconized by the original model has been achieved. The analysis first step is to understand the origin of the policy; nonetheless I will not go through the policies that were competing with ePPPs at each moment. The focus is to understand why some policies after adoption by the legislative body failed to reach their targets.

As the question is on completion, institutions are relevant still they do not have a deterministic power, the combination of institutional setting with social thoughts is fundamental. As explicitly defended by complex theories the interaction effects are fundamental, and the interaction of national mood with the pair problem/solution that was legislated is a crucial stepping stone in the implementation of any policy.

Entrepreneurs were considered as capable of influencing application by attaching pet policies to problems, framing the logic and pursuing discourses that can influence national mood and political actors.

Having said this, I assume that streams are not entirely independent, as Zahariadis (2014) puts it "they only need to act as if they were independent". Politics and entrepreneurs are interlinked, and

³⁵ <http://oecdeducationtoday.blogspot.com/2018/05/education-myths-debunked-world-class-andreas-schleicher.html>
(consulted on 30/05/2018)

policy design is also not autonomous. Even problems, as they do not emerge from sudden events, have a degree of dependence on the other streams.

When I model this concept using a dynamic, random model one can understand that the theoretical probability of getting an effective policy change is small. The policy change has a higher probability of happening when a policy window opens in politics if there is a policy ready to be used, which can quickly be coupled with a problem. It also needs to consider national mood and institutional setup and a line of argument able to mould the chosen policy into acceptance. I also want to test if the existence of a problem is the primary goal in the policy process, or if a policy moves on because it is an “idea whose time has come” (Cairney & Jones, 2016, p. 3). Most actors have very little knowledge about reality, and problems are fantasised at the discourse level. Thus the point is not solving a problem but implementing a pet policy – “solutions seeking problems” (idem, p. 4). Finally, all of this depends on the availability of policy entrepreneurs who prepare the policies and nurture them until they see their pet solutions implemented and running.

Garbage can model ad a very stimulating computer simulation of the probability of an event that has rarely been used, and which I would like to recover for the sake of this research. This simulation allows the understanding of under which conditions a decision becomes possible, by considering several variables with different weights in each stream. Zahariadis (2003) also proposes a computer simulation of probability which will be used and built upon to integrate the model’s dimensions.

3.4 THE PROPOSED METHOD

This method is to access policies at the moment of legislation. In this thesis all the cases are retrospective, and all the laws related to ePPPs were identified and documented when the adoption took place.

One aspect that must be mentioned, and about which I was many times questioned during this research is: how can a reverse probability be established, and to what extent one can move from the end of the story to establish causality or at least a reasonable possibility of association? The question was posed by Bayes in the 1750s, followed by a theorem that has been utterly used and constitutes the basis of many modern techniques such as artificial intelligence (Pearl & Mackenzie, 2018).

The Bayes theorem on reverse probability shows that:

$$P(a|b). P(a) = P (b|a). P(b)$$

Which adapting to our hypothesis means that the possibility of emergence given a definite configuration of the four dimensions equals the possibility of the four dimensions given emergency. This is the theory of reverse probabilities which is the basis of the thoughts on studying the causes of a specific event, given oe can only see the event, and the process that led to it has happened away from

our observation. “A large part of human belief about future events rests on the frequency with which similar events have occurred in the past” (Pearl & Mackenzie, 2018, p. 102). therefore, it is imperative that one understand under which configurations policies were implemented in the past, to create a probability of success for the future.

Another fundamental feature of this theorem is related to the fact that possibilities are dynamic, and as new evidence is added the probability can be updated – this is expressed by the idea *given that I know* – mathematically expressed as $P(a|b)$. In this case, can be translated into: what is the probability of policy target completion given that I know the configuration of the variables? Alternatively, in a reverse way what is the probability of a specific configuration given that I know establishment status.

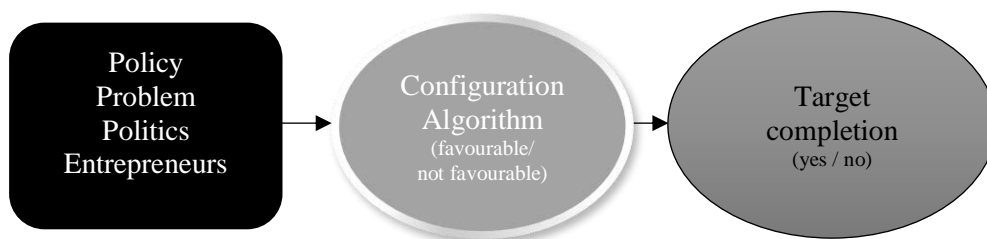


Figure 3.2 Diagram for policy completion

Source: Author's design

Departing from the theorem, a simple chain scheme (Figure 3.2) can be drawn, and attempt at understanding if the conditional probability adds value to our belief of policy establishment possibility, which in the case of public policy, ought to be near 100% in the head of the legislator otherwise he or she would avert writing and adopting a particular law. Nevertheless, education policy data shows that this is not the case as a reasonable percentage of adopted policies are never implemented (Viennet & Pont, 2017). The legislation is not enough, and the comprehension of the variables that may condition implementation seems relevant.

Naturally, these theorems and knowledge will only contribute to reliable results if one engages in detailed methodologically sound procedures. This research is based on the following steps:

- The analysis starts with the identification of the policy and its characterisation about its origin and design as a manner of gathering information to access on the level of difficulty of the policy. Policies can have their origin many years back in time. Normally are developed by think tanks, academics, philanthropies or international organisations such as OECD, World Bank or European Union. The work of these groups is to analyse the feasibility of specific measures and to incorporate ideas of a selected nature on society. Some policies have already been attempted with similar drawings in the country, or they can be copied from other places. Occasionally a brand-new idea emerges, and the policy is automatically harder just for the fact

that it is untried. Value acceptability is another key component of a policy, as measured by the cost of a policy. A policy that is too expensive for the available resources is due to be discarded and very hard to implement. Any policy, to be considered by all the actors in the system, must be technically feasible and its value must be acceptable. “Feasibility is determinant for implementation, an option that appears easier to implement stands a better chance of surviving this process, and hence is more likely to be adopted.” (Hall, 1989: 363-364). On the other hand, policies must conform to the general values of the specialists in charge. Otherwise, the likelihood of adoption diminishes, and the survival of the policy in the stream is due to be short-lived. The policies that result from the work of these groups is thr into the policy stream, and some can remain there for long periods of time, while others are quickly discarded. Policy design must also consider resource adequacy as it is imperative to consider the amount of investment for the potential benefits of the policy, and the origin of the resources. Another fundamental aspect that a policy is meant to embrace is the community or the network of individuals that are supposed to implement and support it. A policy without the clear support of the policy community plays a smaller chance of reaching its goals.

- The second step is linked to the identification of the window of opportunity, how and where it opened. The window of opportunity opens at the beginning of the process, and it generally opens at the politics stream. When windows of opportunity open at problem stream, time constraint increases. There is a problem in need of a quick solution, generally associated with a sudden event. In education, this is rarely the case, although since the beginning of the century window opening can follow publication of international assessments, such as PISA (Programme of International Student Assessment) or the publication of internal system evaluations that call the attention to individual schools that present too low results. Following a change in the politics stream a higher propensity to act and show work emerges. As the focus is on understanding the establishment of PPPs, it becomes clear that windows were opened for approval. Therefore this will surge in the model as a constant. Our problem is precisely to understand what may go wrong after the move of policy through an opened window, and to what extent the fault happened because the coupling of streams was not ripe enough.
- In step three attention goes what problem was chosen to couple to the pet policy at stake. Ambiguity is high at this stage as most politicians in charge have limited knowledge of the real situation and are impelled by personal goals, or easily influenced by counsellors’ ideas. Concern is with the identification the problem(s) and its difficulty. How well defined is the problem, which indicators support it, how urgent is the solution, how many people are affected. All these components are relevant to establish the load that will attach to each problem in the model.

- In step four politics in action are identified and extended to understand the ideology and how favourable it was for the policy at stake, but also the equilibrium between proponents and oppositions. Evidence to document national mood is under our scope of research, in its diverse components – unions, professional associations, people directly affected by the policy, opinion makers and the general public. All of this will contribute to attribute a level to the politics index. A more favourable political environment will naturally enlarge the possibility of attainment. Institutions are crucial in the process of policy change, as these have much power and are typically attached to tradition. Thus, they are also part of the politics stream.
- Step five is the search for evidence on active policy entrepreneurs as they assume a crucial role. They were probably relevant during the previous policy stages, and they will keep on being essential for policy implementation, or in case of failure to bring their pet policies back. Entrepreneurs can be individuals, think tanks, philanthropies, or even international institutions. Policy entrepreneurs overlap with the origin of the policy. Many times, the people who developed a policy become its entrepreneur as they invested resources in designing a solution, that now wants to see it implemented. To measure the strength of an entrepreneur, the most relevant attention extends to find evidence of access to politicians and communication media; evidence on resources invested – both money, knowledge and network; and also, on strategies adopted to communicate and mould the policy to the problem and the prevailing ideology.

3.4.1 The codebook

For feasibility reasons a grid of checkpoints (codebook) was developed with the objective of transforming evidence from qualitative research into weighing that could be assembled into a formula, coming to a result that indicates if the policy is on the side of goal establishment or the side of failure. All the information consulted is produced until policy publication or as an immediate reaction to its publication.

The codebook objective is to classify trunks of information and then use that information to quantify problems, policy, politics, national mood and entrepreneurs. The quantification of the elements in MSF, which has directly influenced this approach, has been pointed as one of the main restrictions for the use of quantitative or mixed methods. My proposal is not a quantitative approach, just the building of a method to access the weights of each variable in the model and an algorithm to understand attainment possibility. The construction of a list of sentences to be classified on ‘true or false’ as an approach to measure the ripeness of the dimensions for policy establishment was inspired in the works of Lichtman (1981) on how to estimate the probability of the incumbent party remaining in power without going through the difficult and fallible election survey process. His work is very strong in providing the idea that a thorough analysis of certain dimensions content can provide a better insight on peoples attitudes, than asking samples of voters on what are their intentions.

When I refer to dimensions I mean: (i) Policy; (ii) Problems; (iii) Politics; (iv) Entrepreneurs. When I refer to variables I mean the content of each dimension that is determinant for accessing its weight. For example, policy weight is determined by value acceptability, technical feasibility, resources and network.

Each dimension is composed of six variables (checkpoints), coded as yes or no. A yes means the easiest / most favourable situation for policy goal completion (Table 3-1). For example, a simple policy is the one where the answer for the six questions was rated as 'yes':

- (i) The policy is not original and
- (ii) It represents just a small change in the system.
- (iii) There is no need for extensive public investment and
- (iv) There is no private investment involved.
- (v) The cost-benefit analysis results in clear benefits and
- (vi) Everybody is aware of his or her role. When a policy shows evidence for a yes in these six points, then the policy has achieved what I called a sensible policy design; still this is not enough to warrant the establishment of ePPPs the other dimensions need to be considered.

The model assumes that a tranquil problem, attached to the well-designed straightforward policy, taken within a favourable political and national mood scenario, driven by a strong entrepreneur has the maximum probability of goal reaching as every stream flow entirely in the same direction. On the other hand, some implementation processes have such characteristics that make them impossible concerning goal reaching: a challenging problem, to be solved by a poorly designed policy, within a political/national mood hostile environment and without no entrepreneur to support it, is the recipe for non-execution and political decision inefficiency. Most situations are in the middle, and therefore one needs to access to which side they are pending.

This codebook is the basis for the content analysis of all the gathered documents, and each checkpoint is composed of two categories – yes and no. The absence of evidence will be codified of a no. For example, if one does not find any reference to international organisations pressing for the policy, the corresponding checkpoint will be classified with a zero.

Once the documents have been analysed, and a description of the process was developed based on these variables one has the vibrant idea of the story and of how and why the policy was or was not implemented. The weak points become visible, calling attention the lack of firmness during the policy discussion period.

Despite the worth insight that description gives us, there is always more to be learned and a complementary view can be added by the development of the model. This model can be stimulating for using in policies that the end of the story is still unknown, in this research a retrospective strategy was adopted.

Table 3-1 *Dimensions, content, and checkpoints in the model*

Dimensions	Content	Checkpoints / true or false statements
Policy (S2)	Technical Feasibility	A similar policy had been approved in the past, or it has been implemented in a country of reference
		This policy represented a small change in the system
	Value Acceptability	The policy required small investment from public budget
		No private investment required
	Resource adequacy	The cost was well balanced to the publicised benefits
Community	People required for policy accomplishment were aware of their role	
Problem (S1)	Indicators	There was unequivocal evidence on the problem – reports, independent studies
		More than 25% of the targeted population was affected by this problem
	Focusing Events	The problem had an origin in a sudden event
	Feedback	The problem became apparent as a result of a previous policy
	Load	The problem is latent and brought to the public eye by someone with interest in the process
The problem affected several socio-economic strata		
Politics (S3 / NM)	Institutional equilibrium	The government ideology was favourable for the policy at stake
		Most of the opposition agreed or abstained
	National Mood	Unions and professional associations were not against
		People affected by the policy agreed with the solution
		The policy commentators and opinion makers had a discreet or favourable intervention
Society, in general, was not against		
Entrepreneurs (S6)	Access	Entrepreneurs had ease of access to decision makers
		Entrepreneurs had ease of access to the media
	Resources	International organisations or partner countries were interested in promoting the policy
		Entrepreneurs invested resources (time, money or knowledge)
	Strategy	Entrepreneurs were involved in framing the speech to improve policy acceptance
Favourable entrepreneurs were more active than opposing entrepreneurs		

3.4.2 The algorithm

A computer model was advanced by Zahariadis (2003), in the line of what had been developed by the Garbage Can Model (Cohen et al., 1972). The logic of the model propositioned here follows Zahariadis logic of weights and chance, naturally with some adaptations to fit the layers proposed.

The logic falls on the assumption that a favourable combination is required to increase the chances of policy establishment.

Establishment (E) is a function (f) of the pairing problem (S1) / policy (S2) which are awaiting implementation given the entrepreneur (S6) that operates with the National Mood (NM) in a political environment (S3). All of this has just passed a window of opportunity.

$$E = f[(S1, S2) | (S6, NM, S3)](W)$$

To turn this into an algorithm that can be calculated, one needs to give some weights to the elements of each vector, following the logic of previous authors (Zahariadis, 2007). Vectors are no more than what has so far been called dimensions. So, in this model, there are four vectors (S1, S2, S3, S6) plus one (NM) as politics have been divided into two vectors.

What I do is after answering the checkpoint list of statements each dimension will score between 0 (when every answer is no) and 6 points (when every answer is yes). The sum of points will be transformed in the coefficients (weights) that can be computed in the model. The rule for transformation is explicit for each dimension in the following tables; the logic is always the same – the higher the score on the checkpoint the more favourable the dimension, therefore the higher its weight, in the scale proposed.

S1 – Problem vector – each problem contains a fixed amount of information that is known to policymakers. The information available differs from problem to problem, and some problems have been highly studied, and there is much information attached to them, while other problems are black boxes, political actors do not know much about their origin or even about their operative existence. Following the same logic as Zahariadis (2007), a value of { .5; .4; .3; .2 } is attached to the problem – some problems are more urgent and defined than others. The link between the codebook and weighing logic assumed that the most urgent problems that need a solution are weighed as (0.5). They are the ones that get 5 or 6 points in the sum of ‘yes’ (coded with 1). Problems that are not so well defined, or poorly understood or that affect a limited number of students become less urgent are the ones that scored 0 ‘yes’; thus, they are weighed with 0.2.

Imagine a problem (Table 3-2) where there were clear indicators of the situation, it was affecting a high percentage of the population, its origin was a sudden event, and it was made even more apparent following a previous policy, it affects different population socioeconomic strata. This problem would score five (5) in the checkpoint list. It would be a problem that is urgent and requires immediate attention. The public opinion is demanding solutions. This problem would be classified as

‘0.5’ problem in the converting table – $S1=0.5$ (Table 3-3). Since society wants a solution, the policy attached to such a problem would have a higher establishment possibility of success.

Table 3-2 Example of classifying a problem

Problem (S1)	Indicators	There was unequivocal evidence on the problem – reports, independent studies	1
		More than 25% of the targeted population was affected by this problem	1
	Focusing Events	The problem had an origin in a sudden event	1
	Feedback	The problem became evident as a result of a previous policy	1
	Load	The problem is latent and brought to the public eye by someone with interest in the process	0
		The problem affected several socio-economic strata	1
		TOTAL (S1)	5

Table 3-3 Link between checkpoints and weights for problem

Sum Checkpoints	0	1-2	3-4	5-6
Weights	0.2	0.3	0.4	0.5
Reading	Not very clear	Quite marginal	Important	Very important

For example, the problem of year repetition in Portugal that has been described in several reports and academic studies (Catela-Nunes, Balcão-Reis, & Seabra, 2016; Flores, Mendes, & Velosa, 2014) and there are clear and unequivocal numbers attached to it. It affects more than 25% of the students along the compulsory schooling path, and it became a concern with PISA studies³⁶ that showed that this is not a common practice in most OECD countries. The retention problem increases as the government tries to reduce early school leaving and although it is linked to students who come from more impoverished families it is not confined to those, especially in the secondary education years. If this were the problem attached to a policy, it would be classified as a critical problem - 0.5.

S2 – Policy vector – follows the same logic. Each policy contains an amount of information, and the range of values is the same { .5; .4; .3; .2}, meaning that .5 is a policy well tested, feasible and with an assured value, while .2 is a policy with less information load, and eventually harder to implement. Moving from the checkpoints to the weights (Table 3-5) follows the logic of sound policy design to a feebler policy that has lower chances of implementation, unless a very favourable combination of all the dimensions emerges.

³⁶ www.educacaoemexame.pt

For example, to solve the problem of retention, the government approved a programme for success in education³⁷ (Table 3-4) and this programme comprised training to the directors of every school, the writing of a plan where each school would identify the major problems in the community, recommend some measures to improve and compromise with results. The programme had no money attached to it, and it would be rooted on the changing of mentality in schools, which were incentivised to change the focus from the traditional “filter system” to a more student centred ‘success for all’ approach. In the past, several attempts to improve the learning of the students had been made, though the change of focus represented a vast change in the system, especially considering that human and physical resources were to remain the same. The policy did not require any investment neither public nor private, but the directors perceived that for any benefits to happen, the schools needed money to purchase resources and that no changes could be made without investment. Therefore the cost/benefit was not balanced. Not everyone was aware of the role despite the government’s effort to train directors and head of some school departments. Teachers who hold the ultimate responsibility for deciding if a student moves on to next year or is retained were not aware nor included enough in this programme; the community was not strong enough. According to our model the checkpoints sum 3, which is equivalent to a 0.4 policy, a well-designed policy, at least from the perspective of a no-cost involved.

Table 3-4 Example of classifying a policy

Policy (S2)	Technical Feasibility	A similar policy had been approved in the past, or it has been implemented in a country of reference	1
		This policy represented a small change in the system	0
	Value Acceptability	The policy required small investment from public budget	1
		No private investment required	1
	Resource adequacy	The cost was well balanced to the publicised benefits	0
	Community	People required for policy accomplishment were aware of their role	0
		TOTAL (S2)	3

Table 3-5 Link between checkpoints and weights for policies

Sum Checkpoints	0	1-2	3-4	5-6
Weights	0.2	0.3	0.4	0.5
Reading	Not very sound	Moderately sound	Sound	Very sound

³⁷ The example from this point onwards is fiction and any similarity with reality is pure coincidence.

S3 – Politics vector – The politics vector is divided into two dimensions (Table 3-6 and Table 3-7) that have differentiated influence in the model. On the one hand the institutional equilibrium (S3) and on the other and the National Mood (NM). The grids to move from checkpoints to weights are different. S3 is composed of only three values (0; 0.1; 0.2) zero is a very unfavourable political scenario, and 0.2 is when all is favourable.

Table 3-6 Example of politics classification

Politics (S3 / NM)	Institutional equilibriums	The government ideology was favourable for the policy at stake	1
		Most of the opposition agreed or abstained	1
	TOTAL (S3)		2
	National Mood	Unions and professional associations were not against	0
		People affected by the policy agreed with the solution	0
		The policy commentators and opinion makers had a discreet or favourable intervention	1
		Society, in general, was not against	1
			Total (MN)

Coming to the previous example the Policy for Success was approved immediately after the new Socialist government took a function, amidst fierce controversy on the parliamentary agreement to the left and a government emerging with the leadership of a party that was second on the election. The institutional equilibrium would score two (2), which is equivalent to 0.2 a favourable political environment. The government was favourable, and the opposition was not worried about this issue at the time.

Table 3-7 Link between checkpoints and weights for political, institutional equilibriums

Sum Checkpoints	0	1	2
Weights	0	0.1	0.2
Reading	Unfavourable	Medium	Favourable

NM – national mood (Table 3-8) will vary from very favourable, when all the actors are happy with the policy (1) to very harsh when no one supports an issue (0.2). In this case, it is a crescent scale and follows the logic:

Table 3-8 Link between checkpoints and weights for political National Mood

Sum Checkpoints	0	1	2	3	4
Weighs	0.2	0.4	0.6	0.8	1
Reading	Very Unfavourable	Unfavourable	Medium	Favourable	Very Favourable

Back to our example, there was growing discontent from teachers' unions and by the people affected by the policy, especially teachers and directors as they understood that there were only more work and no benefits attached. The commentators were discrete, and the few articles that emerged in the press were favourable. Parents were indifferent to the measure and had the attitude of waiting for the changes. Thus, the national mood was medium, not favourable but with a great deal of indifference. In the checkpoint list it would score two (2) points equivalent to a 0.6 weight.

S6 – Entrepreneur vector – represents entrepreneurs who are people who act as supporters of a policy (S3), they can benefit from a solution. Therefore their role is to pressure for the emergence of their pet solutions (Table 3-9 and Table 3-10). They have different resources such as time, access to information, access to decision makers and money. There is a resource attached to each entrepreneur {0.4; 0.6; 0.8; 1}: smaller weights signify more skills, i.e. an entrepreneur attached to a smaller weight is better equipped:

To finalise the example followed, the most intense entrepreneur of this policy was a professor with a tight connection to the socialist party, who became the leader of the programme. He had ease of access to the government however not very active within the press and without many resources to invest, apart from his effort and knowledge. As he became part of the programme, he lost his role as independent entrepreneur able to influence the debate, nor he had time to invest in building a strong approval of the programme. I would, therefore, say that the entrepreneurs of this policy were absent and therefore no advocacy coalitions pressed for the pair policy/problem to be a priority. According to the checkpoints, S6 would score as moderate entrepreneurs, with a weight of 0.8.

Table 3-9 Example of entrepreneurs' classification

Entrepreneurs (S6)	Access	Entrepreneurs had ease of access to decision makers	1
		Entrepreneurs had ease of access to the media	0
	Resources	International organisations or partner countries were interested in promoting the policy	0
		Entrepreneurs invested resources (time, money, or knowledge)	0
	Strategy	Entrepreneurs were involved in framing the speech to improve policy acceptance	0
		Favourable entrepreneurs were more active than opposing entrepreneurs	0
		TOTAL (S6)	1

Table 3-10 Link between checkpoints and weights for entrepreneurs

Sum Checkpoints	5-6	3-4	1-2	0
Weighs	0.4	0.6	0.8	1
Reading	Very strong	Strong	Moderate	Weak

A better possibility for policy establishment happens when all the elements above combine in a favourably. Given the will to implement, by the opening of a window within a particular political environment the process starts. It can fail several times from step 3 onwards, which places de capability of the entrepreneurs in the centre of the model. Meaning that the available entrepreneur must have a power that matches:

$$[S6 \leq [S3 + (S1 + S2) * (NM)]] (W)$$

Back to the example above the equation would be:

$$[0.8 \leq [0.2 + (0.5 + 0.4) * (0.6)]] (W)$$

$$[0.8 \leq [0.74]] (W)$$

The model forecasts that the programme for success has a configuration that is not favourable for the establishment at the school level, as the inequation is not true. According to the required design between the several dimensions, the weak points of this policy are based on the weak entrepreneurs promoting the policy and on a national mood that is indifferent with the opposition of local people involved on implementation. For this programme to be implemented there was the need for the actors to be more attentive and face the weak points before adopting the policy at the legislative level.

More concretely, this equation means that a severe problem (.2) will only be attached to a floppy policy (.2) by a very skilful entrepreneur (0.4) when both national mood (NM) and institutional equilibrium (S3) are favourable. No policy will be accepted nor implemented in an adverse institutional or national mood set, as veto points will emerge and be unsurpassable at that moment. The reason for the national mood to emerge as multiplication is to transpose into the model the interaction effect of the approved pair with the national mood. In any statistical model interaction is the result of the product of two variables (Field, 2013). All of this is subject to the window of opportunity remaining opened during this period.

All the dimensions are critical, and nothing can be successfully implemented against the will of the people. Following the idea in Zahariadis (2007) problem, policy and politics are additive elements. The national mood was inserted in a multiplicative way, as very low moods can blemish the best of policies, and the natural incidence of the moods is on the policy/problem presented to be implemented. Mostly national mood in a specific policy is not against political actors nor entrepreneurs.

From a theoretical point of view, it made sense to empower national mood, measured as the level of cooperation from several relevant social players, being that their wills can be wholly independent of all the other streams.

When national mood is mild or favourable, then it will allow the other streams to play their roles in achieving the right combination.

Decisions are not independent of each other, so feedback and the line of policy previously adopted is inserted in the model. Feedback is considered in the weight of the policy as described in the checklist above. Most policies do not happen on one stroke. Therefore there is the need to pursue a line of action, where resources, money and time were invested. The next decision to be made is influenced by the previous decision through the feedback, as the adopted policy will change the relative weight of the available policies in the stream.

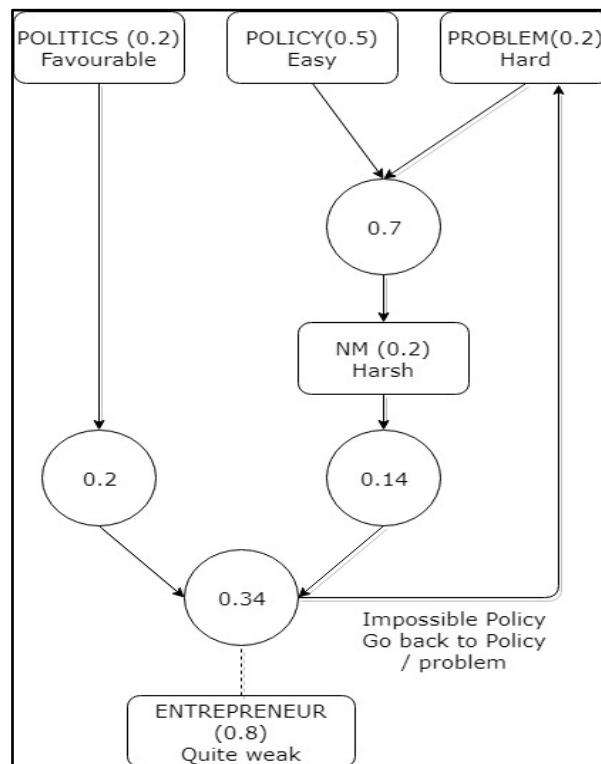


Figure 3.3 Example one with simulated values – policy failure

Source: Author’s design

$$[0.8 \leq [0.2 + (0.2 + 0.5) * (0.2)]] (W)$$

[0.8 ≤ [0.34]](W) – False inequation the model forecasts policy failure

For example, in the simulation presented at Figure 3.3, the politics stream was favourable, which can be interpreted as the ideology was favourable to the policy at stake and opposition was at least neutral, by not creating general discussion or conflict around the specific issue. Therefore the weight was 0.2. Simultaneously the policy was uncomplicated as it was feasible, with a precise value and cost-benefit structure as well as a structured policy community. Therefore it got a score of 0.5. On the other hand, it was attached to a challenging problem which was probably hard to measure, affecting many people and for which many solutions had been tried before, the coefficient was 0.2. At

this point, there is an unbalance between the problem and the solution considered, which can be the first fragility symptom. The real problem emerges when the National Mood is severely adverse, as most of the affected groups, including society in general, were against the policy/problem proposal. With this configuration, there would be no entrepreneur who could be strong enough to follow with policy target accomplishment. Thus, the policy fails, and the only manner is to learn the lessons, and if the policy is to be pursued, a smaller easier problem is to be attached to the policy, and a better persuasion of national mood needs to be implemented. With such a weak entrepreneur it is also possible that the policy is abandoned altogether, as it does not seem to be dear for anyone.

A second scenario (Figure 3.4), also randomly computed, could be more favourable for intention achievement. This policy could well have developed into coming back to a second legislative moment, where the problem was revised and slightly better defined, reducing the misconfiguration at this combination level. Because of a more balanced policy/ problem pair, and of different information transmitted to the field actor's national mood calmed d to reasonable levels and with a slightly stronger entrepreneur, as more resources were needed to refresh for a second attempt the policy got to the implementation stage. In any manner it is still a frail policy as the national mood is not so favourable, entrepreneurs and policy supporters must remain active to avoid policy reversal.

The model proposed will enable several levels of evaluation. Firstly, concentration is on endpoint efficiency and to what extent it is essential to have policies that fail for policy goal achievement further d the line, incorporating knowledge from previous events. A state will be more efficient if the policies fail early in the process and get progressively stronger and implemented at more satisfactory levels. It is critical to clarify on what are the targets – for the sake of this research success definition is imported from Zahariadis and Exadaktylos (2016, p. 59) “We define failure as the inability or unwillingness to execute the law in letter or spirit within the legally prescribed time frame”. Thus, when the objectives are plainly stated, failure is defined as objectives not achieved within the pre-established period. When the objectives are not openly stated failure is assumed when the opportunities created by the legislation were not completed within a reasonable timeframe.

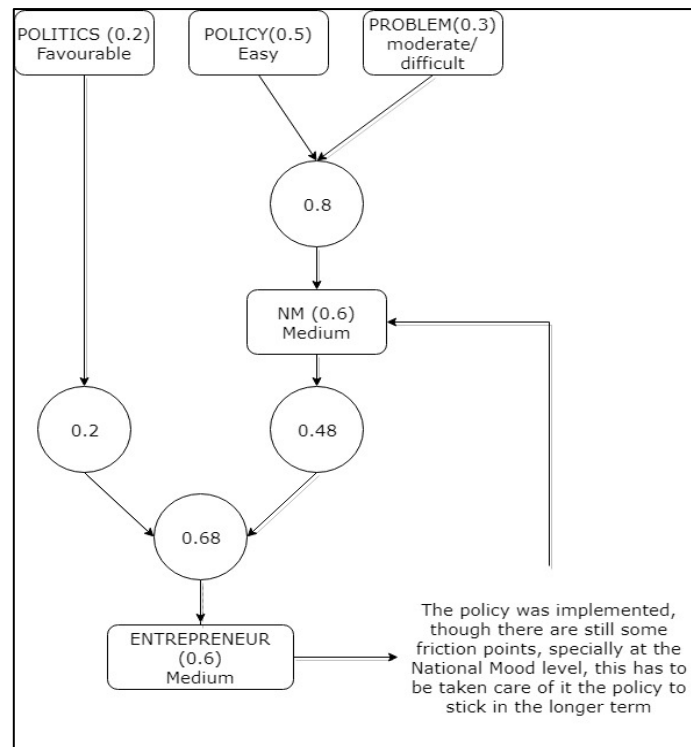


Figure 3.4 Example two with simulated values – policy implemented

Source: Author's Design

$$[0.6 \leq [0.2 + (0.3 + 0.5) * (0.6)]] (W)$$

[0.6 ≤ [0.68]](W) – inequation is true, the model anticipates policy implementation

Secondly, there is a concern with effectiveness as measured by the fact that policy ended up being implemented, notwithstanding there was the need for several attempts; thus, more resources were required for its implementation. Effectiveness will also consider if the policy was reversed, and how long it lasted. The longer a policy lives the most effective it can be considered.

The third element of the conclusion is the capability to analyse the evolution in the dimensions' design:

- By looking at each content of the policy and verifying to what extent governments can design a policy, considering all the relevant aspects – this is to what level policy designers think thoroughly about the policy feasibility, value, cost/benefit and policy network before proposing the adoption of incomplete policies, with a higher possibility of failure. Out of this analysis, one will be able to study which content seems more critical for policy completion.
- Concerning problems, one of the analysis is to verify how the problem changes to adapt to the pet policy at stake. The problem to be solved is essential for configuration and for changing the national mood. Therefore, verifying how problems become better defined and measured is also a relevant conclusion for observing the change in the possibility of policy goal reaching.

- In the same line, the evolution of national mood and how policies travel through government variation is also relevant, as the implementation and policy continuity is relevant for efficiency, effectiveness and in the end for a policy to be considered successful in the long term.
- The evolution of policy entrepreneurs is also fundamental as they are strategic elements in suppressing the lack of knowledge of other actors on policies and problems, and they act as facilitators for policy design, policy pairing and also national mood framers.

Finally, there is the fundamental question of finding configurations that forecast success or failure at the implementation stage.

3.4.3 The protocol for research, sources, and steps

Research steps:

1. Identify the policies to be researched and the legislative moments of each policy
2. Gather the legislation, evidence on the origins of policy and agenda setting, discussions at the parliament, interventions by unions and other professional associations, evidence on entrepreneurs. In this research, the documents consulted are electoral programs, legislation, interventions at parliament and media by ministers or other government servants, media news on the policy – namely articles published in newspapers, television information. Research on the theme by peers is also a source of evidence. The diversity of sources is prominent as the model relies on different variables, which cover several levels of the policy and its actors.
3. Analyse documents for the categories defined: policy, problems, politics (including national mood), entrepreneurs and windows according to the sub-dimensions as defined in Table 3-1. For this analysis content software, MaxQda was used, and the dimensions, contents and checkpoints were defined as classification categories. For the analysis, there were the criteria of frequency of each category (Bardin, 2015), supported on systematic interpretation. The constant usage of critical thinking was fundamental for this approach, with the author attempting at answering the question “what else can this mean” or the alternative explanation (Beach & Pedersen, 2013) before codification.
4. Build a description of the policies considering the model and concentrate on the evidence codified in step 3. The description should be organised by variables and as ample as possible, and always supported by evidence that emerged from the documents analysed.
5. Fill the dataset as a binary option for each checkpoint, from the evidence codified in step 3.
6. Run the model for each legislative model and verify the matching of the forecast with what happened concerning the dependent variable -establishment of ePPPs

7. Analyse policies, during the timeframe defined, for efficiency and effectiveness of completion. Analyse each dimension to understand the bottlenecks and the strong points of each policy, as well as the feedback mechanisms that emerged for next policy legislation

filling in the datasets with information similar to the one described before is the step that follows immersion into real political information. I looked at more than 30 years of policy from 1980 to 2015, identifying windows of opportunity, that open mainly in the politics stream – government or cabinet changes - and the period that followed those windows.

The work will be organised by country and then a comparative exercise will follow as a closing chapter of this research. Within each country three strands of ePPPs were identified, and all the policies fall into one of these categories:

- (i) The government pays for students to attend private schools entirely set by private promoters, mostly through two typologies of design – supporting individual students or contracts for entire classes;
- (ii) Professional and technical education when the government pays to private suppliers of this education path, however some of this private institutions were created within a specific framework and initial investment can be in partnership with governments;
- (iii) The government consigns management or teaching of established public schools to private providers, granting autonomy with accountability, the state steps back as a provider. In every circumstance education is free for the student, government grants pay the schools.

The research is organised by policy strand, and political cycles are naturally considered in the model. The advantage is to have the description of policy evolution, its actors and implementation advances and setbacks. I will try to understand if the non-ripeness of the streams at the moment of approval can be related to troubled implementation and if implemented policies are more common when the streams were fully matched at the legislation moment.

Following this intensive analysis, I will build the picture using the model as presented to explain why the policies were (or not) well succeeded at the implementation level. The idea is to test, policy by policy, the hypothesis that when all the dimensions were combined in the right configuration, given the openness of the window of opportunity, then it has a high probability of being implemented and accepted by the local actors. On the other hand, when the right configuration is not achieved then the probability is that the policy, even when approved by legislative procedures, will fail at achieving its target and lessons will be learned to call for an improved policy to be re-attempted when the window re-opens.

The dynamics of the decision will be observed by the combination of all decisions at the country level, and how the same policy comes to the decision table repeatedly until it is ripe to be accepted and implemented by all the actors.

From the qualitative analysis, I operate the algorithm model where each dimension has a weight and add value to the probe by mathematically showing that the configuration between all the

mentioned forces needs to be achieved for a policy to have a higher probability to succeed, i.e. to come from not existing to become fully implemented.

One of our chief concerns is to avoid researcher bias on the quantification of the variables. The criteria to quantify must follow the criteria previously established. It is to be done blindly by an independent person who, from the reading of the thick description will fill in a dataset answering with a simple 1 (yes) or 0 (no) to each of the checkpoints above. In this manner, the quantitative data is not biased by the researcher knowledge on the success (or failure) of the policy. The algorithm's result is automatically calculated, and the dataset locked for further changes.

The model's validity, as any other research, is anchored on the quality of the data collected which is entitled to be as unbiased and diverse as possible, with the researcher following the detective strategy – truth is the heart of science.

3.4.4 The limitations of the method

The limitations of this study are related to the bias that can be inserted into models when one is looking at policies which have already happened and for which the outcome is known. As I was aware of this possibility the multiple and diversified sources used to document research were used as a control for biases, by using information triangulation – by finding other sources of data that support interpretations - one can have more confidence that what was found is legitimate (Beach, 2017; Miles & A. Michael Huberman, 2014). Another control comes from the mode content analysis was developed, as each policy was independently studied, and every document codified for the evidence of each element of the codebook. On average, more than 50 documents were analysed for each dimension within a piece of legislation. The answers to the codebook sentences were directly imported from what was codified and became clear from content analysis. The number and diversity of documents, coupled with the complexity of the algorithm, would make it virtually impossible to insert researcher bias while reading and codifying. An automatic calculation of the result was also created, which has originated the information placed at the appendices, and where the researcher introduces solely the answer 'true' or 'false' to each statement and the forecast and weak points emerge automatically. This sheet is publicly available³⁸.

Another relevant limitation is connected to the origin of data. In this analysis, different sources were attempted to insert different perspectives to the several variables at stake. Still, and all, one must recognise that there might be other aspects that were invisible or undocumented, and therefore not contemplated in the analysis. A big discussion in public policy is related to the negotiations and influence realignments that happen behind the stage. People sharing ideas and influencing each other while drinking a beer. Ideas and interests are everywhere, they float, and many times without leaving a trace. The investigator's job is made harder.

³⁸ <https://drive.google.com/file/d/1fNib8V12icxIhhoCZrj7wHQ4ts31X37j/view>

4 ENGLAND

A LONG BUMPY ROAD

“It does not matter how slowly you go as long as you do not stop.”

Confucius

4.1 SYNOPSIS

ePPPs until 1980	Until 1980 the English system was mainly public, ran by Local Education Authorities who were in charge of about 95% of schools. The remaining 5% were independent private schools where parents had to pay attendance fees.
Politics	From 1980 to 2015 there were 24 years of Conservative Party and 11 years of Labour Party with a turmoil of ideas and proliferation of strong motivational rhetoric. In reality, the distance between the public and the private cause became blurred, and speech converged to the same idea that together one are better off. An advantageous combination for the proliferation of ePPPs
Assisted Places Scheme	Implemented as a right-wing flag, discontinued as a socialist flag. Used as a symbolic policy, without any real impact on education. Thrived during some years but has not re-emerged, yet.
Professional and Technological paths	ePPPs developed, provided investment from private institutions was not too high. There is a will to co-operate as far as the government supports the costs and private agents can implement their agendas and curricular needs. The proliferation started with an implementation failure, as private partners were supposed to invest in initial capital. At a later stage, the idea of connecting school to labour markets became dominant and regular schools were invited to insert some typology of specialism in cooperation with local business. Specialism became a term susceptible of higher acceptability by parents and detached from second-class education.
Academies and Free Schools	Private individuals, companies or foundations take over the management of schools, in proximity to parents and society. No investment, no cost, possibility of hidden profit through consultancies, salaries and umbrella management bodies. Schools are consigned to be run by private agents sometimes as public schools that convert or as brand-new projects supported by the state – from investment to running costs. Also started as a failure, GMS, and developed into the dominant management scheme available at secondary education and growing at primary level.

4.2 INTRODUCTION

Starting with the English case, it is worthy to recall our hypothesis, regarding the creation of public-private partnerships in education. Only exogenous privatisation as defined previously will be dealt with; this is when private providers take over the management of schools, as in the case of vouchers, academy schools, free schools, or charter schools, or when students are sent to private education subsidised by the state. For our work importing management tools into the public sector, is overlooked.

In England, the privatisation process has been long and slow, and not always straightforward. It is an example of persistence, learning from previous failures and adapting. Persistence and no need to rush was the main advantage of this process. The window of opportunities was opened for long periods of time, and the entrepreneurs grew systematically in strength and skills. The political stream proved to be incredibly favourable both concerning government, opposition, veto points and a national mood that improved to become encouraging.

The hypothesis at test are: there will only be a successful establishment of public-private agreements when a window of opportunity opens, and the policy is attached to a compatible problem within a favourable political environment. The coupling of the dimensions happens in the presence of policy entrepreneurs who are active and quick enough to make the policy go through the window before it closes. More than serendipity I am looking at the achievement of favourable configurations, that ought to be achieved at the time of legislation, to increase the possibility of target accomplishment. Implementation success is measured by the number of students who attend one of the ePPPs schemes forecasted in legislation – the number must increase when compared to the period before policy adoption, and the variation must be in line with government expectations.

For this reason, I engaged in the collection of qualitative evidence from legislation, parliamentary debates, electoral programmes and political manifestos, addresses from the leaders, newspaper articles, web pages, published surveys, published articles in scientific journals and other secondary sources of information.

The period of our study goes from 1980 to 2015 and it is marked by the beginning of Margaret Thatcher as prime minister and finishes with the closure of opportunity windows for education changes as British citizens voted for Brexit, a new era in politics that bear the promise to occupy the whole political spectrum in the coming years.

The political situation in England (Figure 4.1) is characterised by long periods of stability with the conservative party being in power for two extended periods of time, while Labour party was entitled to a shorter period, nevertheless still 13 continuous years.

Despite the stability of the prime ministers, secretaries of state for education changed quite a lot, only a few remained for periods of 4 years or longer, giving the hypothesis of continuous policies.

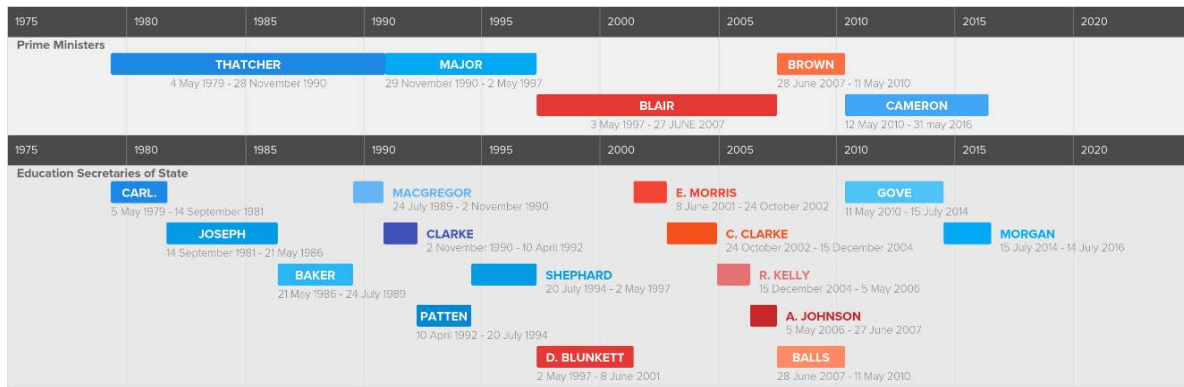


Figure 4.1 Parties, Prime Ministers, and Education Secretaries of State. England 1980-2015

Source: Gov.UK³⁹

Regarding ePPPs’ typologies, there are three strands which cover a broad spectrum of possible ePPPs (Figure 4.2). Assisted Scheme Places is no more than the financing of individual children to attend private education. Technology Colleges is related to ePPPs in the area of professional education. Grant Maintained, and later Academy Schools happened when private providers were assigned the management of public schools. Finally, Free Schools is similar to vouchers, when private schools open their premises and children attend paid by the state.

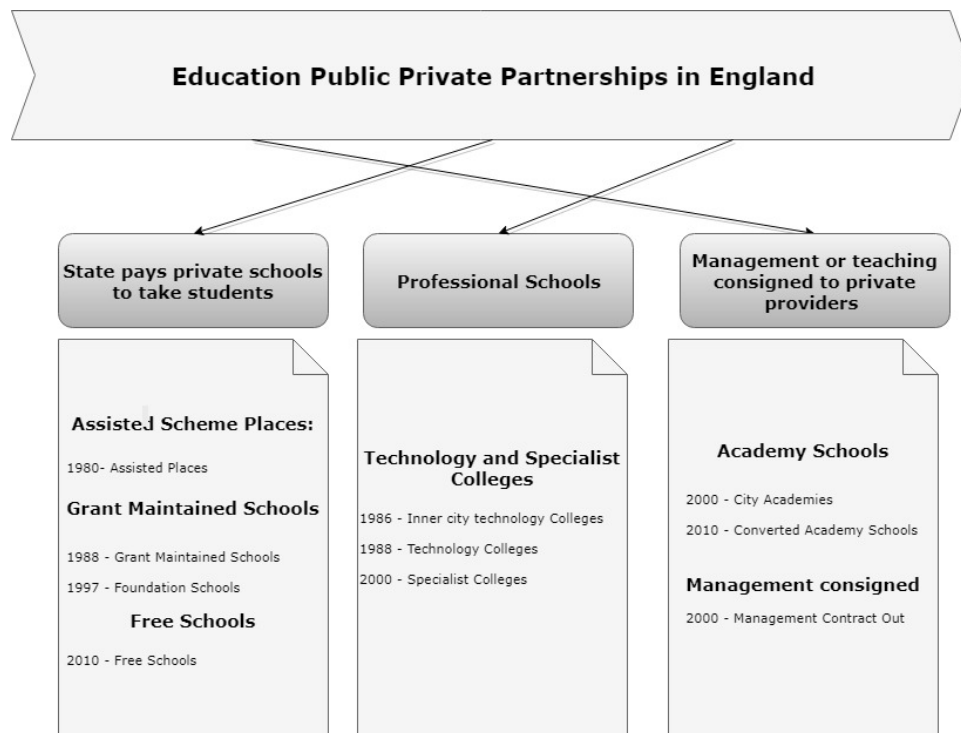


Figure 4.2 Strands of ePPPs - England 1980-2015

Source: Author’s design

³⁹ <https://www.gov.uk/government/history/past-prime-ministers>

4.3 EDUCATION OWNERSHIP FROM 1900 TO 1980

At the beginning of the 20th century (1902) the power over schools was given to Local Educational Authorities (LEAs), even the maintenance of voluntary church schools (Bolton, 2012a). In 1918 all the remaining fees that were still being paid by parents were removed, and public education became entirely paid for by the state. After the war the discussions in England were around a selection of students and whether it would be beneficial to have grammar schools separated from the technical and modern schools, creating a tripartite system. This system was created in 1944, and the children were selected after primary education at the age of 11. The grammar school issue is still a discussion in England, and it has been encouraged and withdrawn several times. In 1965 LEAs were encouraged to move into a comprehensive non-selective system.

Secondary education at the beginning of the 20th century was not part of the public system, some grammar schools received funding from central government, and very few were free. Still, the number of students attending secondary education was minimal, in 1905 there were only 575 secondary, catering for about 10% of the population (Bolton, 2012a). Only in 1944 fees were forbidden at maintained secondary schools. Secondary education worked in an ePPP style of the scheme that was then discontinued as LEAs became responsible for managing secondary education, and for building new infrastructures as demand grew. There are 152 LEAs in England⁴⁰.

The tripartite system lost its popularity, and by 1980 about 90% of secondary students attended comprehensive schools, with only a tiny share attending Grammar schools.

Independent schools, private fee-paying education, became more popular from 1944 as LEAs took over the public system. Schools that chose not to be integrated into the public system became independent, and they have been responsible for the education of about 7-8% of secondary students. Therefore by 1980 LEAs were responsible for about 92% of secondary education provision, without any partnerships with private entities, except for some voluntary elementary schools where local churches kept some influence⁴¹. The schools were managed and held by LEAs, who received the finance from the ministry of education and local education taxes.

A Conservative government had created LEA's in 1902, and it marked a process of school nationalisation, as schools that were traditionally run by churches became publicly managed. LEAs main responsibilities are to distribute and monitor the funding to schools, coordinate admissions and they are the direct employers of staff, including teachers. The schools that are under an LEA authority operate in property that is ed by the respective LEA.

⁴⁰ <https://foi.directory/local-education-authorities/>

⁴¹ <http://www.educationengland.org.uk/history/chapter07.html>

4.4 OVERVIEW OF IDEOLOGY

All the schemes were developed over a substantial period and trespassed several ideological periods. EPPPs became the solution for different problems and were attached to different ideological arguments. In England, during the period under consideration, there were mainly three strong ideological periods:

1. The conservative period that goes from 1979 to 1997, when the ideological position of the Conservative was supportive of neo-liberal capitalist values, the Labour party was ideologically in an opposite spectrum;
2. The labour period that starts in 1997 and lasts until 2010. During this time there was an evident ideological convergence to the centre more moderate views, which is marked by the Labour changing its position concerning private capital;
3. Conservatives are back in power since 2010 with an ideologically more moderate position.

According to the Manifesto Project (Figure 4.3) until 1995 there was a clear ideological separation in the political manifestos of Labour and Conservative parties. Labour was representing the left spectrum and Conservatives the right-wing ideas. From 1995 onwards, there is a clear ideological convergence which may, partially, justify the merging of ideas towards the participation of private capital in public services, namely education.

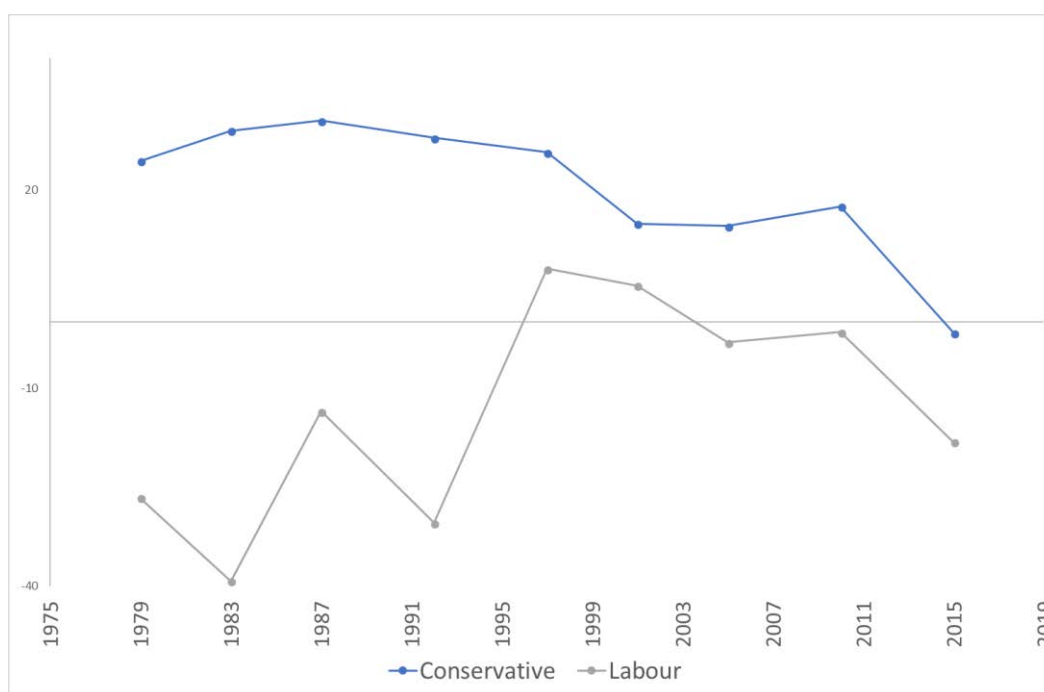


Figure 4.3 RILE index England - Labour and Conservative parties

Source: *The Manifesto Project*⁴²

⁴² https://visuals.manifesto-project.wzb.eu/mpdb-shiny/cmp_dashboard_dataset/

4.4.1 Conservative Period (1979-1997)

Margaret Thatcher / John Major that are characterised as Neoliberal, linked to the idea of “private does it better” and that people are entitled to choose “Every family should have the right to spend their money, after tax, as they wish, and not as the government dictates. Let us extend choice, extend the will to choose and the chance to choose.”⁴³

There was a complete focus on cost reduction, privatisation, and the promotion of new forms of public management. Regarding education, and benefiting from the previous discussions and formulations⁴⁴, Thatcher’s first big concern was to take power away from Local Education Authorities (LEAs) and bring it to the central state. One would dare to say that her real concern was not to get the involvement of private agents, but instead to destroy LEAs that worked very much as unions, concentrating too much bargaining power.

The first education intention bumped against a muscular wall of widespread discontent. The 1979 Education Act tried to reinstall the right of LEAs to select pupils for secondary education at the age of eleven⁴⁵. Selection for keeping a ruling elite was one of the primary objectives of this government. It was kept in their minds all the way through, just in a more discrete manner, allowing for different provisions of secondary education and giving more power to parents.

We shall end as quickly as possible all the measures taken by the last Administration to force local education authorities to reorganise their schools along comprehensive lines. Those authorities that still have grammar schools, technical schools and smaller secondary schools may choose to keep them. Those that wish to stay comprehensive will also be free to do so. They will have the choice and the freedom to do so, and the parents will also have the freedom. We shall ensure that parents' wishes are taken into account as far as possible in the choice of schools for their children. At least we shall enlarge that freedom. (Margaret Thatcher, May 1975)⁴⁶

⁴³ <http://www.britishpoliticalspeech.org/speech-archive.htm?speech=121> (visited 20 March 2018)

⁴⁴ In England a big traditional issue of discussion was the division of education into grammar and comprehensive education, bringing discussions about elite vs the universal right of education for all. By the 70s there is a major disenchantment with education as the citizens feel school is inadequate to the social challenges. The general discussion on education gave space for some thinkers and academics to publish their ideas. A series of publications entitled the “black papers”, were later used as a pillar for change. The ideas were purely liberal, based on the previous work by Friedman (1955). These was the chance to an 'ever-growing number of right-wing think-tanks with small but interlocking memberships' which 'bombarded' ministers with policy ideas 'ideologically driven by commitment to the market and to privatisation' (Benn & Chitty, 1996, p 12)

⁴⁵ <http://www.legislation.gov.uk/ukpga/1979/49/enacted>

⁴⁶ <https://www.margaretthatcher.org/document/104083>

Recently disclosed confidential documents⁴⁷ show that Margaret Thatcher main desire towards education was to make schools independent from local authorities, not independent of government. She had been Minister of Education (1970-1974), and during that period she had made it possible to move away from comprehensive education and imposed strong cuts on LEAS budgets (Edwards, 1989). Her desire to pursue cuts to LEAs and reduce the corporatist power of teachers remained during the years as Prime Minister.

The conservative believed that giving choice power to parents a significant degree of competition would be installed and schools would be compelled to improve quality standards as a tool to attract more pupils and consequently more funding. Schools without attraction power would have financial penalties (Dorey, 1999).

She was criticised within her party, in a memo written by the influential adviser Oliver Letwin (21 February 1986⁴⁸) "You were elected to give back to individuals a greater degree of responsibility for their lives," he wrote. "In education, you have so far failed." He continues by saying that education is still a "Nationalised Industry", after all, he recognises that such a dramatic move would face powerful opposition from several sectors of society, in a way recognising that social mood was not ripe for this.

John Major succeeded in 1990 and relatively to education the policies were very much the same, with selection, elitism and the undermining of local authorities as the guidelines for education policy of the new government (Dorey, 1999).

Together the first Conservative period lasted from 1979 to 1997. During this period measures that fall within the scope of ePPPs, as defined above are Assisted Places; Grant Maintained Schools; Inner city technology colleges and its later version Technology colleges.

4.4.2 New Labour (1997-2010)

After eighteen years of neoliberal thought, it was time for a change, and the labour party won the 1997 elections, with Tony Blair as a leader and prime minister. These were the years of New Labour, where education was the main priority, as put by Tony Blair the government has three priorities – "Education, Education, Education"⁴⁹. Ideologically New Labour believed that the state could do better with the help, ideas, and know-how from private initiative, at a speech, five months into being Prime Minister, in 1997 he makes it clear "we have brought Britain's top business brains right into the heart of Government"⁵⁰.

⁴⁷ <https://www.margaretthatcher.org/archive/thatcher-archive.asp>

⁴⁸ <http://www.bbc.com/news/uk-30625941>

⁴⁹ http://news.bbc.co.uk/2/hi/uk_news/education/6564933.stm

⁵⁰ <http://www.britishpoliticalspeech.org/speech-archive.htm?speech=203>

Private intervention wherever the state was failing, was continuously referred by Tony Blair, the successive Education Secretaries, and many advisors around them. In the same oratory, Tony Blair says:

We are publishing today details of agreements involving Government and the private sector, for the biggest public/private partnership in any education system, anywhere in the world.

The privatisation of education, or the creation of partnerships with private providers, was a big flag during the ten years of New Labour education policy. When Tony Blair got to power, the privatisation of education was a shy movement, and without many supporters, it mostly found a lack of enthusiasm on the side of parents, teachers and even investors. He was determined to create public-private partnerships: "The Prime Minister himself has affirmed that he has no ideological bias either for or against the private sector playing a role in delivering public services. As the Chancellor said recently, 'what works is what counts'" (Pomeroy, 1998).

Nonetheless, the beginning of this process was grounded on neo-liberal ideas (Verger, Fontdevila, et al., 2016) the evidence I bring ahead shows ePPPs would not gain strength without the support of the Labour government, and the persuasive allocation based on co-operation between private and public providers.

The big difference during the labour years was grounded on re-shaping the problem attached to ePPP policies. Choice and private power were rarely mentioned, and the idea of partnerships was the vehicle to give more opportunity to deprived communities, increase standards, and create a more equalitarian society. "We want every school to be able quickly and easily to become a self-governing independent state school — an opportunity not just open to a small number of schools but to all who want it"⁵¹. These were the words of the prime minister while launching one of the several typologies of ePPPs. It constitutes an excellent example of how the same policy can match very different objectives and, in this manner, with further help from more diversified and robust policy entrepreneurs, change the national mood and reduce resistance. Toni Blair in 2001 referring to the specialist schools, one of his pet policies in ePPP, said⁵²:

Specialist schools take for granted the principles of inclusion and equality of opportunity. No school and no pupil loses anything they had previously by deciding to build a centre of specialist excellence. On the contrary, the experience of the specialist schools is that the focus and dynamism this brings helps to strengthen standards and aspirations across the school.

In June 2007, Brown substituted Blair and once again the education policies were marked by strong continuity, despite the hopes for change. Ed Balls, the new secretary of education in his

⁵¹ <https://www.telegraph.co.uk/news/uknews/1541624/Another-blow-for-Blairs-legacy-as-schools-shun-trust-plan.html>

⁵² <https://www.theguardian.com/politics/2001/may/23/labour.tonyblair>

inaugural speech said that he would “remove barriers to further expansion of the academies programme.”⁵³

Labour government remained in power for fifteen years, from 1995 to 2010. During this period ePPP policies approved were: Foundation Schools, Specialist Colleges, Academy Schools and Management Contract Out.

4.4.3 Conservative Period Two (2010-2015)

In 2010, it was time for a new change and this time back to Conservative with David Cameron as a leader. The main idea was Big Society⁵⁴ a concept developed by Steve Hilton, and that became the ideological support of Cameron’s government, where communities were meant to take more responsibility. The government would shrink from being a provider, offering total financial support to the organisations that took over welfare system provision, ensuring that the services would still be free to private users. With these ideas as background, the ground was set for further development of ePPPs, that by 2007 had become a popular idea. The big difference from the previous period was that instead of expertise from big powerful companies, the knowledge was on the hands of teachers, parents and local people who know better their children, their job market needs, and which was the best path for education. In this period there is no need to involve money or companies, the power is handed into the society.

The primary objective towards education was to give more choice and involvement to parents and communities, making it easier and automatic for every school to become privately managed. Private initiative was the prime force in moving education. Gove, the new Secretary of Education, was fast and efficient at pursuing this objective.

The Cameron government lasts until 2015, and during his period the ePPP measures were: Converter Academies and Free Schools.

4.5 ASSISTED PLACES SCHEME (APS) - 1980

Assisted Place Schemes⁵⁵ are no more than offering some places at top elite schools to students who have excellent achievement nonetheless coming from poorer backgrounds.

APS is a variety of charitable action but orchestrated by the state. It was not a novelty in England, as a similar scheme had been in use between 1945 and 1976. A Direct Grant into Grammar schools, a selective secondary school in England and Wales, was a very popular measure until the seventies. Students were selected based on ability, and one-quarter of the places in these schools were directly funded by central government, while the remainder attracted fees, some paid by the Local Education Authority and some by private pupils.

⁵³ <https://www.theguardian.com/society/2007/jul/11/childrenservices.politics>

⁵⁴ <http://www.bbc.com/news/uk-10680062>

⁵⁵ Legislated in 1980, in the 1980 Education Act

The big difference to this previous scheme was that it would be enlarged to any private school who applied to the programme. Such a measure implied the approval of schools and the selection of students. It was reasonably expensive, £500 per student was the amount that the state would pay for each child in a private school. Parents could have to top up this value according to their annual income, making it not very attractive for parents of the upper middle class. The state established 5,500 places in the first year, and it was not difficult to implement. The impact on the education budget for this measure is residual, as students also cost money when they attend public schools and this policy was extensible only to a tiny share of the students. Still, the arguments of the opposition⁵⁶ based on the concentration of money on few students, and the possibility of draining the best students out of the state system.

ASP was a tested feasible policy, that was not an innovation in the English system, even though it had been the object of backfire from the previous Labour government, so only the government supported this policy. The policy had been announced in Margaret Thatcher's electoral manifesto (I. Dale, 2000, p. 279) "The Direct Grant principle will, therefore, be restored with an Assisted Places Scheme. Less well-off parents will be able to claim part or all of the fees at certain schools from a special government fund".

Even though it seemed clear that this policy aimed at establishing the difference in quality between private and state education, there was the discussion around the real objectives of such measure, which "were in need of greater clarification and consistency" (Tapper & Salter, 1986, p. 316), and probably it was disconnected from education quality but just used to make an ideological point.

Before its approval, in the 1980 Education Act,⁵⁷ it was very intensely discussed in newspapers and labelled as a controversial measure⁵⁸. Some classified it as "an offensive public declaration by a government that the national system of education is incapable of providing for our most able children" (Batey, 1996, p. 191).

One must recall that the previous Labour government had discontinued a similar measure, in 1976, putting at risk the survival of many independent schools, who were supported by more than 25% by the state. Still, most schools managed to survive. Thus, the motivations for these schools to go back to an unstable financing scheme could pose a threat to the success of APS. Tapper and Salter (1986, p. 317) argue that the motivation was:

by doing this is suggested that the independent schools have an important role to play within the educational system as a whole; that they can perform certain tasks better than most

⁵⁶ Private schools protest, *The Guardian*, Sep 7, 1979

⁵⁷ <http://www.legislation.gov.uk/ukpga/1980/20/contents>

⁵⁸ Carlisle hits back at Labour critics, *The Guardian* Jan 8, 1980; 218 schools named for assisted places scheme *The Guardian*; Oct 7, 1980;

maintained schools and therefore it makes sense that they should educate those pupils - regardless of parental income - who need their services.

On the other hand, some extra money, even if not secure concerning longevity, would always be welcome. The way APS was now designed would ensure that independent schools could protect from the future discontinuity. Schools could offer different numbers of assisted places, schools accepting fewer assisted-place students could consider variables other than the academic potential of the applicants, get parents to pay for a higher share of the fee as Department of Education and Skills (DES) control of the schools was very reduced (Tapper and Salter, 1986).

This policy was coupled to the problem ‘quality and choice’, with a clear bias against the standard state school, comprehensive school, who was failing to develop the potential of bright students from poorer backgrounds. As Margaret Thatcher put it in her discourse⁵⁹:

Choice in education was another very important election issue, particularly in crowded urban areas, where the main worry of many parents was how to get a good education for their children. Many felt that they were not getting it. (...) We shall also extend the principle of choice in education by introducing a scheme to help talented children from less well-off homes to attend certain fee-paying schools. Their abilities entitle them to an education suited to their talents, and they should not be denied it because of dogma. We shall fight to improve education standards. We shall have to make better use of our resources and schools will need to have clear aims and pursue them with vigour. Greater choice and higher standards will be our aims in education.

APS was a measure with a minimal impact on parent choice, as only reduced numbers of students would benefit from it, 5.500 out of about 4Million, representing just 0.1%⁶⁰. It was not a radical proposal, and in fact, the way it was drawn, the problem it wanted to tackle was not bringing any novelty to the system.

It was supported and sustained by most the conservative bench, who had the power to make it move ahead, as they had just won most of the parliament, with more 70 seats than the second force, the Labour party.

A few years before this election, Margaret Thatcher and one of her chief advisors, Sir Keith Joseph⁶¹, had created a powerful and influential Think Tank “Centre for Policy Studies” (CPS)⁶² dedicated to promoting the values of free choice and economic liberalism. The knowledge emerging

⁵⁹ <http://www.margaretthatcher.org/document/104083>

⁶⁰ <file:///C:/Users/iflor/Dloads/SN04252.pdf>

⁶¹ <http://www.telegraph.co.uk/news/1435352/Top-50-most-influential-people-of-Margaret-Thatchers-era-G-J.html>

⁶² <https://www.cps.org.uk/>

from this centre, partnerships with universities and researchers, have given a big help in documenting and supporting policies.

Following the 1979 election, CPS published a series of studies 'The New Conservatism' by Nigel Lawson and 'The Challenge of a Radical Reactionary' by Lord Harris of High Cross who also was the director of the Institute of Economic Affairs (IEA), another influential think tank to support Margaret Thatcher policies.

This policy was widely supported by the prime minister, secretary of state Mark Carlisle and his team, the think tanks that were creating arguments and knowledge, and finally by Rhodes Boyson, an influential headteacher who, in education sector, produced policies and solutions that were favoured both by Conservative and Labour parties⁶³. In this case, he argued the scheme would only benefit about 0.2% of the students, and that this number was far too small for comprehensive head teachers to worry. He argued that these students were to come from a state school and not comprehensive, contributing to minimise opposition arguments⁶⁴.

The Head Masters conference also supported the policy, in their annual meeting in 1979, they approved the motion supporting APS (Tapper and Salter, 1986) for two main reasons:

- (i) Benefits children from lower income families and
- (ii) It is a complimentary service to state education. This support was explicit and gave strength to the re-attempt of the measure, by signalling a favourable mood from the teaching profession.

Regarding newspapers, namely *The Guardian* and *The Observer*, it was utterly covered with 147 articles in 1979/ 1980, the first on 9 February 1979 as the Secretary of State re-launches the old scheme known as Direct Grant Aid.

On the side of the opposition, there were some moves from the labour party, who had discontinued a similar scheme in 1976 and stated that this would be a short-term measure as Labour party would resume it in subsequent legislation: "First, we are utterly opposed to the Assisted Places Scheme. I shall not repeat that the next Labour Government will abolish the scheme"⁶⁵. The main political argument against the scheme was the cost followed by fears that these places would be given to students who did not need, so it would be used as a manner of financing the middle / upper class. Another argument was geographical inequality, as only children from cities would be able to benefit, given the fact that there was no private education in the countryside and, finally, the argument that public money was being put in the private sector. There were also fears from head teachers, teacher unions and Local Education Authorities (LEAs) on their schools becoming weaker as the best students were taken away.

⁶³ <https://www.theguardian.com/politics/2012/aug/30/rhodes-boyson>

⁶⁴ Boyson defends aided places, *The Guardian*, Aug 31, 1979;

⁶⁵ HC Deb 08 June 1981 vol. 6 cc220-2 220

It was early government days, and the social mood seemed favourable to the government arguments. The middle class, who envisaged a better education for their children were pleased with this sort of scheme that rewarded excellence.

In the first year, 220 schools participated in the scheme and started receiving students in September 1981 (Tapper & Salter, 1986).

One year later, no more discussion is found on the newspapers, and there is a report on results⁶⁶ acknowledging that there had been about 4000 children included on the scheme, 31% from families with incomes less than £5000 (average income at the time £6250) and 60% to families with less than £7000. There were several complaints from private schools who accused LEAs of boycott once they did not propose their best students, and some independent schools had problems in selection. A study by Douse (1985) concluded that 30 to 40% of the students that registered independent schools under APS would have gone to this schools anyhow, meaning that the programme did not favour low-income students exclusively as much as it was supposed to.

This scheme was implemented, and during the Conservative government it reached “more than 75,000 bright children from state schools”⁶⁷. In any case, there was never a clear conclusion on the effective impact of this measure in the education system, which is due to its insufficient scope. It might have had some impact on the lives of the ones involved, even though that is always a hard conclusion as there is no alternative comparison⁶⁸. This fact is also symbolic for the debate of the impact of ePPPs on education reform, which did not probably “contributed to the growth and diversity of the system as a whole” (Whitty, Power, & Edwards, 1998).

As said above, probably the foremost objective of this policy was not to solve any problem related to the education of children from lower social backgrounds, but to set the pace of privatisation. The study by Whitty et al (Whitty et al., 1998, p. 237) argues: “the scheme was identified by the Conservative Government as the first significant step towards more far-reaching restructuring”.

The policy was implemented and lasted the extended period of the Conservative government (Table 4-1). As promised Labour discontinued it as one of the first iconic measures to set the difference⁶⁹, as the government decided to use the money to reduce class sizes. In 2016, out of our scope, a new programme ‘Free Places’ was re-started under Theresa’s May conservative period⁷⁰. APS has become the only policy in the scope of this study that has been connected to Conservative

⁶⁶ Success for private schooling scheme, The Guardian, Oct 13, 1981

⁶⁷ Special report: Working-class pupils went to private schools under Margaret Thatcher’s abolished assisted places scheme - how did they get on? The Independent, <http://www.independent.co.uk/news/education/schools/special-report-working-class-pupils-went-to-private-schools-under-margaret-thatcher-s-abolished-8857345.html>

⁶⁸ <https://www.independent.co.uk/news/education/schools/special-report-working-class-pupils-went-to-private-schools-under-margaret-thatcher-s-abolished-8857345.html>

⁶⁹ http://news.bbc.co.uk/2/hi/uk_news/55984.stm

⁷⁰ <http://www.bbc.com/news/education-38258454>

governments and is continuously used as a ping-pong ball to enhance the difference between left and right-wing ideology.

This policy (APS), seems to fit the decision scheme proposed (Table 4-1) and it is well explained by the logic of the model that implies the convergence of the dimensions through the window of opportunities, conveniently helped by political entrepreneurs using the favourable social mood and institutional paradigm to fulfil policy change.

The analysis of the documents led to the answer of the checkpoints in **Error! Reference source not found.**, and later they are transformed into the weights according to the tables in Appendices.

Table 4-1 Most relevant information on Assisted Scheme Places

Policy identification	Assisted Scheme Places (1980)– Legislated in 1980, through the Education Act. The emergence of ePPPs through the financing of places in private independent schools to students who could not afford private education. The expectations were that about 5000 students per year could benefit from this programme.
Policy origin and design	Direct Grant into Grammar school was a very popular measure until the seventies. Selection to be made on student merit, and the financing could be total or partial depending on family income. The government set the amount of money and number of places. Schools would have to apply for a limited number of places, and they could select based on a shortlist provided by LEAS.
Window of opportunity opening	A new conservative government with an ideology anchored on welcoming the participation of private companies willing to make it clear that private does it better, and there is a need for elites.
Problems to be solved	Quality and choice, with a clear bias against the standard state school (comprehensive) who was failing to develop the potential of bright students from poorer backgrounds.
Ideology, government and opposition	Neoliberal ideology with a will to reduce state intervention, and above all to reduce the power of unions and LEAs. The opposition was against such measures, and it had discontinued similar plans. Public opinion was favourable, as there was the expectation of better education for their children.
Policy Entrepreneurs	Some entrepreneurs were active, and some money had been invested in studies by emerging think tanks. There were also some entrepreneurs emerging from schools.
Establishment	It was implemented through private schools applying with a limited number of places, followed by student application. The amount of money available was set as well as the number of places: 5000 places per year involving about 300 independent schools.
Lessons learned	This is a kind of plan relatively simple to implement. Still, the speech did not

penetrate different segments of society; the policy was discontinued by the Labour government in 1997, re-implemented by the Conservatives in 2016. As the main opposition is against it became an iconic Conservative measure.

The relative strength of each dimension can be visualised in Figure 4.4⁷¹. In the case of Assisted Places Scheme, the policy was astute, as it scored 6 points – yes to every checkpoint. The problem dimension had the worst definition as it was not very clear concerning the system what was the scope of this policy. Politics were very favourable, and the only visible opposition came from the Labour party. Finally, entrepreneurs were not absent as they had resources and access but not a persuasive voicing. Probably there was no need as national mood had already been persuaded into this policy.

Mathematically, using the checklist to understand the relations between the variables I conclude that, the entrepreneurs were average, as some entrepreneurs invested resorts in pro-policy campaigning but there were also several entrepreneurs fighting against the policy, especially in the long term. There were no tracing of international organisations pressing for this spectrum of the solution as an efficient or effective measure to improve education outcomes.

The policy was also straightforward, and it has scored maximum punctuation on the checklist. The policy was well designed and was not new, therefore creating less resistance from all the actors involved. The national mood was generally favourable to this measure that in real terms was only going to affect a reduced fraction of students. On the side of the identified problems, there is some negativity because it is perceived as a low impact policy, that is not attached to a quantifiable problem, nor has well-defined objectives regarding the education system as a whole.

⁷¹ To read the chart bear in mind that the number of questions answered with a ‘yes’ are tinted in da darker tone. In this way it is possible to quickly visualize the dimensions with a stronger weight and where the weaknesses are. For example, in this policy the ‘policy dimension is totally favourable as every question was qualified with a one, while the problem attached is not very clear, as only one question was answered with a ‘yes’.

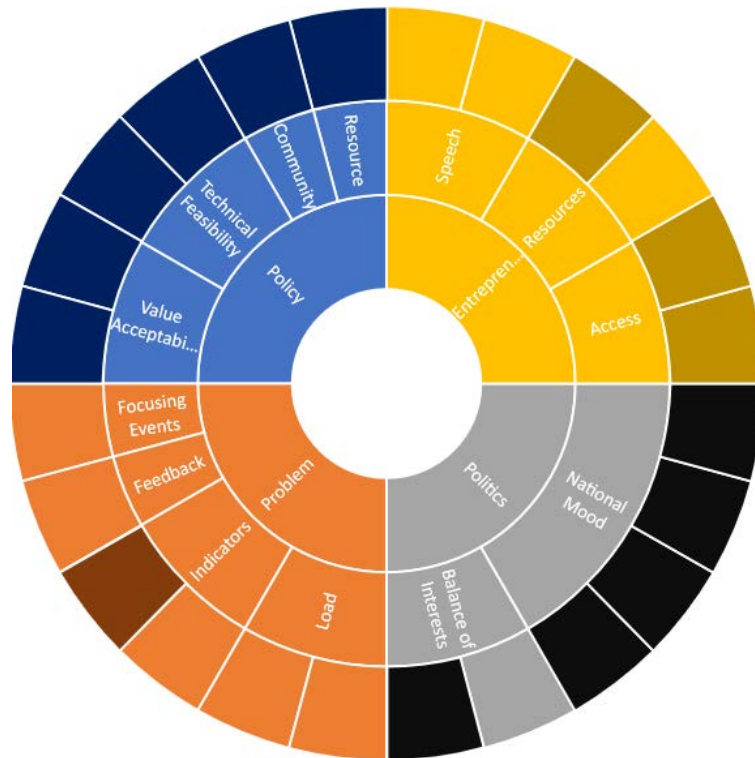


Figure 4.4 Visualization of the dimensions relative strength

Source: Author's design

$$0.6 \leq \langle ((0.3 + 0.5) * 1) + (0.1) \rangle \text{ (Open Window)}$$

$$0.6 \leq 0.9 - \text{Inequation True} - \text{a good possibility of a successful establishment}$$

The policy ends up being more ideological than targeted at solving a problem. Ideas count, and the conservative government, in its beginnings, needed to set the tone. Given the configuration of the dimensions including entrepreneurs, at such an early stage after the opening of the political window, the probability of success was high, despite being a temporary measure as announced by the Labour party. The political dimension was the only point that did not favour this policy; it is the weak point that is at the base of reversibility. The opposition was seriously against the measure and had set the withdrawal tone.

The forecast of success was highly dependent on the support of the government, and on the score of the technical policy feasibility, its establishment depended on money being made available and on acceptance by the private school providers and parents. Therefore, the government legislated and made money available; the national mood was generally very favourable.

By 1985/86, more than two hundred independent schools were receiving about five thousand new students per year entirely or partially paid by the state (Fitz, Edwards, & Whitty, 1986), ten years later the number had grown to 7000 students (Batey, 1996). Based on this reality the policy was considered as implemented by the criteria of this research – a growth to the stated objectives or at least

a 50% increase following legislation. In this case the achievement was considerable regarding the policy scope.

All the assisted scheme places were discontinued at the end of May 1997, following government change. The assisted places had become a left-right field of battle. The left was determined to make its position in relation to financing individual students attending private schools. The bill⁷² states straight away “The Labour Party manifesto contained a commitment to phase out the assisted places scheme in order to reduce class sizes for five, six and seven-year-olds to 30 or under”. The argument is all about savings, regardless of this being an ideological battlefield, as had been announced many times during the approval of Assisted Schemes Places discussions.

4.6 TECHNOLOGY COLLEGES

In this chapter, all the legislation that is targeted at providing professional or technical paths is analysed. This strand of education is targeted at secondary education level, habitually an answer to the need of education to act as a direct supplier of qualified labour. As initiatives tend to link to the previous policy, it makes sense to join all the acts together in a continuous analysis.

4.6.1 City Technology Colleges - 1987

In 1982, a new secretary of Education emerged, Sir Keith Joseph, an influential advisor and policy thinker, for education and other areas. A supporter of free will, market choice and less state. Still, as minister of education, his policies resulted in a more controlled state, as his primary objective was to withdraw power from the hands of LEAs. At the same time, he tried to implement measures that could retract rights from teachers. Thus several strikes marked his ruling period.

Strikes had the perverse effect of re-enforcing the window of opportunity for school choice and private participation in state education. The middle class, who pursue a good education for their children, was looking at teachers as salary seekers, who are not very interested in children wellbeing⁷³. Education gets different⁷⁴. Despite these feelings, nothing happens concerning ePPPs during his mandate.

He was substituted by Mr Kenneth Baker, who was seen as a humane liberal thinker, capable of clear communication with the media⁷⁵. Few weeks after stepping up he starts repaving the way towards privatisation, as he announces the creation of twenty independent City Technology Colleges (CTC) (Gewirtz, Whitty, & Edwards, 1992), with the objective of bringing extraordinary diversity into education and better serve the job market.

⁷² <http://researchbriefings.files.parliament.uk/documents/RP97-70/RP97-70.pdf>

⁷³ “Teachers under fire for ‘shameful’ strikes”, *The Guardian*, Oct. 22, 1986

⁷⁴ Parent power is the watchword, *The Guardian*, May 25, 1987

⁷⁵ Baker policies are all puff and no pastry, *The Observer*, Jun 7, 1987

This policy was intended to be a basilar stone in the path to more choice and education market liberalisation. It is argued that this policy proved to be very unpopular and full of policy design flaws:

Examining the CTCs under four headings: choice, selection, control, and content it is concluded that they have failed, in their aim to attract private funding, are unpopular with almost all educational forces outside government, and offer very little that is different from current secondary education. (R. Dale, 1989, p. 4).

The origins of this policy are hard to trace, and they might have been inspired in Spens' Report (1938)⁷⁶ where one can find advocacy of technical high schools. He presented a way of experimenting with partnerships between private and public sector in education on a controlled scale, affecting only a small sub-section of the population. Technical education was attached to a more glamorous education path, as a manner of clearing its name of second level education; and genuinely contribute to a more competitive British economy, somehow following Germany's tradition. The second line of influence was the USA New Venture Technological Schemes (Whitty, 1990). As Mr Baker pointed out himself

success of magnet and other specialist schools in the United States, notably the Bronx High School for Science, in transforming the achievements of inner-city children and acting as "beacons of excellence" to spur surrounding schools to make similar improvements. (Whitty, 1990, p.107).

Mr Baker's fascination with the USA models continued even after the relative lack of success of his model in England⁷⁷.

This idea came to the public for the first time on the policy agenda, in a conference at the House of Lords to discuss the growing youth unemployment issue. In 1986, a meeting organised by Cyril Taylor, at the time the head of an influential Think Tank, Centre for Policy Studies (CPS). He held a meeting with 60 businesspeople trying to bring a solution to massive youth unemployment⁷⁸. The prime minister and several other elements of the government attended this meeting. One of the problems pointed was the inadequacy of school education to labour market needs, and the policy suggested was the immediate establishment of 100 City Technology Colleges.

Although this measure was presented as an innovation, it came in the footprint of a curricular revision implemented in specific secondary schools in 1982, known as the Technical and Vocational Education Initiative (TVEI) that had been an initiative of the Department of Employment to be

⁷⁶ Withdrawn from <http://www.educationengland.org.uk/documents/spens/spens1938.html>

⁷⁷ Baker gives New York school top marks, *The Guardian*, Sep 22, 1987

⁷⁸ <https://www.ssatuk.co.uk/ssat/baroness-thatcher-cyril-taylor-and-the-city-technology-colleges/>

interpreted and implemented by LEAs, within regular secondary education. However, TVEI had risen resistance at the enactment level from parents and teachers, as it looked like a return to Victorian education style (McCulloch, 1989), many schools were slowly establishing partnerships with local industries and trying to adapt parts of teaching to labour market requirements⁷⁹. The big difference of CTCs was that they would surpass LEAs and create autonomous institutions just for this purpose, with stronger links to companies via sponsorship.

According to the British Government definition⁸⁰:

City Technology Colleges (CTCs) are independent schools in urban areas that are free to go to. They're led and funded by companies as well as central government (not the local council). They have a particular emphasis on technological and practical skills.

A hundred of these colleges were supposed to open across the country; they had to be partially sponsored by businesses on a 20:80 proportion and the curriculum was to be explicitly technical. The per-student cost of such a system would imply a higher spending per pupil than regular local schools. It implied massive amounts of money invested in a small number of schools:

The government in fact provided 85 percent of the foundation costs of the Nottingham CTC, at a cost of £9.05 million, many times its spending on all the other schools in the authority combined. (R. Dale, 1989, p. 11).

LEAs would not have a word to say in this school typology, even though they would lose financing proportional to the number of students who left for CTCs.

The government rushed into this policy without seriously considering its feasibility or reception from the companies and society. The government envisaged the creation of new schools, partially funded by sponsors. In one of the schools created under this policy, Kingswood in Bristol, the fund invested the "required £2m; the government handed over the remaining £8m". The government was to contribute to the initial setting of the school and its maintenance and operation costs⁸¹. The costs of this policy, significantly high per student, as each school meant new premises, was not too high at a global budget level, because it was only to be applied in inner cities. As with the Assisted Places Scheme, the government kept it limited in extension, with the first objective of 20 CTCs which and a later enlargement to 100.

The colleges were to be run by trusts, out of the LEAs control, under the control of the Education Secretary, hence the enlargement of the state behind the political strategy of this government.

⁷⁹ Cuckoos in the nest, *The Guardian*, Nov 18, 1986

⁸⁰ <https://www.gov.uk/types-of-school/city-technology-colleges>

⁸¹ <http://www.educationengland.org.uk/history/chapter08.html>

The curriculum was to focus on science, mathematics, and technology and only half of the core curriculum on humanities, language, and arts was to be respected. The emphasis was also placed on self-discipline and attitude, as the objective was to produce students with business-like skills.

The governing body of schools would have autonomy to negotiate salaries and hire teachers directly and would be able to manage students at their will, including selection by ability or parent compromise on long-term education goals.

The companies who sponsored could design the governing body as well⁸². The schools were prepared to receive between 750 and 1000 students each, and open in geographical areas identified by the government.

According to the original 1986 plan, these schools were to be in operation by 1990, as they were to be built from scratch.

In 1989, Mr Baker made a presentation where he stated that the objectives were simple:

They (CTC) will raise the sights of teachers, pupils and parents in our cities where expectations can be needlessly low. They will do so by increasing choice, injecting competition, and helping to raise standards generally. (Baker, 1989).

The problems attached to this policy come in the same line as privatisation of education traditionally couples with: more choice, more diversity in education, different paths for different capabilities and more specific to this policy the learning problems of inner cities' under-achievers. It is pointed by Dale (1989) that this policy was not adding any novelty in pedagogy or content. Therefore, the importance of the measure was to set an agenda for choice, after all this specific policy would only provide a choice for an insufficient number of families. It would anyhow be choice, as CTC were drawn to be free to the final user. As argued by Dale (1989, p. 17) it was "a highly political programme which is emblematic of thoroughgoing Thatcherism".

The entrepreneurs of this new scheme, of bringing private providers as school sponsors in exchange for the management of schools and liberty to set their curriculum, teacher, and general organisation strategy, were very much the same as for Assisted Places Scheme. Within the conservative party, most advisors were favourable, except for the previous education secretary, Sir Keith Joseph, who, in 1984, while still occupying the chair, had declared the investment in technology colleges expensive and unworkable (Joseph, 1984). It also had the support of businesses with close political connections to the Thatcher government. While the first colleges were on the verge of opening Mr Baker (1989) was extremely optimistic regarding the generosity of businesses, and the willing of their managers to contribute with the knowledge and money to an area that was unknown to most of them.

⁸² Industry is wary of funding plea for city schools, *The Guardian*, Oct 15, 1986

Sir Cyril Taylor became chairperson of CTC Trust, a body created to oversee administering CTCs implementation. He was an executive with a close interest in education, who had founded in 1964 the American Institute for Foreign Study (AIFS) created to develop the interchange of students between England and America. In 1971, he had also been the founder of Richmond University, an American University in London and finally he was appointed Chairman of Centre for Policy Studies, Thatcher's think tank. Following his proximity with the government, he was appointed as Education Adviser to ten successive Secretaries of State for Education (1987 to 2007) on the Specialist Schools and, later, on Academies.

Entrepreneurs to this policy were essentially politicians and educators; the idea did not come from industry, and they had to be persuaded into investment. Only small companies who needed favours from the government were enthusiastic with these project "second-order companies whose directors were interested in political leverage or honours" (Beckett, 2007) citing Mr Straw in 1990. The incentive of giving a personal or company name to the school did not seem to impress the most eminent companies. The lack of private sponsors was a weak point along the policy implementation trial.

Nonetheless, politicians managed to draw a communication to persuade parts of the society, and to appeal to some parents; they were not very helpful in framing a proper speech to persuade companies to donate their money to such a venture. As Francis Beckett⁸³ puts it "Margaret Thatcher herself had to get involved to try to twist arms, personally telephoning the chairman of BP, who turned her d, even though his company was at the time spending £9m on community activities, £1.9m of it on education".

Some of the early sponsors were supporting this idea for the sake of educating the adults of tomorrow "who understand the commercial culture, understand the profit motivation, understand about personal aspirations for personal success"⁸⁴ (Gewirtz et al., 1992, p. 216). Initially, it seemed that the business community was backing the government on this, but few days after the announcement, the industry showed real concerns for this plan and an enormous lack of enthusiasm, as well as uneasiness about the feasibility of the whole scheme⁸⁵. The government fooled itself into the biased opinion of a few managers who were willing to support the government in exchange for favours.

The media gave a relatively large cover to the issue; the Guardian archives show 80 results for "City Technology Colleges" in the years 1986 and 1987, which represented 10% of the articles in education policy, regarding the secretary of state. If one considers the period until the policy is discontinued by 1992, then 306 articles were found in the Guardian and the Observer, meaning that this subject had a sensible cover from the media. The first article popped up in October 1986 to

⁸³ What goes around ..., Guardian, Tuesday 3 October 2006

⁸⁴ radio interview by Stanley Kalms, Chairman of Dixons

⁸⁵ Industry is wary of funding plea for city schools, The Guardian, Oct 15, 1986

announce the launching of this idea by Kenneth Baker, the new Secretary of Education. Even if some articles were to expose the negative points of the scheme, the most prominent part tends to be merely informative on the policy design, supporters, and oppositions.

The Labour party opposed the policy: “spokesperson to protest that the government's original intention of setting up public schools with private money had now changed to setting up private schools with public money” (Whitty, 1990, p. 108). Some other people from different levels of society have also come forward with their opposing views. John McLeod of the Association of Metropolitan Authorities (AMA) argued that ‘this was an initiative which local authorities did not need to frustrate: it frustrated itself through its poor conception and inadequate preparation’ (Whitty, 1990, p. 110).

The lines of criticism were:

- (i) Money to finance private sectors instead of helping public facilities in need;
- (ii) More selection and less equality of opportunities, as these schools are entitled to select their students;
- (iii) Non-feasible, disorganised policies that put at-risk children, families, and other schools. It was also highly criticised by being another policy drawn to give extra-treatment to an incredibly small number of children, which would add nothing to the system as a whole⁸⁶. Another concern was that the extra investment on these schools would dry resources from the regular public system, despite Mr Baker said that this was *new money* he had negotiated with the finance minister⁸⁷.

LEAs were also opposing this scheme and presented their concerns on church schools and other under-financed schools to be forced into selling their facilities to CTCs. Association of Metropolitan Authorities (AMA) ran a survey where it showed that most LEAs were opposing CTCs mainly because there had been no thought on the effect of such new schools on the planning and managing of the local secondary offer, at the time mostly in the hands of LEAs (McLeod, 1988). The emergence of a CTC in any inner city would undoubtedly compromise the survival of at least one of the comprehensive schools already running, if not all of them, by the simple reason that adding 1000 new places to any area would represent a high share of the students available⁸⁸.

While the government argued that this initiative would be popular with parents in the CTC designed areas, some parents were concerned about the change into CTC status as technical education was not a well-established concept (McCulloch, 1989), parent resistance was also a source that was at the base of the insufficient establishment of CTC colleges.

The most significant share of criticism came later, as the objective of 20 CTCs by 1990 was far from being achieved, and companies were using the scheme to clear their bad images, as was the

⁸⁶ Inner city colleges launched by Baker, *The Guardian*, Oct 8, 1986

⁸⁷ “Baker drops heavy hint on student loans”, and “Baker finds extra cash to shore up education”, *The Guardian*, Oct 9, 1986

⁸⁸ Cuckoos in the nest, *The Guardian*, Nov 18, 1986

case of British American Tobacco's money accepted in Middlesbrough CTC⁸⁹. Some other scandals came about, and even the government had to recognise that things had not come as planned, as in 1992 only 15 CTCs were working around the country.

To reformulate the policy from its inside, and as an answer to hefty opposition from LEAs, and lack of enthusiasm by sponsors, the think tank Institute of Economic Affairs published a book in which one of the chapters was arguing for the establishment of magnet schools⁹⁰ within the state system (Flew, 1991). This schools would guarantee competition of LEAs to the emerging CTCs, calling attention to the fact that this move results from the insertion of competition as a trigger of development⁹¹.

As the election approached other think tanks and associations published reports and studies on the advantages of ePPPs, as was the case of Hillgate Group who published a manifesto entitled "Whose Schools" asking for the scrapping of LEAs and more partnerships with private providers (Hillgate Group, 1986).

The analysis of Table 4-2 and Figure 4.5 make it clear that the policy was not ripe, and most dimensions were frail. Although entrepreneurs were building up, and they had more to say in the launching, design and communication of policy they were not strong enough to overcome a policy which design was far from favourable, as value, resources and community were not carefully considered. In the same way, the problem was weakly identified, and politics were not favourable, especially the national mood. People were not prepared to buy into what was perceived as a risky, untested policy.

The most critical fragilities of the policy come from a bad design attached to a diffuse problem. The fact that business investors were not involved in the design of the policy, but were instead taken for granted, was a significant flaw. There was no distinctive conversation or preparation period to get these notable actors ready. Still, the measure went through the parliament and was legislated; this was far from being sufficient to guarantee implementation. The not very ambitious objective of 20 CTCs was not achieved, and the difficulties with the private companies worked as a lesson to be incorporated in the next policy.

From our algorithm approach, other imbalances of the dimensions become clear, showing that the dimensions were not configured favourably for the measure to be well succeeded.

The numerical model is in line with the no success at the implementation stage. The entrepreneurs were weak for a far too complicated policy, concerning technical feasibility and value acceptability. The private intervenients were not sufficiently mobilised, and by the time they were called into action, most did not understand the advantage of substantial investment to unclear gains.

⁸⁹ <https://www.theguardian.com/education/2006/oct/03/schools.uk>

⁹⁰ Magnet Schools is a concept imported from the USA, which are schools opened to every student independently of their zip code and focus on individually themed curricula – specialize (<http://magnet.edu/about/what-are-magnet-schools>)

⁹¹ Economists call for schools to compete with city colleges, The Guardian, Oct 5, 1987

On the other side, the society was not very motivated; there was no evident opposition once this was an enclosed measure designed to influence a reduced number of students, with distinct profiles – inner cities deprived areas. Still, Labour party voted against, making it even harder at the implementation stage.

This policy, as a standalone strategy, was doomed from its conception, seen from 30 years distance it seems just another piece of the manifold puzzle of getting private agents as the leading education providers. “Policies can rarely be said to have a clear time point at which they were ‘initiated’, and policy is also rarely initiated purely by politicians then developed purely by civil servants” (Exley, 2014, p. 2).

Table 4-2 Most relevant information on Inner City Technology Colleges

Policy identification	Inner City Technology Colleges (1987) – Legislated in the 1987 Education Act, 20 schools, were to open until 1990 and 100 was the longer-term plan.
Policy origin and design	The state would welcome partnership with the private sector for the creation of technical schools with a focus on the job market. The state was ready to finance in a 20:80 proportion, with £2 M investment on private companies. The school built from scratch and in inner-city locals. They might have been inspired in Spens Report's (1938) or imported from the USA new venture technological schemes. They were also imported from the technical courses implemented in some state schools (TVEI) in partnership with the Department of Employment.
Window of opportunity opening	The secretary of state was new in the position, and not much had been done so far concerning privatisation of education. Similar approaches were being developed in the USA.
Problems to be solved	More choice, more diversity in education, different paths for different capabilities and more specific to this policy the learning problems of inner cities' under-achievers
Ideology, government and opposition	Neoliberal ideology with a will to reduce state intervention and to try to profit from the proximity to industry. The opposition was against this nature of measures, and the way the policy was presented did not appeal to the Labour Party, LEAs and even parents who considered technical education to be the second line.
Policy Entrepreneurs	Sir Cyril Taylor and a few think tanks were quite active in promoting this policy line. Still, the private sector companies, who were called to invest, were not aware and did not see a pertinent advantage to this strategy.
Establishment	It was hard to implement as very few investors stepped forward. Only 15 schools were opened.
Lessons learned	Education does not appeal to private investors, and new methods of persuasion/benefits had to be thought.

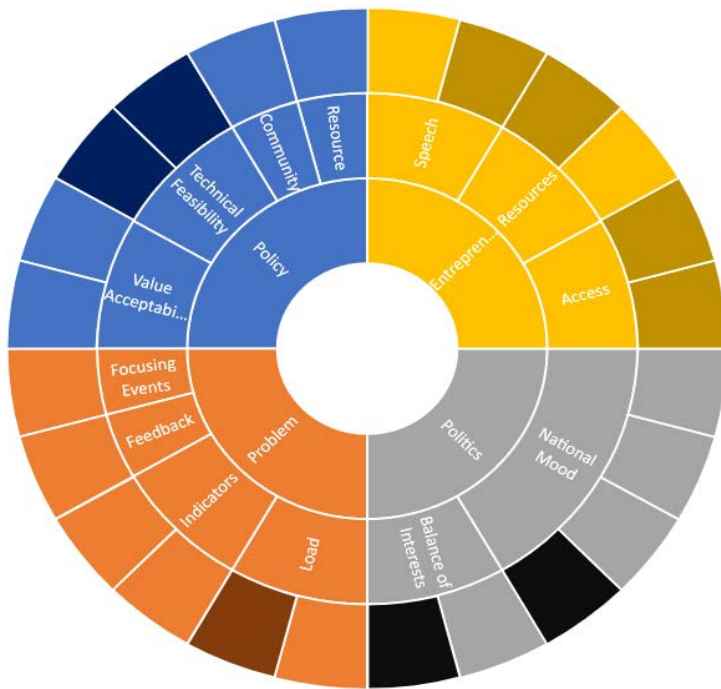


Figure 4.5 Visualization of the dimensions relative strength – CTC

Source: Author's design

$$0.6 \leq \langle ((0.3 + 0.3) * 0.4) + (0.1) \rangle \text{ (Open Window)}$$

$$0.6 \leq 0.34 \text{ – Inequation False – a low possibility of establishment}$$

Even though the Conservative Party was elected for a third mandate, CTCs were not successful, and became dormant, as the window of opportunity closed with the resignation of Margaret Thatcher, in November 1990.

The feedback to this measure proved that not everyone was prepared at the time to embrace this typology of ePPP. Business and government were not ready to give hands to invest and run new school projects. So, this apparent failure went back into the policies stream to further improve the instrument and revise its implementation process.

Despite the setback of the initial attempt, the idea of technical, specialised schools in partnership with private companies and potential employers was not dismissed entirely. The new Conservative government led by John Major tries to insert some minor changes to the design through the Schools Technology Initiative. Some years later, within a new labour government, the typology is back, in different clothing – Specialist Colleges they were called.

4.6.2 Technology Colleges (TC) – 1993

Technology Colleges were probably the most noteworthy step taken during John Major years concerning privatising education, by incrementing public-private partnerships in schools. He further

developed the City Technology Colleges that had been very hard to implement, with lack of interest from investors, which lost the word “City” meaning that this category of colleges could open anywhere, and the policy was no more targeted at solving inner-city learning problems. The line of thought of the Major government in relation to education was anchored in nostalgia, or ‘cultural restoration’ that appealed to parents (Stephen J Ball, 1993), and newspapers like *The Sun* were welcoming this sort of articulation. John Major slogan was “back to basics”, and education was no exception to this traditionalist approach⁹².

Mr Patten, the new secretary of education, was a supporter of selection and somehow against the comprehensive system, where all the children were exposed to common education paths. The selection concept was very unpopular in England and could not be fought as public mood would fiercely rise against it. Therefore, a new word was used to illustrate different education paths – specialism – as argued by Mr Patten⁹³. Schools ought to cater for different capabilities, and this is the trend of expansion until the end of the century - “a century that introduced universal education at its outset; then tried to grade children like vegetables; then tried to treat them ... like identical vegetables; and which never gave them the equality of intellectual nourishment that is now being offered”.

With the help of Mr Cyril Taylor, who had been the father of the previous programme, they both understood that one of the major obstacles had been the need to build new premises and the unreasonable request of 2 million pounds from private investors.

Government advisors and even some left-wing critics favour the introduction of craft-based learning; nonetheless, other specialists discuss the need of education that favours flexibility and problem-solving skills. The crafts approach was also feared as discriminative against girls who tend to self-exclude⁹⁴.

This time Technology colleges could work on establishing schools that would need to apply to change their status, and focus on a speciality, which could be technology, maths, or sciences. They had to be supported by business through the nomination of sponsor governors. Schools needed to raise £100,000 pounds from business and then could qualify to receive the same funding from the state, plus £100 extra per student, per year.

The process implied bidding for technology college status which had to include a careful reflection on their strengths and weaknesses. The request also had to consider new targets for improvement in specific subjects and all the school results, and it also needed an implementation plan of measures for success. The schools had to assume responsibility for the results and be accountable for the process of implementation. The contract was three years, and schools would be evaluated against targets.

⁹² Observer, 2 February 1992

⁹³ New Statesman and Society – 17 July 1992

⁹⁴ 02 Feb 1992, 84 - The Observer at Newspapers

The Independent National Commission on Education, a private foundation, was worried and expressed their concerns about the creation of a variety of offer in education as this would converge in the creation of a school hierarchy (NCE, 1993), leading to selection by the schools themselves who would offer places to targeted parents⁹⁵. In 1992, 99% of parents declared that their children were placed in their first school's choice⁹⁶, transforming the choice of speech into a hopeless argument. Another point that did not match between the government's parlance and parents' view was the idea of "Education Consumers" that was being promoted by choice and competition, 70% of parents did not agree with this idea according to a survey by the London School of Economics (LSE)⁹⁷. Exam results were not the main priority in choosing a school, nor linkage to private companies – pleasant atmosphere, proximity and other parent's recommendation were the pointed as the central decision factors.

The white paper presented in 1992, *Choice and Diversity – A new framework for schools*⁹⁸, states that the objectives of the education sector were to "enhance parental choice (...) by encouraging specialisation". In this document there is a full chapter on Specialization and Diversity, where it is stated: "The developing network of specialist Technology Schools, with CTCs at its centre, will be extended through the Technology Schools Initiative (...) it means increased choice for parents and pupils" (HMSO, 1992, p. 43).

The national mood was not favourable to this idea, as it was attached to the creation of a market of different schools⁹⁹, and not to the improvement of technical schools. "In the hierarchy of English education, it is a subject still widely regarded as inappropriate for children of above-average ability."

These arguments remained despite the studies published by the Adam Smith Institute showing that the few CTC in operation had "improved education standards, reduced vandalism and cut truancy rates"¹⁰⁰. Other reports showed that technology standards were less than satisfactory, and CTCs were very low on rankings¹⁰¹. These schools were also known for their extended day, opening from 7:30 am to 5:00 pm in the morning, teaching 31 hours per week, and imposing shorter holidays. Teachers were also against this technical schools¹⁰², as they could be discriminative to students and would create an excessive burden on the system regarding hours.

⁹⁵ The Times, 3 February 1992.

⁹⁶ Mar 1992, 11 - The Guardian

⁹⁷ 18 May 1993, 45 - The Guardian

⁹⁸ <http://www.educationengland.org.uk/documents/wp1992/choice-and-diversity.html>

⁹⁹ Feb 1992, 4 - The Observer

¹⁰⁰ Jun 1992, 3 - The Observer

¹⁰¹ 16 May 1993, 65 - The Observer

¹⁰² Oct 1993, 4 - The Guardian

The advantages of sponsored schools would be to get expertise from the business community and enhance the potential to increase the connection between school and community. On the other side, the sponsorship could not be universal and only schools that were already autonomous could apply (about a quarter of secondary schools in England¹⁰³), introducing vulnerability for locally managed schools. Other notable arguments calling for a conservative attitude had to do with accountability of managers, consequences of money dry up, legitimate expectations from sponsors in relation to the school¹⁰⁴.

Following the approval of the law in October 1993, the big companies like BP, ICI and BT were not motivated to move into this new programme, as each of them sponsored of their educational causes, saying they would instead support all schools around their plants, instead of favouring a school over its neighbour.

Some head teachers were cautious in thinking about this move, as they did not want their schools to be attached to technology, a second-class group of schools¹⁰⁵.

The City Technology College Trust (CTCT), chaired by Sir Cyril Taylor, increased its role in helping schools raising money, and in helping them to prepare the new bid. The lobbying of businesses was reinforced¹⁰⁶. He believed that about 300 TC colleges could be established in 4 years.

The government selected 100 schools for fast conversion in Technology Colleges, and the conversion was supported with a capital allocation of £25 million for additional equipment and infrastructure improvement. In parallel the government was promoting Technology Colleges in partnership with business sponsors, who would be strongly represented in governing bodies, were expected to contribute to capital (HMSO, 1992). Some of the selected schools were taken by surprise, and the move into TC was not discussed with directors nor anyone in the community. The reaction of the principal of Wymondham College, when contacted by BBC was “I am always happy to have the cameras in, but this sudden change of my school to CTC status is news to me”¹⁰⁷. The directors, taken by surprise were worried that the school would be linked to right-wing think tanks and lose some of its population.

From the analysis of Figure 4.6 and **Error! Reference source not found.** one can observe that the real strength of this policy was on the political dimension with national mood and institutional equilibrium very favourable. The policy design was far from being favourable and the problem it was supposed to solve not very well defined. Entrepreneurs were moderately active and with the advantage of having ease of access. The relative success of this policy is due to the politics stream.

¹⁰³ Oct 1993, 4 - The Guardian

¹⁰⁴ Mar 1993, 52 - The Guardian

¹⁰⁵ 16 May 1993, 65 - The Observer

¹⁰⁶ Oct 1993, 4 - The Guardian

¹⁰⁷ 18 May 1993, 45 - The Guardian

Table 4-3 Most relevant information on Technology Colleges

Policy identification	Technology Colleges (1993) – Education Act 1993. The expectations were 100 schools immediately and progressive growth in the next years.
Policy origin and design	The state would partner with the private sector for the change in school status into technology schools with specialisation and a focus on the job market. A cheaper version of CTC. The state was ready to finance as far as a sponsor would come forward with about £100.000 in exchange for four seats on the school board and rights to change education curricula and methodology.
Window of opportunity opening	New Secretary of Education, Mr Patten, who believed in specialism and transformed the idea of selection into different paths for different children.
Problems to be solved	More choice, more diversity in education, different paths for different capabilities, adaptation to new economic needs.
Ideology, government and opposition	Neoliberal ideology with a will to reduce state intervention and to try to profit from the proximity to industry. The opposition was becoming milder as the idea of selection was taken out of the speech, LEAs feared decapitalization and parents who considered technical education to be the second line were not very supportive. Even as a cheaper version the idea was quite unpopular, still it was possible to lobby for more money and opposition was not very fierce with an abstaining attitude.
Policy Entrepreneurs	Sir Cyril Taylor and a few think tanks were quite active in promoting this policy line. The private sector companies who were called to invest were not aware, as it was a reduced amount of money it was possible to persuade some more
Establishment	Some were compulsory others came forward, and it was possible to negotiate the amount of money and the conditions of private sponsor participation. Soon the status was enlarged to other schools, killing the argument of discrimination. There were 100 schools immediately converted, and by 1997 the number had grown to about 190 schools.
Lessons learned	Do not rely on private sectors to make vast amounts of investment in exchange for some power and responsibility for the school. ePPPs are possible if the right arguments are used, and the target is well defined.

By 1994, the Secretary of State decided to enlarge the possibility of getting Technological status to every school, reducing opposition dramatically. This move brought the labour party into the cause, and they started to think that this was a good scheme that would probably be continued by a future Labour government. David Blunkett, the shadow education secretary, was quite enthusiastic about the change. This change allowed some Labour-controlled education authorities to apply with some of their schools, and change started to emerge in areas where it was unthinkable before.

Another substantial change was the introduction of the second strand of speciality, also in 1994, language specialist schools were allowed. Two years later it was enlarged to arts and sports.

So, by the end of the Conservative period in government TC, which had begun as a residual reality, was on track to become a definite reality in English education system (Table 4-3). Specialism could focus on Maths, Science, and Technology, Languages, or Arts and Sports. Any school could apply, and no new buildings were needed implying a drastic reduction of initial investments, shared between public and private sources.

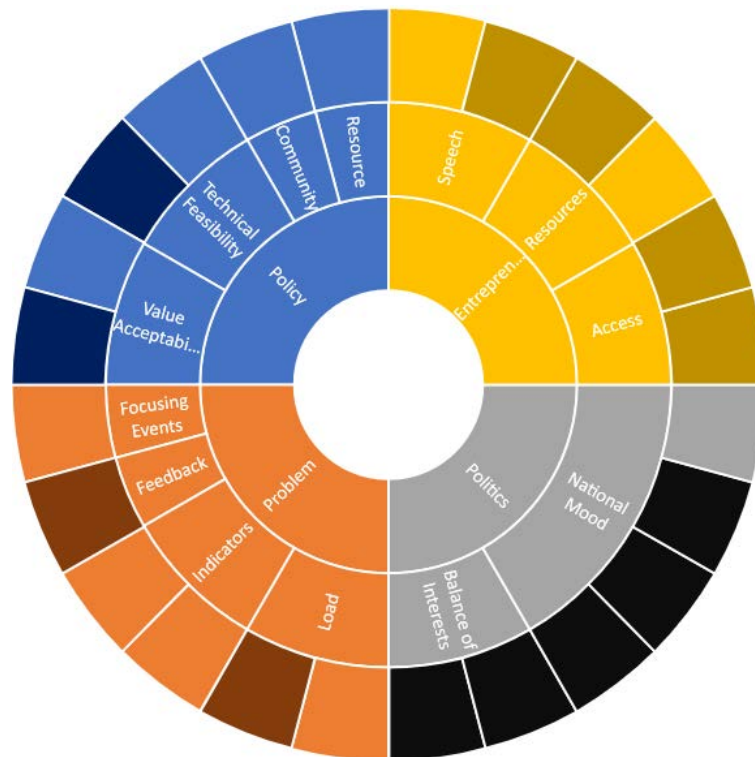


Figure 4.6 Visualization of the dimensions of relative strength – CT

Source: Author's design

$$0.6 \leq \langle ((0.3 + 0.3) * 0.8) + (0.2) \rangle \text{ (Open Window)}$$

0.6 ≤ 0.68 – Inequation True – the possibility of policy establishment is favourable

The opposition was utterly pacified, and the establishment quite impressive for a relatively short period. When the Labour government took power in 1996, there were already 182 technology colleges and a general will to expand this idea.

This policy had a border-line possibility of success, as it was proved capable of expanding even if not of big generalisation. The fact that the opposition was mild and its opinion became more favourable after the removing of application criteria, acted as a relevant help for success. Opposing entrepreneurs were principally coming from academia who were not persuaded to a craft-based education.

Companies were not very motivated, and once again had not been involved in the design of the policy, nevertheless as the amount was relatively small, some companies ended up agreeing to participate. Parents were divided, and some parents wavered while others did not. But as the problems targeted were not recognised as problems, the general mood was not very unfavourable; this was the sort of measure that moves on due to the indifference of opposition and persistence of entrepreneurs, who had been determined to move on with ePPPs and getting business involved in education.

The Labour party got more enthusiastic with the idea of bringing technology into the schools; as a progressive measure and not a return to the past, they were prone to design a policy of continuity. Specialist colleges were the next step in ePPPs.

4.6.3 Specialist Colleges – 2000

Not satisfied with the limited success of EAZs¹⁰⁸, and the limited participation of private companies in the initial proposal, in January 2000 Tony Blair announced a new scheme for specialist colleges. Many years earlier in 1996, he had been persuaded into the wonders of specialist schools by a very influential character – Sir Cyril Taylor. “By the time they arrived, Sir Cyril Taylor had a convert in the man who was by then almost certain to be the next prime minister. Tony Blair got off the train certain that specialist schools were the answer, and Sir Cyril was the man to deliver them.”¹⁰⁹

Specialist colleges were no more than a re-enforcement of the City Technology programme developed by Margaret Thatcher and enlarged during John Major’s government through the Technology Initiative Scheme.

“By 2003 one in four state secondaries will have a specialism in technology, languages, sport or the creative arts”¹¹⁰. This objective would mean to almost quadruple the number of specialist colleges to about 800, the prime minister said.

Hundreds of comprehensive schools were to be transformed into 'Specialist Colleges'. At the beginning, only grant-maintained schools and voluntary aid schools could apply, but soon this measure became extensible to every school (Yeomans, Higham, & Sharp, 2000).

The scheme would imply the transformation of regular schools in specialist institutions, by raising £50,000 in business sponsorship that was to be given in money and used for capital investment, following the establishment of clear improvement targets, and incrementing cooperation with LEA. The government would also co-support the transformation and award a £100,000 capital grant for investing in infrastructures and £120 extra per pupil per year¹¹¹. The initial contract would last four years, and every school was able to choose at least 10% of the students.

¹⁰⁸ Education Action Zones which were areas of special and priority intervention in education. This policy had nothing to do with the creation of ePPPs so it will not be dealt with here.

¹⁰⁹ Good riddance, Sir Cyril, The Guardian 24 December 2007

¹¹⁰ Blair vows to double specialist schools, The Guardian, Monday 17 January 2000

¹¹¹ The Guardian 17 January 2000

This programme implied an increase in the national budget of about £100.000 in capital investment per school, which would mean, according to objectives £60M pounds extra topped up by the per-student amount.

The principal change to the previous model was the smaller involvement of private companies, even though it was still compulsory, and the creation of links to the remaining schools in the area. The reduction in company participation had come down from £2 M in the first scheme (CTC) to £100.00 in the TIS and now further down to £50.000. Specialist schools did not involve the creation of new infrastructure but transforming existing schools with the help of private initiative.

Estelle Morris, the secretary of Education, said: “unlike the last government, we are resourcing specialist colleges to work with neighbouring schools, both secondary and primary. So, by the next election, almost every secondary will either have specialist status or be linked to one that has. That way we’ll get a diverse, comprehensive system that offers a parental choice”¹¹². These schools were to teach the National Curriculum but emphasize a specific specialism, previously chosen and approved.

The government named the colleges where the transformation was to be implemented, and results were expected to rise, following more money and better target of student’s needs.

This policy is inspired by the City Technology Colleges, with the major difference that it does not involve creating facilities from scratch nor private management. These schools were thought as part of the local school structure, linked to other regular comprehensive schools, and to several feeder primary schools. The idea was to give parents the possibility of choice within the public system.

Specialist, or technology, colleges was an idea embraced by the Labour government who started to promote them during the 1997 campaign. This idea had first been pushed to conservative agenda by Sir Cyril Taylor who kept on fighting for it, and who managed to influence David Blunkett and Estelle Morris, both with a professional passage through one of these typologies of college. According to his bibliography (Taylor, 2013, p. 211)

During the April 1997 General Election, the Labour and Conservative parties competed on the numbers of specialist schools they would establish if elected. David Blunkett said he wanted 1000 specialist schools.

Sir Cyril, who had been Margaret Thatcher’s advisor on CTC, remained a special advisor on specialist schools during the three labour governments, and the idea caught the admiration of every Labour secretary of state. He paired with another strong advisor, Andrew Adonis who was directly linked to Tony Blair. Adonis and Sir Cyril were good friends, and they both shared a firm belief in private investment as the social service motor. Adonis had worked for several think tanks, including Policy Network which seeks to promote strategic thinking on progressive solutions to the challenges

¹¹² idem

of the 21st century and the future of social democracy. The advisors to education during the Toni Blair's years were:

1. Adonis a liberal thinker with an Oxford background, and who had benefited from Assisted Scheme Places, and favoured partnerships with private companies;
2. Barber trained in Oxford very focused on standards achievement;
3. Miliband also trained in Oxford and was one of the major contributors to the Excellence in Schools Whitepaper which was the basis for Labour education policy.

Labour and social democratic think tanks started to gain dimension during the second half of the eighties, as consultancy organisms that would be busy producing policies, analysing problems and releasing useful information for policy implementation. Many of the think tanks are also in charge of ensuring that their pet policies are adopted and implemented. It is a curiosity that the labour government adopted many policies copied from the previous government, attached to slightly different problems. The policies were slightly adapted to improve their acceptability by more areas of the national mood and institutions as a manner enhancing implementation processes. During the successive labour governments "ministerial advisers in government overall doubled in number to 75 between 1997 and 2000 (...) advisers during this time were described by one former Permanent Secretary of the Cabinet Office, Sir Robin Mountfield, as behaving like 'unaccountable junior ministers'." (Exley, 2014)

According to Stephen J. Ball & Exley (2010) think tanks are all connected and use synergies to increase their power, both as policy producers and policy entrepreneurs. "Network members move between sites and across the private and public sectors" (pp.155). Looking at the scheme developed by Ball et al. (2010), Policy Network, the original home of Adonis, is one of the central think tanks that spread to others, creating a tight grid of influence (Figure 4.7).

Ball & Exley (2010, pp 156) state that "most of these institutions had some members who acted as direct advisors of the government, at the same time as they were producing research, with an academic and unbiased view".

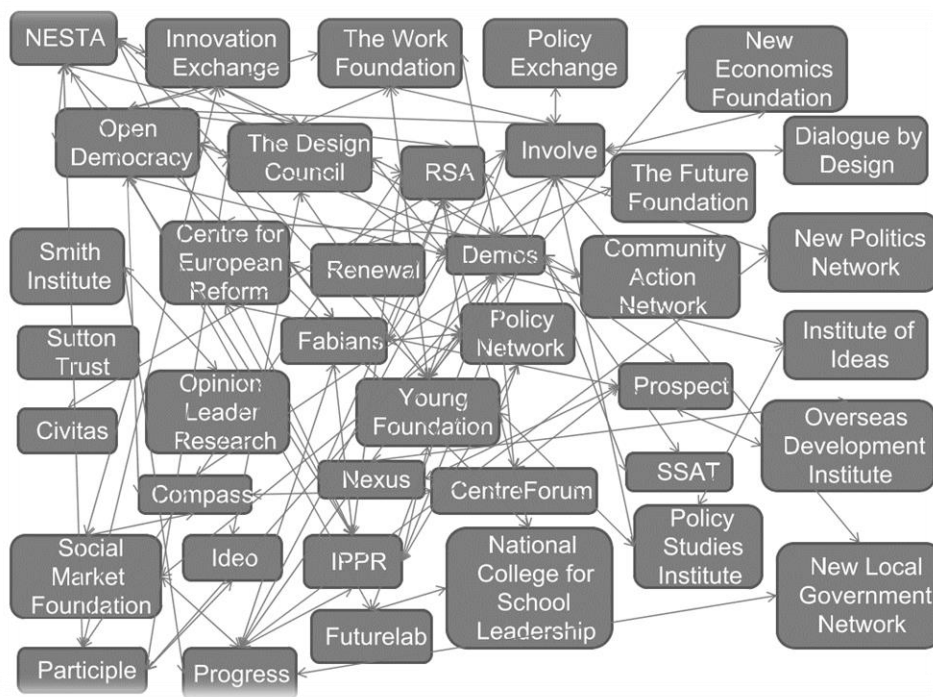


Figure 4.7 Connections between think tanks, England

Source: Taken from Ball & Exley (2010, pp 155)

Adding dates of creation to these institutions allows for comprehension of time influence scope. They mostly became active just before or during the New Labour years. Twenty-one out of the thirty-three left-wing or social democratic think tanks were founded after 1990 (Figure 4.8), with an enormous peak during the New Labour government.

The growing strength of such institutions, in quantity, the convergence of ideas and communication capacity, enlarged the power of entrepreneurs and gave body to the framing of speeches, which in turn got to be more potent in moulding national mood and institutional opposition.

Think tanks are normally financed by big companies, which have increased their amount of involvement, as a way of indirectly influencing political decision. “Think tanks occupy a grey area between public and private, between the third sector and the state.” (Ball & Exley 2010, pp 157). For example, Adonis was a member of several Think Tanks and after leaving government became the director of the Institute for Government.

For the first time in the UK, there were plenty of think tanks supporting a policy measure and calling attention to problems in education.

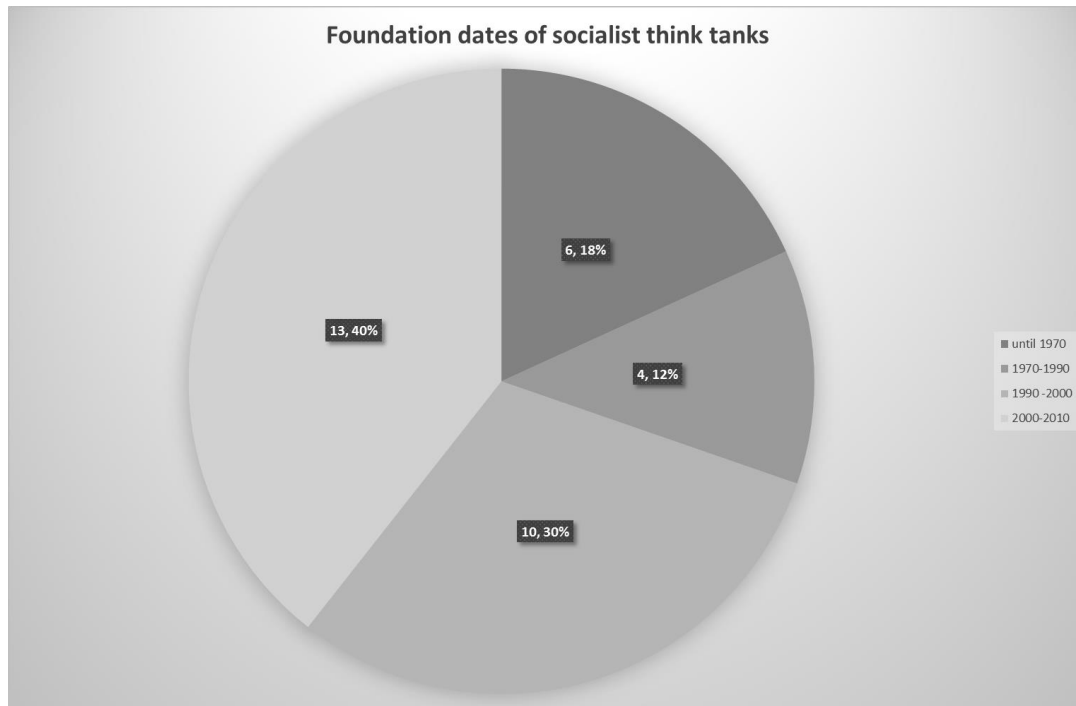


Figure 4.8 Foundation dates of socialist think tanks, England

Source: sites of think tanks, author's graphic

Another notable news that may work as a measure of external, even private, influence on policy decision was the sharp increase in the number of advisers working around Blair's government. Advisers are non-elected political positions, who usually are individually appointed. Many of the counsellors came from private companies, in general, public relations, consultancies, or newspapers. The advisers formed an elite group called the Ding Street Policy Unit, whose mission was to develop policies and suggest implementation strategies. Tony Blair's government had 80 advisers by 2001, an absolute record over any previous government.

Education was advised, on top of the cabinet, by¹¹³:

- (i) Lisa Barclay who is a strong supporter of the idea that private does it better and social service had better be handed into private corporations. She moved on to work at an NGO Social Finance, that deals with private investment on public issues;
- (ii) Tom Bentley who was director of the think tank Demo, very active on promoting public-private partnerships;
- (iii) Sophie Linden who has become a professional lobbyist to Bell Potter public affairs, one of the most prominent and most influential public relation firms in England;

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http://powerbase.info/index.php/UK_Government_Special_Advisers_1997_Labour#Secretary_of_State_for_Education_and_Employment, seen on 5 December 2016

- (iv) Nick Pearce who was a journalist at the education section of the Times and later became an active member of a think tank Institute for Public Policy Research, that also advocates PPPs as a more efficient manner of governing. The strength of entrepreneurs had grown exponentially, and many individuals and institutions were willing to force specific policies.

The problems that this policy was supposed to solve were in their majority vague and loaded by brokers. Rise technology know-how, increase the employability of young people; expand co-operation between local schools and increase the diversity of offer, so each student could find her strengths and get therefore a better education (K. Bell & West, 2003). There is no measurable problem, only this idea that education is not adequate in labour markets and that there is the need for more diversity. The emphasis was not placed on parental choice, instead it went to cooperation, diversity and a more qualified workforce, this line of the argument was identified and implemented by advisors and think tanks.

To better attach the policy to the problem a few numbers were made available: CTC had achieved better results and faster improvement, this argument was under attack as the calculation mode was not very clear and may be wrong¹¹⁴. Another number that emerged¹¹⁵ was the high rate of most impoverished students, three quarters, who did not have access to proper education, these colleges would also target the opportunity issue.

Directors who were asked why they run for specialist college status pointed as the first reason to increase their budgets, seeing this as an opportunity to solve some underfinancing problems. They also referred standard raising, creating a new school culture, and focusing on a specialism as reasons for changing. The school headmasters did not seem worried by any of the problems that were identified by the political prose – cooperation, diversification, and more opportunities for the poor (A West, Noden, Kleinman, & Whitehead, 2000).

Government and entrepreneurs recognised problems, and problems were not a central piece of this policy. There was a window of opportunity for change, which had been opened by the campaign and the passion for education. The presentation of a line of action capable of improving education was per se enough to persuade the national mood.

The national mood was incredibly favourable. The government was naturally favourable to change, and sentences such as “a good school for every child is our mission” made people believe this was the difference between the Labour and the previous Conservative government. The same scope of policy but within a broader scope.

The conservatives were more than pleased with this sort of line, as it was the continuation of their policies. Only minor detailed arguments on feasibility and design emerged during the discussion.

¹¹⁴ Climbd puts schools policy in doubt, Guardian 5 December 2001

¹¹⁵ Great leaps forward, Guardian 27 February 2006

The liberal party had some opposition especially in calling the attention that this was the same as the previous period, and once again was a policy of denigrating state schools.

From other departments of society there were calls for unequal treatment between schools, in the sense that individual schools would have more money and resources than others, could choose their students and would probably increase their results by taking away resources from other schools. The National Union of Teachers called attention for the lack of teachers to implement this typology of schools, and that the profession was not attracting the best people. Some teachers and staff from schools who were not to apply for this status claimed against the cooperation assumption, as they could not see any positive cooperation, once one school had it all and the others had to lag. Cooperation is only possible when gains flow in both directions (K. Bell & West, 2003).

Parents seemed to support these schools. The ratio of application to vacancies was 1.52 in the first year of a school, and it grew to 1.74 the following year. Teachers were also satisfied as the specialist schools were employing more teachers, a survey of teachers reported 8 in 10 to be very satisfied (A West et al., 2000). This programme was well received this time, and even companies seemed not to oppose the donation of £50.000.

The availability of companies to participate in this scheme had to do with tax-exempt given by the government; the donations were fully deductible against the tax, which meant a much smaller real donation, as companies are always looking for ways of reducing their taxable profits. Depending on the interval of profit they were placed at, a £50.000 donation, meant for the company in real terms about £32.000 pounds, as the rest was the tax exemption.

According to Sir Cyril (Taylor, 2013), the most valuable motivation for donors was the top up by the state on an amount higher than what was asked from the private sector, tax exemption and the attractiveness of the cause. In his opinion, the Specialist Schools gave the investors the opportunity to add value to schools, and in the limit to mould CVs, benefiting directly from education as a vehicle for selection and staff hiring.

The donations were made in cash (initially) but could not be subject to the buying of products or services from the company. On top of this one-off payment, companies were invited to have a long-term relationship with the schools; this relationship was not compulsory. Private sponsors could nominate a person to the school board, but above all their head mission was to help schools to create a business like “ethos” which encourages high-quality education at the smallest price possible, the objective was to get schools to become more efficient.

One of the significant changes during the Labour years was the extra capacity for persuading companies to give money to education, which was probably the work of many consultants and public relations who had privileged contacts with government and private companies. For example, Weber Shandwick a public relation company is now known as one of the most relevant companies keen on raising money for specialist schools and was even tangled in suspicions of fraud. In 2006 the government was paying this company to lobby for money “The company, which acts as a lobbyist for

Coca-Cola, Nestlé, Microsoft and the US defence giant Lockheed Martin, is being paid £2.5m over two years by the Department for Education to attract business investment into schools”¹¹⁶.

Each specialist school (with an average of 1000 students) would cost the government over a period of three years, after which the school was reassessed, an extra £500.000 pounds plus some tax losses. This results from £100.000 initial investment, £17.500 tax exemption to the private donor; £129.000 per year in extra pay per student., which meant an extra cost of £500 per student to the government and a minor effort of £32 from private donors. At the time, the regular cost of a secondary education student was at about £3500 per school per year (Sibieta & Chowdry, 2011, pp. 7) excluding capital. As the initial investment had to be in the capital, the per additional student cost represented less than 4% incentive. The capital investment was unquestionably higher than the capital investment in other regular schools, as it was one of the criticisms this programme faced by head teachers.

In February 2001, The Guardian published an article “Specialist schools to grow beyond Tory’s dreams” where they recognised that:

Specialist schools are popular and over-subscribed, not least because of mounting evidence that they out-perform their comprehensive rivals. Research by David Jesson of York University last year revealed that non-selective specialist schools had 52% of their pupils achieving five good GCSE passes grade A-C, compared with 41% for all other schools.

As time went by this model became even more successful, by 2009 there were about 2700 specialist schools, and in 17 education zones, there were 100% specialist schools¹¹⁷.

The number and diversity of specialities increased, as well as the number of schools that opted for this model (Figure 4.9). By 2009, technology was still the leading subject in specialist schools, Arts and Sports were not far. Maths, computer, Business and Science also had proper representation. Music and Engineering were the most residual, and only a few schools were offering these specialisms.

By 2008, 90% of maintained secondary schools had become specialists, meaning that private sector had financed education in more than £300 million (before tax incentives) and the cost of secondary education had gone up by about 3-4%. Sponsors were more generous than the minimum required by law (SSAT, 2007)

This level of sponsorship was made easier when the Trust created, in 2002, a fund of £3 million to persuade companies to participate and to distribute to schools that could not collect the money directly from businesses. In this manner, the lobbying efforts were centralised and money collection more accessible.

¹¹⁶ Lobbying firm linked to academies row, The Guardian, 23 April 2006

¹¹⁷ <https://web.archive.org/web/20100415034444/http://www.standards.dcsf.gov.uk/specialistschools/>

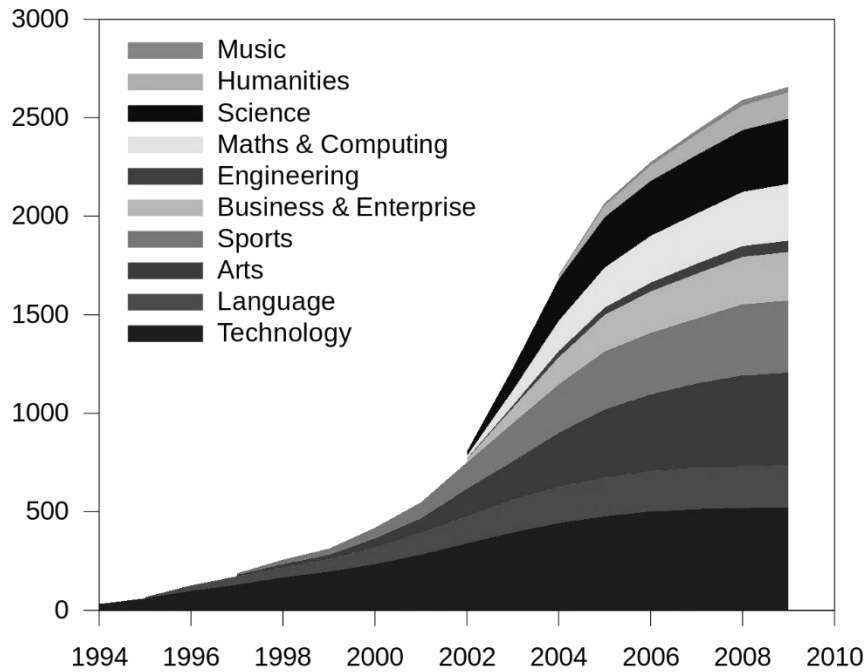


Figure 4.9 Number of specialist schools in England by year and first specialism

Source: UK-Gov¹¹⁸

According to the Trust, some of the donors gave considerable amounts of money to the cause, for example, The Garfield Weston Foundation who supported 500 specialist schools. Other major sponsors were Wolfson Foundation, British Airways, British Aerospace, EMI's Music Sound Foundation and the Sutton Trust.

Many sponsors have worked closely with their schools, and they see their investment as a way of attracting recruits with the necessary skills. Sir John Rose, chairman of Rolls Royce, "high value-added manufacturing is crucial to the future prosperity of our nation. That is why Rolls-Royce has sponsored a number of both technology and engineering specialist schools to ensure that school leavers have the skills necessary to work in our industry." (SSAT, 2007, p. 27).

The sponsors, with minor financial participation in the movement, were put in the centre of the process and they were publicly admired and recognised, well shown in the cartoon (Figure 4.10).

¹¹⁸ <https://web.archive.org/web/20100415034444/http://www.standards.dcsf.gov.uk/specialistschools/>



Figure 4.10 - Cartoon joking with Taylor's enthusiasm for ePPPs

Source: Taylor (2013, p.353)

Table 4-4 Most relevant information on Specialist Schools

Policy identification	Specialist Schools (2000)– Education Act 2000 – the objective was 1000 schools to transform.
Policy origin and design	State schools to be converted in specialist schools with the support of private companies, which had to give a sponsorship of £50.000 and get power to help the schools modernise and become more job market centred. The government would also increase the investment, both in initial terms and as a per-student amount. The origin was the previous CTC policies.
Window of opportunity opening	A new labour government willing to show that society could be better off with the participation of all, especially the ones who were doing very well – big companies.
Problems to be solved	Cooperation, diversity and a more qualified workforce
Ideology, government and opposition	New labour ideology that pressed for cooperation between private and public, highly supported in studies and functional capacity of persuasion. Conservative opposition could not be more pleased, and occasional opposition came from the liberal party. Teachers, parents and companies were happy with the idea.
Policy Entrepreneurs	Sir Cyril Taylor, Adonis and many think tanks in the labour arena that had recently emerged for whom education was an excellent field to gain position and market awareness.
Establishment	Establishment was fast and enthusiastic. Exponential growth in 2000 there were about 400 schools welcoming specialism while in 2009 there were more than 2500 schools at secondary level.
Lessons learned	The right configuration is an element to take into consideration, and ideas count. The way ideas are presented is a fundamental factor.



Figure 4.11 Visualization of the dimensions relative strength – SC

Source: Author's design

From the interpretation (Table 4-4) of the checkpoints that are illustrated in Figure 4.11 and detailed in **Error! Reference source not found.**, it becomes clear that specialist colleges benefited from a powerful political dimension when both institutional equilibrium and national mood were wholly favourable, or at least non-resistant. Entrepreneurs were also very active, and this time the problem seemed to be better anchored, more measurable and benefiting from previous policies that uncovered new aspects of the problem. The policy could still be improved, particularly concerning its technical feasibility measured by the investment by public and private sources. **Error! Reference source not found.**

$$0.4 \leq \langle ((0.4 + 0.4) * 1) + (0.2) \rangle \text{ (Open Window)}$$

$$0.4 \leq 1 - \text{Inequation True} - \text{favourable possibility of establishment}$$

This policy is an example of a clean process when every variable is ready to accept and implement the policy.

From the assumptions of our simulation model, all the conditions were set for this policy to be well implemented and to be accepted by the ground actors. The main advantage of this strategy had to do with the support of the opposition and with the reformulation of the policy that transformed what had been a challenging policy in the past (CTC) into a more feasible policy. The new approach

required smaller effort from private investors, and it only meant the transformation of public schools and not the building from scratch.

At the same time, the opportunity created by the emergence of more think tanks and the addition of more voices contributed to a more favourable national mood, as well as the change in the speech that managed to detach from the traditional choice and efficiency into cooperation and quality. The fact that the government had a smaller neoliberal ideological connection was also a critical aspect to tame some opposition from unions and teachers, who believed in the virtuous intentions, away from the capitalist targets.

4.6.4 Conclusion on Technology Strand

The above analysis shows an apparent evolution of a policy that started with a design that was not feasible and was rejected at the implementation stage to a feasible policy that assembled stability around it and was successfully implemented

The growth of the number of technology/specialist colleges is evident; one can observe that they were mostly inexistent in 1994 and grew to over 2500 by 2009 (Figure 4.9).

The window of opportunity remained open or re-opened several times for the same typology of policy, all in all the approach to the policy moved substantially.

The evolution of the problem (Figure 4.12), besides it was kept at a theoretical non-quantifiable level has changed substantially especially in the last moment of policy conceptualisation. This move was determinant in helping with a more favourable public opinion, as the new problem would please the more left-wing thinkers and open the way for the establishment of an ePPP pet policy.



Figure 4.12 Problem Evolution in Technology Colleges

Source: Author's design

About policy design, there were also changes (Figure 4.13), that transformed perception and policy feasibility and costs. The most extensive change in policy design happened in 1993, aside from the fact that it was not enough to extend the policy to a vast number of schools. It marks the beginning

of success, although a long path was still to be tracked. In 2000, only mild adaptations were inserted, expressly in the role of private companies in the schools, who more than managing were supposed to contribute to changing the spirits and the approach to teaching.



Figure 4.13 Policy Evolution in Technology Colleges

Source: Author's design

The national mood was also altered along this period, probably one of the most relevant configurations prompter (Figure 4.14). The most critical parties turned into a tacit agreement, the schools welcome the cooperation idea, of a technical school creating links with the other schools and parents, were accepting the goodwill of the newly elected government. LEAs were still cautious as they feared the role of companies in management.



Figure 4.14 Politics and National Mood Evolution in Technology Colleges

Source: Author's design

Finally, entrepreneurs were also a force for change (Figure 4.15), and the evolution of think tanks and people willing to spend resources in producing information and influencing policymakers and national mood is exponential in the period considered, especially in the last moment of policy legislation, when think tanks and counsellors to the government proliferated and gained power.



Figure 4.15 Policy Entrepreneurs Evolution in Technology Colleges

Source: Author's design

4.7 GIVING MANAGEMENT AWAY

This strand has a trace that comes from Ms Thatcher years. Therefore I will come back to the 1980s and trace the evolution of another kind of ePPPs – when private providers are called to substitute the state as school manager. In England, this strand is characterised by Grant-maintained schools that matured into academy schools and more recently into two distinct classes: sponsored and converter.

4.7.1 Grant Maintained Schools - 1988

Levelled with the Technology Colleges and in the line of ePPPs there was a third strand of bringing the private into education, as schools were incentivised to become independent, away from the LEA's scope, and directly dependent on the government, still keeping the status - no need to change into technological or specialised. The idea was to create partnerships with private individuals or companies to manage schools and give autonomy to these structures, while the government would still pay a per-student amount.

Schools were to keep their previous status and scope regarding the educational offer, i.e. grammar schools would remain grammar schools, comprehensive schools would remain comprehensive schools. The primary goal of such a scheme would be to reduce LEA's control, gain power over staff, premises, and curricula to an extent. Parents, teachers and other members of society would compose the school's management. These schools were to be paid directly by the government, and no fees could be charged to parents. The amount paid to these schools would be taken away from the respective LEA.

Grant-maintained schools were firstly legislated in the Education Act 1988 (29 July), during the first conservative government, while Baker was Education Secretary of State. In 1986, there was no discussion about such schools, Grant-maintained schools¹¹⁹ got into the political vocabulary as a

¹¹⁹ Secondary education, before 1944, had been privately ran with partially support from the state. At the time those schools were kown as Maintained Secondary Schools. Most of these schools were nationalised and moved into the hands of LEAs

solution for education in May 1987 and became one of the most discussed education policies until 1997, when were substituted by a slightly different formulation - Academies.

From an analysis of all articles published at the Guardian-Observer in 1987/1988 during the period of Bill's discussion, it becomes clear that the 1988 Education Act was a significant issue, attracting opposition arguments from within the conservative party, the church, the teachers and their unions.

The window of opportunity for this policy opened with the re-election of the conservative party in June 1987; this policy is made public in the Conservative Party General Election Manifesto, where it is written¹²⁰ "we will allow state schools to opt out of LEA control. If in a particular school, parents and governing bodies wish to become independent of the LEA, they will be given a choice to do so. Those schools which opt out of LEA control will receive a full grant direct from the Department of Education and Science. They would become independent charitable trusts."

Schools that wished to opt out were to be called Grant-Maintained Schools. The origins of this policy are probably in "the Black Paper movement of the 1960s and 70s and its polemical attacks on the quality of state schooling" (Halpin & Fitz, 1990). Similar schemes had already been implemented in countries such as Australia, Denmark and USA, which allow schools to have relative financial and curricular autonomy within a framework of national or federal expectations and legislated for systems of provision by the state.

Once again, this policy presents itself as creating alternatives to poor public education schools. GMS policy was attached to the typical education problems, which had already been targeted many times during the conservative period. Parental choice and diversity offer are in the centre, but this time giving direct power to parents seems to be the main distinctive characteristic. Secondary arguments are the increasing of quality and the introduction of competition to make every school better. Margaret Thatcher in a presentation at Conservative Women's Conference¹²¹ (June 1990) said "Grant Maintained Schools – we got that legislation to enable people to get their school out of the grip of a local authority which was often not teaching them the right things, or sometimes not teaching the right things and not enabling them to run their schools". It was an attack on the Local Education Authorities, to whom the first conservative government had declared war many years before.

Just before the 1987 election, Secretary of State Kenneth Baker answered a series of questions posed by the Daily Mail¹²², where he had the opportunity to clarify on problems at stake and policies to solve them. The problems recognised were:

- (i) People living in inner cities who do not have access to quality education;
- (ii) Create competition to the state system to help it improve and
- (iii) Parental choice.

¹²⁰ <http://www.conservativemanifesto.com/1987/1987-conservative-manifesto.shtml>

¹²¹ Retrieved from Margaret Thatcher Foundation.

¹²² The class question, The Guardian 29 May 1987

When asked to clarify what GMS were about he unveiled that this would be a system where big, more than 300 students, primary and secondary schools could ask the government to opt out of the Local Authority's control. This decision would have to be very democratic, in the sense that a ballot would be thrown to parents, a majority of votes would be needed to initiate the process, and it would need to seek permission from himself, the Secretary of State. "In an even more radical 'anti-system' innovation, parents were given a collective right of exit by voting their schools out of LEA control and re-establishing them as free-standing, grant-maintained schools funded by central government" (Whitty, 1997)

In the secretary words¹²³:

I will have to talk to the Headmaster, the Local Education Authority and senior teachers. Finally, I must satisfy myself that the governors are competent to manage a school. When I am satisfied the school can go ahead.

As to describing the starting of the process, before getting himself involved in this highly centralised decision:

The governors must be persuaded that some parents want the school to opt-out. You can lobby them. Then the governors must put the proposition to ALL parents whose children attend that school. Arguments for and against will be put to the parents both in writing and public meetings. Then there will be a postal ballot with every parent having one vote. The decision will be made on a simple majority of votes cast.

Therefore, schools that survive this full process will become "free", the property will be given away by the government to a trust that manages the school, a per-student grant will be made annually available, with a value in line with the per-student cost at the respective LEA¹²⁴ and also some capital for regular maintenance and investment. GMS would have precisely the same conditions as LEA controlled schools; furthermore, they would be entitled to decide how to control and spend their budgets.

On the side of power to schools and parents, they were presented as a favourable scenario with more money, control over admissions, control over teachers including teacher's pay, as stated by the Secretary of State: "The power of the headmaster. He will be able to pay above rate to attract good teachers, providing he can save money in other directions. He will be able to dismiss those who aren't good enough. If he should pay them compensation, he must do so out of his budget. That's a considerable step forward in the power of the head"¹²⁵. Headmasters would also have the power to

¹²³ General Election Press Conference (education) | Margaret Thatcher Foundation | accessed 22 September 2016

¹²⁴ The Guardian, December 8, 1987 (Tony Travers) "Opting Out will not mean opting in financial stability"

¹²⁵ The class question, The Guardian 29 May 1987

expel disruptive pupils, but no previous selection could legally be made. They would still need to follow the national curriculum, as the only schools allowed to develop their specific knowledge provision were the entirely independent private schools, available only to a minority of wealthy families.

Margaret Thatcher was so supportive of this measure that at a point she tried to persuade for a law that would make every school a GMS, after all, she was defiantly opposed by Kenneth Baker, who said it would be a total disaster. some say Baker did not fully support this policy, and he hoped it did not have much popularity “...emphasised that they believed that there were only a minority of cases where parents wanted to opt out.”¹²⁶

Such a policy that seemed to be feasible, without any additional costs to the public budget attracted many complaints from several sectors of society. The newspapers Guardian and Observer were prolific in exposing the opposing arguments, which however did not impede its approval.

Criticism during the discussion process, from May 1987 to July 1988 enhanced some changes, especially making the government more defensive and more powerful¹²⁷. A policy that theoretically intended to give autonomy to schools, more decision power to parents and head teachers, ended up as an icon for power centralisation at the hands of the secretary of state. As stated by Judith Judd in an article for the Observer¹²⁸:

Since the Bill was published in November, it has grown in length by a third. The new powers given to the Secretary have risen from 182 to 366, according to a count by officials at the Association of Metropolitan Authorities.

Criticism came from within the Conservative, Liberal and Labour parties, the church, teachers, head teachers and unions, some parents and academia. Some hope for vetoing this process was laid on the Lords, as academics and old thinkers populate that chamber. “Certainly it has provoked fierce discussion and aroused strong passions (Haviland 1988: 101-135, cited by Halpin & Fitz, 1990). The main lines of opposition were considerations about:

- (i) Whether schools would be able to apply to return to LEA’s control, in case things went wrong;
- (ii) Selection of pupils, with schools becoming elitist and excluding students for racial, religious or capacity reasons;
- (iii) The adequate financing of the system;
- (iv) Doubts about excessive power in the hands of one single person;

¹²⁶ Parents postal Ballot needed for opt-out schools, The Guardian 28 May 1987

¹²⁷ This Bill was not only related to the creation of Grant Maintained schools, it also made crucial changes to Curriculum, teacher career, hire and firing processes, school enrolment rules and financial autonomy to schools. It also set to end tenure for university professors.

¹²⁸ The Observer, 8 May 1988

- (v) Religious affairs and fear of losing its religious school status and permission to work under specific rules;
- (vi) Some confusion and lack of clarity in the rules of the game;
- (vii) What would happen to schools if Labour won the next election as they had threatened to rewind the process;
- (viii) Lack of time to thoroughly discuss such radical proposals; (ix) some radical arguments based on the destruction of the all education system in a single measurement.

With all these discussions national mood seemed to be also changing against this measure and two surveys were launched, towards the moment of approval, showing that very few parents supported GMS, forecasting that this measure would be a failure and it would never get out of the ground. A poll conducted by the Guardian¹²⁹, Marplan Poll, concluded that only 18% of parents responded positively to whether they would like any of the schools in their area to opt out of the respective LEA.

On the side of supporters, yet more discrete, and not as present in the public sphere, they were in the background doing their work and planning for implementation. The arguments in favour came from the prime minister, the secretary of education and other government members, as they pleaded that this exempt from LEA control policy would not imply any payments by families and that there was no top-d pressure for change. No school would be made to move into the Grant-Maintained system, but the government was solely creating the possibility for parents, governors, headmasters and teachers to decide over the education of their schools. This option, in the view of Mr Baker, would “respond to the wishes of parents, and for the first time in 80 years (schools) would face competition and raise standards”¹³⁰. Grant-maintained schools will be free to manage themselves as they think best. Parents will enjoy enhanced influence over their conduct. As summed up by Angela Rumbold, Minister of State, Department of Education and Science (DES) “Greater diversity within the maintained education system will lead to healthy competition, and thereby foster higher educational standards all round” (Parliamentary Debates, 3 March 1989)

From the outside, this measure was supported by a few councils, namely Brent and Haringey and some relevant individuals who participated in the drawing of the instrument. Mr Stephen Morris, ex-conservative MP for Oxford East became the Trust Chairman, who also organised the initial budget of the Trust, created to run the process. The first budget gathered money from unidentified companies and individuals who supported the measure from the shadow. Mr Andrew Turner, who became a director of the Trust, used to be an advisor for the Conservative Research Department, had an essential role in designing the process to apply for Grant-Maintained status, as the Trust would act as a consultant to establish plans for budget and staff, and would also advise on daily school management.

¹²⁹ A decisive No to opting out, The Guardian 9 February 1988

¹³⁰ Baker Bill will destroy the system, The Guardian, 2 December 1987

More distant from the political stage entrepreneurs who favour a combination of neoliberal and neoconservative measures can be found. The Hillgate Group (Walford, 2018) argued that the Government would better encourage with capital grants the creation of 'new and autonomous schools including Church schools of all denominations, Jewish schools, Islamic schools and such other schools as parents' desire'.

The Institute of Economic Affairs (IEA), was also a supporter of neoliberal policies and a privileged source of inspiration for Mrs Thatcher. The Centre for Policy Studies (CPS) who had slowly become the research department of the conservative party, was acting and thinking in the same direction. Another think tanks created to support policy were Adam Smith Institute that was founded to promote the privatising of public services and the private ownership of public assets and Social Affairs Unit, created the idea that over-dependence on the state and excessive welfare provision were prejudicial for society as a whole (Ron Balsera et al., 2016). The Conservative Education Association was also busy supporting policies that granted power to parents.

Some private companies such as Saatchi and Saatchi (a communication expert group), Blue Arrow (a recruiting company) and Coloroll (a big industrial group in the area of house decoration with sympathy for Conservative party and that went bankrupt shortly after), have also spoken up publicly in favour of GMS. The chairmen of the latter became part of the Trust, therefore direct advisor on the application process.¹³¹

Once again, the adoption of GMS can be viewed using the frame proposed as one can identify the contents of each stream, the strength in each actor and also the weak points, and what has not carefully been accounted for. In this case, a general fear of things going wrong, of the possibility of finance downgrading with time, and too much power to the secretary of state, proved to be the central constraints in conditioning the success of this strategy in giving power to parents. The enunciation developed by entrepreneurs and delivered by Kenneth Baker, with some noise introduced by Margaret Thatcher, failed to persuade parents about the wonders of GMS as a tool to solve the stated problems. In this case, I would evaluate the national mood as the handicap for the spreading of GMS, especially if one considers that the opt-out would depend on the vote of parents. By the time the policy was legislated, the Trust had already been approached by about 70 schools from conservative and labour areas¹³², two weeks later this number has doubled¹³³. This time the government did not set an expected number of schools wanting to engage in the process.

In parallel, the government informed LEAs that some schools would face closure or merge as funds would be reduced due to a reduction in the number of students, and postponed information on closure until the deadline given to parents to decide on opt-out. This strategy of threatening parents with the closure of their school might have acted as an incentive for more schools to consider asking

¹³¹ Trust advises opt-out schools, *The Guardian*, 29 July 1988.

¹³² Trust advises opt-out schools, *The Guardian*, 29 July 1988

¹³³ GCSE strains Schools, *The Guardian*, 10 August 1988

for opt-out straight away. The Trust, a privately financed body, engaged in a campaign to inform and influence schools to engage in an opting out process. Expecting to take head master's recent return from holidays they sent prospects and leaflets to every secondary and primary school¹³⁴.

The budgets for the GMS were attributed just near the beginning of the new school year, opting out turned out to be a dense process, not effortless to engage and manage. Some headmasters pleaded to have extra 11% than what they would have had if they had kept within LEAs control. It was said that they had the responsibility to keep the books, but not the expenditure control, with full freedom to shop around for services, products and even staff¹³⁵, schools become a business, and everybody must learn how to market the product (education) properly. Parents can now demand quality, and the school must link to the industrial community to seek extra funding.

Misinformation and speculation marked the immediate period after the launching of the system; some directors believed they would get extra finance, despite the denials of government. In October that same year, the government came out with a clarification on finance and treatment available for schools who would opt-out¹³⁶. By November 1989, they had ten to fifteen schools who would be ready to open during the school year of 1989/90 as GMS. Mr Baker was faced with the dilemma of giving GMS status to schools that were facing closure and that turned to this option as a way to save themselves. Meaning that the government would be giving coverage to "dozens of lame ducks under its wing"¹³⁷. This was the first dilemma faced by Mr Baker at the time. The Trust Chairman declared that this was not the fault of the Trust as they do not say to schools that they are likely to get GMS status, as that decision belongs to the secretary of state. So, by the end of 1988, only 15 schools had applied to opt out, and about 10 were schools facing closure.

By the beginning of February 1989, as reported in the *Guardian*¹³⁸, of about 5000 eligible schools only about 64 had taken the issue to the parent ballot, and only 24 voted for opt out. These schools are almost equally distributed between conservative and labour authorities.

The number grew to 64 schools asking to opt-out for the school year 1989/90, but only 18 gained the GMS status. During the ballot and campaign process, many divisions rose and, in some cases, even violence amongst parent's pro and against, as well as with LEAs and council representatives. Some processes were fought in the courts¹³⁹, and most faced the strong opposition of other local schools.

GMS did not seem a fantastic success when Mr Baker stepped down as Secretary of State for education (Table 4-5) and was substituted by John Macgregor in July 1989, a man that had his

¹³⁴ 280 schools go for opting out, *The Guardian*, 31 August 1988

¹³⁵ Opting out finds favour in the Tory heartlands, *The Guardian*, 15 October 1989

¹³⁶ Baker hint that opt-out schools may get priority, *The Guardian*, 15 October 1988

¹³⁷ Lame duck school put Baker on spot, *The Guardian*, 13 November 1988

¹³⁸ Baker code "covers up opt out flop", *The Guardian*, 14 February 1989

¹³⁹ The long difficult goodbye, *The Guardian*, 29 August 1989

professional career in a merchant bank, had joined Thatcher's team in 1985 and was the Minister of Agriculture, so this came as a promotion. Education was not a vibrant area for him. Therefore he was compelled to follow his predecessor and keep implanting the outlined measures. Kenneth Baker was needed at more political positions; he was appointed Chairman of the Conservative Party, whose mission was to start preparing Margaret Thatcher's re-election in 1991, for the fourth time.

By the combined analysis between **Error! Reference source not found.** and Figure 4.16, the fact that this was a very embryonic policy becomes evident as none of the dimensions had a minimum level of ripeness. It was a policy that did not meet any of the criteria considered relevant, failed to gather the national mood and opposition and the problem was ill-defined. The minimum desired combination was still far from being achieved. On the positive side, there were some entrepreneurs available to spend resources, with privileged access to policymakers.

Looking at the equation and tables it becomes clear that the limited success during the implementation process was due to an unfavourable social mood, strong opposition from teachers and their unions, but above all from parents who remained sceptical of the practicalities of such measure. The speech failed to persuade crucial actors in the process, in this case, the parents who were called to vote.

The government was quick in understanding the limitations of this format, and two years later, the argument started to change to solve for the limitations identified. The privatisation of education was to continue when Margaret Thatcher was forced to step d, the window of opportunity became temporarily closed.

Following the low numbers of schools who have opted out, over one year after the measure, and with opposition claiming victory, and failure of GMS idea, the government announced a plan to give extra money, for infrastructures for schools who had opted out, increasing in this way the amount of expenditure in these schools by 41%¹⁴⁰.

The government was accused of bribery to try to persuade new schools to opt out for next school year while giving a hand to the first opt-outs expecting they would make a difference in the quality of education. During 1990 there was an attempt to expand opt-out mechanisms to Scotland, an autonomous education system, by creating a Trust branch focused on this territory. The prime minister was unhappy with such slow establishment of GMS that by July 1990 had only been adopted by 44 schools, representing less than 1% of schools. In August, the influential right-wing think tank, Schools Out¹⁴¹, published a report proposing that the opt-out ballot would better be compulsory and all the process should become more straightforward. The target was to empty LEAs of any role as a manner of saving about 18% of education costs.

Table 4-5 Most relevant information on Grant Maintained Schools

¹⁴⁰ £66.6 m for opt-out schools, The Guardian, 27 Jan 1990

¹⁴¹ <http://www.schools-out.org.uk/>

Policy identification	Grant Maintained Schools (1988)– Education Act 1988. Schools were called to opt out of the LEA control to be managed by parents or other organisations. No clear objectives were set. Mrs Thatcher would fancy extension to every school.
Policy origin and design	It was inspired by the Black Papers that had questioned the effectiveness of the state as school managers. Also, in some experiments run in Denmark, US. Following an internal ballot, the schools could apply to become independent as far as the secretary of state was pleased with the education plan and managers capability. The state would finance on a per-student basis, but management was to be handed to the school managers, with teacher autonomy and curricular autonomy.
Window of opportunity opening	The conservative government had been re-elected with promises of independence from LEA who were not managing schools to the best interest of parents and children
Problems to be solved	General quality of teaching/learning and choice for parents
Ideology, government and opposition	Conservative government determined to take power away from LEAS and with the belief that private individuals do it better. Much opposition even from inside the Conservative party. Most society sectors, including parents, teachers, headmasters and so on were against and not persuaded by the model. Worried about if things go wrong, the creation of a selective system, inadequate financing among others.
Policy Entrepreneurs	Several conservative think tanks are working chiefly on the back, without a tremendous impact on speech framing directly to the public. Weak arguments just based on choice and possible quality increase. Failed to advise the government on risks and faulty policy design.
Establishment	No enthusiasm. Very few schools run a ballot and even fewer agreed to opt out. In 1988/89 only 18 schools had acquired the status.
Lessons learned	No point in approving a law if most actors who are called for its implementation are opposing. The national mood is too low.

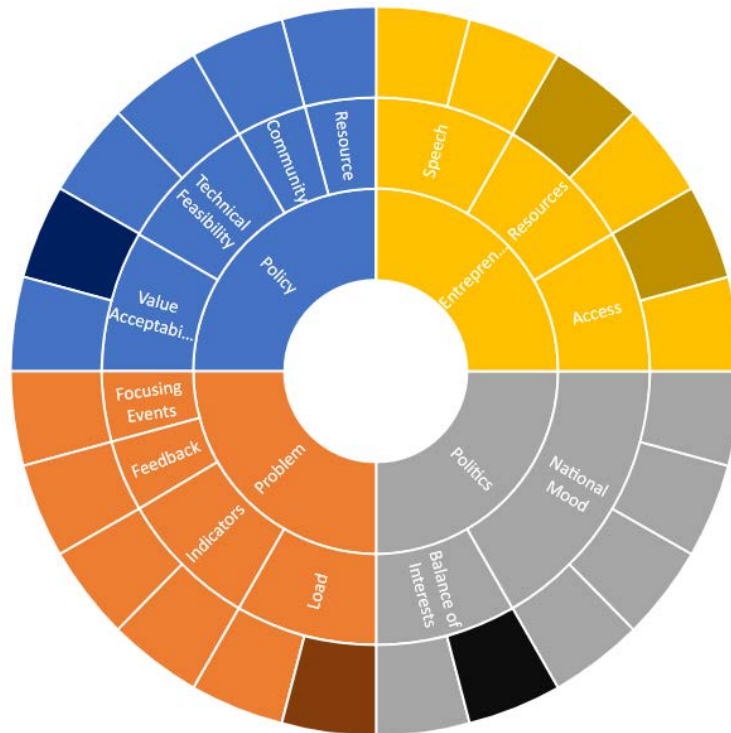


Figure 4.16 Visualization of the dimensions relative strength – GMS

Source: Author's design

$$0.8 \leq \langle ((0.3 + 0.3) * 0.2) + (0.1) \rangle / (Open Window)$$

0.8 ≤ 0.22 – Inequation False – Low possibility of establishment

Trying to overcome the emergence hazards a series of opinions on education were launched with the name “Education 2000” where ten academics, former consultants and people with high credibility were called to share their ideas as a forecast on education. The general question was “how is education going to look like in 2000?”¹⁴². In this publication, the idea of autonomous schools was highly promoted:

By then all schools will be independently managed by a board of governors and a head teacher. They will have complete control over all their budget, derived from direct payment by the parents themselves. (...) The parents will have the means to make payment by one or more of the possible mechanisms. It could be by a voucher of taxpayers' money. (Stuart Sexon director of the education unit at the Institute of Economic Affairs)¹⁴³.

Exercises like this helped to maintain the issue on top of the policy agenda and get public mood more in line with pet policies of the government. Mrs Thatcher insisted on the idea that school

¹⁴² <http://www.education2000.com/>

¹⁴³ Free markets, better values, The Guardian, 14 August 1990

vouchers were not dead, and this discussion came onto the agenda with several articles on the press illustrating the advantages and disadvantages of such a system¹⁴⁴. This new idea was now coming in as feedback from the difficulties found in the establishment of GSM. However the discussion path was still in its early days the window of opportunity closed, by the end of November Mrs Thatcher is forced to resign as she lost the support of her party. These schools were never discontinued, they changed their name into Foundation Schools as New Labour came into power in 1997.

4.7.2 City Academies - 2000

Sir Cyril Taylor, now advisor to a Labour government, decides to go back to the model of the City Technology Colleges, with the objective of solving a similar problem – failing inner city schools that needed new ideas and capital to improve. The main difference was that this time there was no the need to go technical.

(...) Peter Crook, head of the successful, neighbouring St Peters Collegiate School who was approached to become interim headteacher of Regis observed that the situation in the school was dire. Teachers came and went. One child had 13 maths teachers in her GCSE year. Attendance was 70% and truancy endemic. Local shopkeepers would make anguished calls to the school complaining about Regis pupils and demanding to know what was going on. The school's corridors teemed with children who had been thrown out of lessons or who had simply never turned up to where they were supposed to be¹⁴⁵

These were the kind of problems City Academy schools intended to solve. Such descriptions were used as focusing events, to make the problem tangible.

City academies were refurbished schools ran by private companies or individuals, but they were free to the students. The state was paying for students to attend private education, which fell outside LEAs control. The state made some of the investment, and academy status would be granted as far as a private partner invested £2m in capital costs. The school's name, curriculum and school managerial board would be in the hands of private managers. All very familiar and an almost perfect copy of the previous CTC failed model.

USA's Charter Schools were used to give strength to the idea of this partnership arrangement, and in 1999 a Committee of the House of Commons went to the USA to visit the new emerging school system and report on their findings and views. Ultimately they were cautionary shortly after, on the 15 March 2000, David Blunkett announced the creation of the first Academy School in a communication to the Social Market Foundation, an independent think tank whose mission is: "exploring ideas that link the state and the market to create a more just, free and prosperous society."¹⁴⁶ As reported by the

¹⁴⁴ The guardian , 19, 20 and 23 October 1990

¹⁴⁵ Phoenix rising, The Guardian, 17 March 2000

¹⁴⁶ <http://www.smf.co.uk/about-us/> (consulted on 28 December 2016)

Guardian¹⁴⁷ “Education department sources said the new programme owed as much to the Charter School movement in the United States as it did to the Conservative-inspired CTCs”.

City academies were to be independent, state-funded schools, located in deprived urban areas. They were to receive funding directly from the central government, with additional funding provided by a sponsor.

They would have some flexibility in delivering the National Curriculum, and they would be able to develop a curriculum specialism, like specialist schools. They were introduced under the premise that allowing for greater competition between schools, and innovation within schools would lead to higher standards in struggling areas (Department for Education and Employment, 2000 in Fenwick-Sehl, 2013, p. 170).

According to a later debate on the differences between City Academy Schools and Mr Baker’s CTC, the secretary of education argued that:

CTCs were new schools, while city academies were intended to give a fresh start to existing schools, and thus were designed to serve ‘the very children who have been losing out’¹⁴⁸

The idea was to present this typology of schools as a new original initiative, detached entirely from previous Conservative attempts, and the government tried to attach academy schools to American Charter schools giving the idea of policy importing and not copying from the right-wing government. Charter schools were emerging during Bill Clinton’s mandate, attaching to this policy a sense of democratic party, ideologically closer to the Labour leadership.

Remembering the failure of CTC as it was virtually impossible to find sponsors, this time the accent was based in calling on “industry to show *“civic pride”* and to support a network of city academies”¹⁴⁹ and it was made clear that industry, church, and organisations would be collaborating with the government and not with Local Education Authorities.

The sponsor would exert quite a lot of power in the school management including the possibility of devising new approaches to teachers and staff, being able to negotiate bonuses to retain best teachers¹⁵⁰. In exchange, the government expected that sponsors had ideas and strategies to improve students’ performance. The powers given to this new typology of school were shortly described: “The academies will be allowed to change the length of the school day, specialise more and pay teachers more.”¹⁵¹

¹⁴⁷ Blunkett plans network of city academies, The Guardian, 15 March 2000

¹⁴⁸ HC Deb, 1999-2000, 27 June 2000, c755

¹⁴⁹ City academies to tackle school failure, BBC News, 15 September 2000

¹⁵⁰ Blunkett plans network of city academies, The Guardian, 15 March 2000

¹⁵¹ Tycoon pledges £12m for city academies, The Guardian, 17 March 2000

Despite this plea it was still hard to find investors, City academies were legislated in 2000, but they took a while to open, by 2001 six academies had been announced (DfEE, 2001), the first three opened in September 2002. In a similar mode to Mrs Thatcher, Mr Adonis, Blair's principal advisor, personally called some of his business contacts to persuade for the investment.

In an anecdotal description: "*A tycoon who decided to support Labour, when it promised to change the dog quarantine laws, is putting £2m into the first of the government's city academies*"¹⁵², illustrates how Adonis called and how the business was agreed upon:

Mr Lowe, 59, said he had backed Labour at the election because the party, unlike the Conservatives, gave a firm commitment to change quarantine regulations. He wanted his family to be able to bring their dogs back to the UK from his home in Switzerland. "I am not very political," he said. (...) He had been telephoned six months ago by Andrew Adonis, the prime minister's education adviser in the Ding Street policy unit and asked if he would be interested in funding a specialist sports academy". Following this contact "Mr Lowe will join the board of governors of the city academy being set up on the site of Willesden high school, north-west London, which was failed by Ofsted inspectors two years ago. He will fund a fifth of a £10m renovation, with the rest of the money coming from the government."¹⁵³

On the other hand, some other possible investors were looking at this investment cautiously. Such was the case of Edison Schools, an American education company, placed to profit from the American school privatisation movement, and bankrolled by Microsoft co-founder Paul Allen. Edison Schools was an influential entrepreneur near the New Labour Government pushing towards these partnerships, even though when it came to considering an expansion to England, shareholders were not supportive, considering there was not much money to be earned in England once the amount paid by the government was too little, about £2000 per year/student.

Private education companies protest that the government does not want to create the right entrepreneurial environment to allow companies to make money in education if only to cover costs (...) Critics claim that unless Mr Blunkett takes the interests of private education providers seriously, he will never get the structural reform of secondary education he sometimes claims to want¹⁵⁴.

During the first stage of this policy, the government was backed by the Conservative party, and its shadow secretary Theresa May, that in every intervention she stated that these were the policies proposed by the Conservative Party, proving that every other sort of attempt to tackle terrible inner-city results was a waste of time.

¹⁵² Idem

¹⁵³ Idem

¹⁵⁴ The blackboard jungle, The Economist, 10 May 2001

The church of England was also an active supporter, as they fancied the idea of being involved in education, despite the fact they would be forced to collaborate with some local businesses.

Think tanks such as Social Market Foundation and Vardy Foundation were critical supporters who were expecting to make money out of the emerging business. Adonis and Cyril Taylor were the prominent voices inside the establishment, influencing the Cabinet.

At this point, the ideas on public-private partnerships as a manner of improving schools was becoming a mainstream policy, and to a degree, no one was able to oppose.

Some teachers' associations raised their voices to call attention for the fact that labour and conservatives are the same¹⁵⁵, at the beginning Local Authorities were upset, but they calmed down to the argumentation that academies were to collaborate with other local schools and work as a magnet of ideas and solutions that could then be exported to others.

Teacher Unions were busy complaining about the idea of Performance Related Pay (PRP) that had been put forward, considering it very unfair and hard to implement. Teachers classified as very good would be entitled to £2000 extra per year.¹⁵⁶

The fact that this new typology of schools could negotiate bonuses and decide to keep and fire teachers could decide on their schedule and change curricula did not cause critical disturbance or complains.

Table 4-6 Most relevant information on City Academy Schools

Policy identification	City Academy Schools (2000)– Education Act 2000. ePPPs were to be established to renew and give a fresh start to inner-city failing schools. Speciality was possible but not compulsory. No declared expectations.
Policy origin and design	Very much inspired by City Technology Colleges, a failed policy of the 1980s. The government preferred to link this policy to emerging Charter Schools in the USA. In partnership with companies who would have to pay about £2M, inner city failing schools were to be refurbished and transformed. Autonomy and curricular freedom would be given to these schools.
Window of opportunity opening	New labour had recently been elected with the idea of solving education problems. Failing schools pointed out by OFSTED and the emerging speeches of how individual schools were degraded also contributed to the opening of the window.
Problems to be solved	Lack of success in inner schools, need to give a chance to marginal students, cooperation between schools and new ideas brought into the system.
Ideology, government, and opposition	New Labour believed that cooperation with private companies was a solution for bringing everybody together for a common cause - education. The Conservative party was very favourable to this policy. There was not much opposition from the teachers

¹⁵⁵ 'City academies' to tackle school failure, BBC News, 15 September 2000

¹⁵⁶ The blackboard jungle, The Economist 10 May 2001

	as they were busy trying to battle other grounds. Even LEAs were in favour, as they fancied the idea of cooperation
Policy Entrepreneurs	Entrepreneurs were from the advisory board – Cyril Taylor and Adonis. Several Think Tanks were supporting the share of responsibility between public and private. The biggest issue were entrepreneurs who were not seeing any advantages of investing big chunks of money, for whom the returns were very unclear.
Establishment	Much enthusiasm, but very little investment from the private partners. Very few schools were transformed/opened in the years following approval. By 2006 there were only 46 City academies against the two hundred schools objective that had been established.
Lessons learned	Once again it is shown that the private sector was not prepared to invest when called to cooperate with the government.

In 2001, as elections were approaching, City Academies were an emergent idea but not to be abandoned (Table 4-6). The programme for the second Blair’s term stated that:

The City Academy programme, launched last April, enables sponsors from the private and voluntary sectors to establish new schools whose running costs are fully met by the state. City Academies offer a radical option to help raise achievement in areas of historic underperformance by bringing a new and distinctive approach to school management and governance. We will expand the programme and, in future, will welcome proposals from those who want to establish all-through (age 5–18) schools as well as secondary schools (...) continuing to establish City Academies, and changing the law to allow external sponsors to take responsibility for underperforming schools against fixed-term contracts of five to seven years with renewal subject to performance. (DfEE, 2001, p. 49)

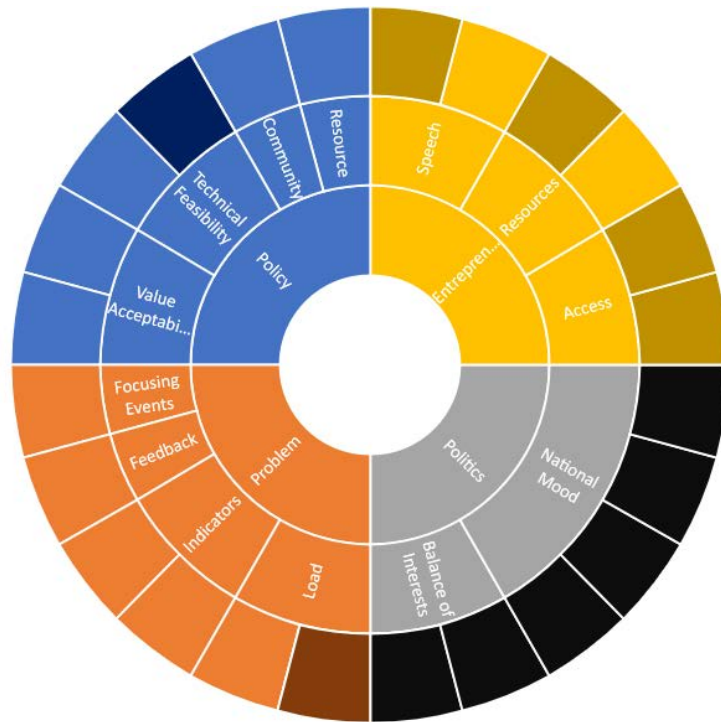


Figure 4.17 Visualization of the dimensions relative strength – City Academies

Source: Author's design

Figure 4.17 and **Error! Reference source not found.** show how policy can give its first steps despite a poor design and a poorly defined problem. All it takes is a favourable political dimension and energetic entrepreneurs, who influence reasoning and in turn manage to influence public opinion and oppositions.

$$0.6 \leq \langle ((0.3 + 0.3) * 1) + (0.2) \rangle / (\textit{Open Window})$$

0.6 ≤ 0.8 – Inequation True – the odds are on the side of establishment

The case was very noteworthy because national mood and politics were as favourable as they could be, with everybody in agreement. The trouble was that opposing entrepreneurs, who were not ready to invest and were stronger than the favourable entrepreneurs – think tanks and academics. The policy was demanding to implement as it was designed in a manner that was dependent on the goodwill of investors, and speech was not moulded accordingly – investors never saw the benefits of such investment. The model forecasted that this policy had a good chance of being implemented, and it was not a total flop, still and all it picked slowly as one of the fundamental stakeholders was not motivated. Still, it was possible to find more companies than before. Having set the national mood and with a structured of entrepreneurs working well, there was the need to shape the policy slightly better to scale it up.

Problems were also limited to a small share of the population, inner city failing schools, albeit the problem being well quantified by OFSTED, it was not trouble-free to resolve in the short term. On the other hand, the policy was used to solve several problems simultaneously which always makes the policy harder and less reliable.

In September 2006, forty-six city academies were operating around England. When Blair's second term started City-Academies were facing the same problem as CTCs had faced many years earlier, they were failing to attract private investors, so very few schools were being transformed in the way the government wanted.

4.7.3 Contracting Management Out – 2000

In line with the belief that private sources could do better, the New Labour government introduced private providers of consultancy and full management solution into various 'failing' local authority services, or schools that were fully handed to private companies for management; such was the case of King's Manor School in Guildford.

In May 2000 Estelle Morris (minister) announced that consultants would be sent into LEAs that had been pinpointed by Ofsted with "serious weakness" in their work, private managers could entirely substitute LEAs local administration, such as the case of Leeds.

The right to order the contracting out of school services to private tender if a Local Authority is deemed to be "failing" had been legally awarded in 1998 School Standards and Framework Act (SSFA). Until 2000 not much was visible, and the turning point was Estelle Morris announcement.

By January 1999 David Blunkett opened a public call to private providers of school management and advice for persistently failing state schools and LEAs¹⁵⁷.

Admitting that the idea had emerged during Blunkett's years as secretary of education, the real window of opportunity opened with the second election of Tony Blair and with the rise of Estelle Morris to Education Secretary of State. She was the real supporter of this measures, and with her profile, she was the ideal person to get simultaneously to teachers and parents. The unions, who had dared the nomination of Stephen Byers were also happy to have her. She was also popular within the political structures of Whitehall.¹⁵⁸

A new scheme was announced and rapidly attached to the problem of failing schools, where children were not getting what they deserved, and the fault was put on the shoulders of poor management, especially at LEA level. Islington's Chief Executive, Leisha Fullick "We acknowledge that mistakes have been made and that we have failed to deliver the high standard education service that parents have a right to expect."¹⁵⁹

¹⁵⁷ Going Private, The Economist, 11 February 1999

¹⁵⁸ Fast Learner, The Guardian, 12 June 2001

¹⁵⁹ Education Council prepares for education privatisation, BBC News, Tuesday, May 18, 1999

To support the palpability of the problem, “OFSTED inspections are carried out on a “value for money” basis, comparing local area costs with the national average, both in services that the LEA provides and the quantifiable educational results that it achieves. So far, 59 LEAs have been inspected, of which 23 are deemed to be causing “concern.”¹⁶⁰

The head teachers’ association was also supporting the identification of the problems, and teachers, in general, were complaining about lack of resources and poor school organisation.

Firstly, Hackney, and straight after the London Borough of Islington following a damaging report from Ofsted were recognised as failing to support the local schools. Therefore the government decided that most of their education services were to be contracted out¹⁶¹. The private contractors would include profit-making companies, as far as they were more efficient than the public services. Providers would have to bid on how to run a borough of failing schools, that was the rule of the game.

The green paper on education (DfEE, 2001, p. 6) was very clear about this strategy:

“It is also vital to retain a capacity to intervene in schools whose management and standards are weak and not being improved with sufficient vigour. Freedom must be earned, not conferred at whim without regard to the interests of children or the needs of the local community (...) Business take-over of failing school: external sponsors are to take responsibility for under-performing schools”.

The drawing of this policy was based on giving to private providers as many services as possible, treating education as a business, where investment had to show return. “Services presently contracted out include school transport, financial services, school meals, teacher training, curriculum advice, supply teaching to cover absent staff, grounds and buildings maintenance and some management services”¹⁶².

Every LEA had 40 days to answer a negative Ofsted report, with a proposal of clear measures to improve school achievement and correct the identified problems, still the government could refuse it and simply call in a bid for private companies to step in. Even if the government did not make the stepping in of private consultant compulsory, LEAs received information strongly advising to call a private consultant in the management process. Companies such as KPMG or Cambridge Education Associates (CEA) were very active in this new emerging market, where private providers would be paid based on a performance-related management fee, as a mode to minimise opposition to the idea that private providers were making money out of public education¹⁶³.

¹⁶⁰ British Labour government orders private consultants into Yorkshire education authorities, World Socialist Web Site, Liz Smith, 7 March 2000

¹⁶¹ Education Council prepares for education privatisation, BBC News 18 May 1999

¹⁶² British Labour government orders private consultants into Yorkshire education authorities (World Socialist Web Site, 7 March 2000)

¹⁶³ Going Private, The economist (11 February 1999)

Despite the handover of management to private providers the daily school operation was not supposed to suffer any alterations, so parents would probably not even notice the change. According to Estelle Morris “as far as parents are concerned, they will continue to deal with the same teachers, and there will be no change of signs outside their children’s schools”.¹⁶⁴

To make this plan more feasible, reducing opposition from trade unions and teachers, some of the companies involved in the privatisation of school management proposed to give some shares to the teachers, such as Nord Anglia. On the other hand, the government negotiated an above-inflation pay rise with National Trade Unions to get around the apparent disapproval of the involvement of private agents in schools (Rikowski, 2001).

To understand the packet for consultancy companies is a central aspect when it comes to the feasibility of the proposal. For example, CEA which took over Islington LEA, and was already providing education consultancy services to Ofsted negotiated a profit cap of £600,000 per year, but half of this is subject to penalties if pre-established targets are not met. The missing of one target could cost CEA £75,000. There was some money to be made from this business, but the fears that private companies were earning big profits were controlled by introducing payment ceilings and penalties. Another concern was that some of the companies applying to manage schools were also involved in Ofsted, blurring the image of autonomy.

Stephen Timms, who became the minister of Estelle Morris, was a bright man, well respected for his seriousness. In a public discourse, he managed to put the role of private companies in improving the schools to the last government’s priority. When asked if he thought private companies would act as a panacea to education illness, he answered ‘no’, what to some extent tamed teachers and other opinion makers¹⁶⁵.

Inside the government Adonis was also a supporter of this policy and a very close advisor of Tony Blair. Chris Woodhead, the chief inspector of schools, also had a crucial role, as he supported the policy and acted as an essential influence on teachers and school communities.

Other eminent supporters were the consultants who had business ahead of them. Nord Anglia, KPMG, CEA, MORI, PriceWaterhouse and Coopers and others were all supporting the privatisation of education management and other services.

Think tanks were other supporters such as The Centre for British Teachers; Policy Research IPPR.

Several entrepreneurs were acting on various fronts and with different motivations, some more ideological, others just willing to make a profit in once these alterations were set in place.

The logic that helped to get this policy approved had a strong emphasis on failure by LEAs management and efficiency gains, in a time where education was the government priority. The strong

¹⁶⁴ A very public privatisation, *The Guardian* 18 January 2000

¹⁶⁵ On a crusade with the new man at the ministry, *Independent*, 5 September 2001

motto of giving every child and parent the education they deserve was the right claim to get people on the government's side. A poll run by MORI¹⁶⁶ showed that 55% of parents would choose a private school so they would welcome private managing into schools, as this was perceived as a manner of improving results and general school performance.

Blair had decided to buy off opposition; he knew that there would be no opposition in Parliament as the Conservative government was fully supportive of these measures. Much as he reckoned that unions would not be supportive of the contract out strategy as a manner of improving education results, he decided to engage in parallel negotiations with the unions, where salaries would go up, while at the same time the coin of exchange was no noise about public-private partnerships for education. "This was obvious a week earlier on the issue of payment for teacher overtime when Morris argued that teachers should be paid for supervising after-school activities."¹⁶⁷ Estelle Morris had been a teacher and was still a member of the Union, as she got to be a strong supporter of private agents in school, some of her colleagues occasionally left the rooms while she was talking in their annual conference.¹⁶⁸

The second strategy to persuade for the need of such policy was taken by local Labour MPs in meetings at their constituencies where the "blame and shame" speeches turned against councils and LEAs "Brian Sedgemore, Labour MP for Hackney South and Shoreditch, said: "The council has brought shame on Hackney and let d pupils, parents and teachers."¹⁶⁹ The consequence of this kind of polemic was an agreement in Hackney to bring in private manager "Leaders of the Labour, Liberal Democrat and Conservative groups on Hackney council agreed yesterday to 'work in partnership with the Government-appointed consultants to consider outsourcing two of its education services'. They also accepted that the Ofsted report was fair and balanced"¹⁷⁰.

The role of the Conservative party, through the words of its shadow education secretary Theresa May, was solely to emphasise the wrongdoing of LEAs especially if they were inserted in traditionally Labour councils. Talking about Islington, she said: "We already knew that schools in Islington were in such a bad state that the Labour MPs would not send their children their ... It is but one of many Labour councils that have failed the children of this country."¹⁷¹ The first part of the criticism refers to Tony Blair who had visited a school in Islington, some years before, and did not register his children.

¹⁶⁶ Going Private, The Economist, 11 February 1999

¹⁶⁷ British Labour government orders private consultants into Yorkshire education authorities (World Socialist Web Site, 7 March 2000)

¹⁶⁸ Fast Learner, The Guardian, 12 June 2001

¹⁶⁹ Hackney tests school privatisation, The Guardian, 20 March 1999

¹⁷⁰ Idem

¹⁷¹ http://news.bbc.co.uk/2/hi/uk_news/education/346146.stm

There was a little opposition from some local authorities themselves that feeling threatened considered judicial action against the government, based on abuse of power, but these actions did not move forward than rhetoric.

Occasionally Ofsted reports would face local angriness, but it quickly dissipated in the light of the support of more prominent associations such as the National Association of Headteachers.

Some Union leaders have also considered opposing and resisting the “bribery” but did not get the support from the members: “They promised a “summer of discontent” if New Labour persisted with plans to let private operators run public services”¹⁷². There was no consistent plan to show discontent, and the few attempts were disorganised and not very coherent and very few people attended. The companies who were interested in running schools drew strategies to persuade parents and teachers, and this made part of the proximity plan to show the difference in treatment that they were prepared to offer from day one.¹⁷³

Therefore, without no real opposition, with a favourable national mood, a policy that could match a problem that was made real to the public, and accepted by the directly affected actors, became a measure to be tried and implemented.

The objectives established by the government were not publicised, but it was clear that this sort of action was to be enlarged to every Ofsted report that did not match standards. In 2000, inspectors had already found weaknesses in 25% of LEAs and Morris said she expected to intervene in at least 10% of LEAs.¹⁷⁴

In 2005, a study by PricewaterhouseCoopers, one of the companies directly involved in the management of schools, concluded that schools taken by private managers improved better than the national average, confirming the conclusion from a previous report by the Department for Education and Skills (DfES). The conclusions of this report were challenged by Alison King, the Chairwoman of the Local Government Association's Children and Young People Board who acknowledged that this was a biased report and that there was no need for more participation of the private agents in the management of schools.¹⁷⁵ By 2005 only ten LEAs had privatised school management, out of 152 LEAS in England and 22 in Wales.

The initial objective of about 10% was short, as about 6% of LEAs had contracted management out, the measure was implemented, and the ePPPs for management is still a business (Table 4-7). Was this a well-succeeded policy? Probably it was implemented in the short term but could not be scaled as the objectives were not achieved and many LEAs listed as “failing” did not lose

¹⁷² British Labour government orders private consultants into Yorkshire education authorities (World Socialist Web Site, 7 March 2000)

¹⁷³ A very public privatisation, The Guardian, 18 January 2000

¹⁷⁴ British Labour government orders private consultants into Yorkshire education authorities (World Socialist Web Site, 7 March 2000)

¹⁷⁵ Schools 'improved' by private sector management, The Guardian, 5 January 2005

their management rights. The growing cap turned out to be the consultancy industry itself, as it grew out of resources and blocked the entrance of new players. So, this is a policy with all the conditions to be implemented, but the feasibility by private providers was overestimated. The conclusion is, it was implemented within the market limits.

Contracting Management Out benefited from a favourable national mood and entrepreneurs that were quite active. The policy was also well designed to solve a problem that was relatively undefined (**Error! Reference source not found.** and Figure 4.18). This policy could have been a success of implementation, and it was yet capped by the limitation of private providers to enlarge management services. Possibly because when they started taking over schools concluded that profit was less appealing than it seemed.

Table 4-7 Most relevant information on Contracting Management Out

Policy identification	Contracting Management Out (2000)– 1998 School Standards and Framework Act, further developed in 2000. ePPPs were to be established to manage LEAs or individual schools that were labelled as ‘failing schools’. 10% of the schools would be immediately under this agreement.
Policy origin and design	General establishing of ePPPs as a manner of solving problems that had some experiences in many other economic and welfare areas. The idea was to pay for management services to private companies, subject to the achievement of results. There were caps to guarantee that the service would not be more expensive than the original cost, and private companies were pressed to present better results to OFSTED.
Window of opportunity opening	Second labour election with a secretary of state that favoured this scope of policy and was well placed to tame oppositions.
Problems to be solved	Schools targeted as ‘failing’ in need of a new orientation.
Ideology, government, and opposition	New Labour believed that cooperation with private companies was a solution for bringing everybody together for a common cause - education. The Conservative party was favourable to this policy. There was not much opposition from teachers even if they were afraid of the new management. The government negotiated a simultaneous teacher pay rise as a way of reducing conflict.
Policy Entrepreneurs	The companies who were to get the business were seriously involved in promoting the solution, as well as OFSTED. Think tanks produced information.
Establishment	Establishment was quick and limited to the capacity of few companies that were prepared for the job. 6% of LEAs were being managed by private companies, which was short of the 10% anticipated by the government.
Lessons learned	If the idea was to expand to every failing LEA, more work on allowing companies for preparing ought to be developed.

The way the policy was favourably designed with explicit costs and benefits, was fundamental to get the public mood in line with the idea. The fact that at the same time the government attracted the teacher’s attention to pay rise helped reducing opposition.



Figure 4.18 Visualization of the dimensions of relative strength – Contracting Management Our

Source: Author’s design

$$0.4 \leq \langle ((0.4 + 0.4) * 0.8) + (0.2) \rangle / (\textit{Open Window})$$

0.4 ≤ 0.84 – Inequation True – the policy has a good chance of being established

Finally, as there was money to be made it was simple to have strong entrepreneurs interested in moving the policy forward. Curiously, it was the promoters of the company who have also worked as a growing break. Consultant companies constituted a growth cap to the measure, as it would only propagate in the right proportion of companies’ capacity, which stopped at about 6% probably because, in the end, the business was not as profitable as they had thought.

This policy was not fully implemented despite the predicted success. The model has no capability to forecast restrictions coming from the private investors, which is a weak point for this model as it is used in the context of ePPPs, where private companies must be considered in their capability of answering the needs.

4.7.4 Academy Schools – 2009

Tony Blair was not dispirited for his second term, and the strategy of getting private investment in public services was to be pursued and incremented.¹⁷⁶

In 2002, the term ‘City’ was dropped, and they became ‘Academy schools’, which could open anywhere around the country (Anne West & Bailey, 2013). Despite this change, it is still hard to find suitable partners willing to invest £2M. In 2002 the first 3City academies opened, and in 2004 there were only 17 city academies, but the government would not lose its spirits and issued a target of 200 academies by 2010. (Fenwick-Sehl, 2013). This objective was published in a five-year strategy document, where the need for schools to reconvert into academies was dropped. From 2004, brand new schools could emerge to compete with other established schools, and still be paid by the government obeying to the same rules as before, i.e. the need to invest £2M in the capital and then the payment per student by the government.

For the first time, in 2004, Tony Blair admits that he also believes that increasing diversity and choice is a good idea to increment the quality of education and that this will bring a better schools system for everyone. (Fenwick-Sehl, 2013).

In 2005, there was an influential discussion on Academy schools, and this triggered many articles and much discussion in the public press. The education ministry became very unstable in the second government, and even some former ministers took public positions against the new arguments. In 2005, Estelle Morris said “In five years’ time, whose children will be going to these new academies? Will choice and market force once again the squeeze out the children of the disadvantaged?”¹⁷⁷

In 2005, just after the third term election, Blair kept his strategy and established the target of 200 academy schools by 2010, over five years only 40 had opened. By this time the academy programme had become the most controversial plan in education, as it intended to take power away from LEAs and give it to private companies with no record on education¹⁷⁸. The story of the recent Academy agreements showed that for £2M private investment the taxpayer would be investing up to £25M and the power would be kept in the hands of private companies, most of them without a clue on education. Their little share would entitle them to run their curriculum, set pay and control assets.

A report by PriceWaterhouseCoopers provided the evidence Blair was looking for, but it also created divisions within the Labour party. Another issue for division had to do with the enormous investment in these schools, and to what extent this money was being wisely invested. The opening of 17 academies by 2004 had represented an extra investment of £425M, without any proof of results. A report showing that academies were selecting, and disadvantaged children were refused places,

¹⁷⁶ Interview with Tony Blair: ‘Some feel betrayed - but many are delighted’, The Guardian, 21 May 2001

¹⁷⁷ Backlash over Blair’s school revolution, The Guardian, 21 September 2005

¹⁷⁸ City academies are unstoppable, says Blair, The Guardian, 12 September 2005

brought in call for this scheme to be discontinued¹⁷⁹. On the same side, parents started to realise that choice was not active and that in outer cities there was no such thing due to lack of transport and the absence of private companies in investing. Another idea that spread across parents was, why would the ability to invest £2M be criteria of capacity for running a school? Why should the very rich be entitled to such power? In some boroughs, parents were fiercely against this idea and managed whatever they could to discourage such investments¹⁸⁰.

As Tony Blair approached ten years in power, some changes to the Academy Schools rules were introduced. By mid-September, the government launched a promotion action or a 'bulk sale'. If the sponsors financed more than three schools they would get a discount, four for the price of three was the deal. Prime minister has also announced a £5Bn capital reserve for investing in school partnerships, making it clear that he was doing his best towards the 200-school target¹⁸¹, the objective was to get the same investor to create groups of schools, which in a way seemed more manageable than trying to persuade new investors. In 2005 there were only four companies backing more than three schools.

During this late period of Blair, there was the establishment of the Specialist Schools and Academies Trust (SSAT) with the objective of supporting academy schools, and bypassing LEAs, as they kept on losing power over local schools. The aims were: helping in fundraising near possible investors, acting as a meeting point for investors, giving advice on management and curriculum. It was highly praised for its work by sponsors and investors. With this new role, the trust grew sharply in staff and money. "Financial turnover has risen from around £18 million in 2003/4 to around £60 million in 2007/8" (SSAT, 2007, p. 38).

Tony Blair steps d in June 2007, without significant advances in this front, by 2006 there were 46 academy schools and a new target of 400 academies was set (SSAT, 2007, p. 20), in 2007 this number had almost doubled to 87 schools, following some policies brought into practice by Gordon Brown, even before becoming prime minister.

With new prime minister Gordon Brown, it was expected that academies would be re-thought and the pace and objectives would be milder. Labour backbenchers were by this time tired of the policy of dividing the state with private companies, especially the welfare system – education, health, and social security. Thus, Blair's labour party was expected to step back concerning partnerships. Surprisingly, this was not the case, and continuity was being established.

¹⁷⁹ Falling out is evidence of falling apart, The Daily Telegraph, 31 October 2005

¹⁸⁰ New blow to city academies as fashion designer withdraws £2m sponsorship, The Guardian, 3 December 2004

¹⁸¹ Sponsors offered 'four for price of three' deal for city academies programme, The Guardian, 16 September 2005.

For the Brown government, the open door has led to the Freud¹⁸²-inspired reforms that might make good policy sense, but certainly make for bad politics for a Labour leader trying to manage an increasingly disaffected party. (Driver, 2009, p. 81)

In a speech to the house Ed Ball, the new Secretary of Education, declared that academies were to continue, but they were to reduce some autonomy about curriculums in the areas of English, Maths and Science (Fenwick-Sehl, 2013). Ed Ball has also changed the rules on expelling children; Academy Schools could not expel students without taking a fair share of challenging students from other comprehensive schools¹⁸³. These measures won the first negative comments from the Conservative Party, who opposed the idea of some autonomy being taken away from private schools.

There were also reactions from some academy school leaders, which culminated in an article published by the think tank Reform. Richard Tice, chairman of Northampton Academy and member of the United Learning Trust board, the largest academy sponsor, stated that academies were to have no restrictions on expelling students, as these students were unfair on the majority that wanted to learn. He also pleaded that more freedom in deciding salaries and prizes for teachers would be welcome, as well as facilities to hire and fire staff, equalling the rules of the general private sector¹⁸⁴. The problem of “getting rid of ineffective teachers” was also raised by Sir Taylor (Taylor, 2013) who estimated that there were 17,000 of them out of a total pool of 425,000 teachers, and only ten were put out of the system in 2006.

Gordon Brown in 2008, in an interview to the Financial Times, was clear to express his wishes in continuing the same strategy:

So, there can be no backtracking on reform, no go-slow, no reversals and no easy compromises. Indeed, to meet these new demands, it is now time to go further and move to the third stage of reform where we not only further enhance choice but also empower both the users of services and all the professionals who deliver them to drive up standards for all. (Driver, 2009, p. 76).

Gordon Brown, impressed by how well private education does in England, decided that there was the need to increase pay per student, one of the prevalent obstacles to the emergence of more academy schools. By March 2007, still under Blair’s government, he promised to rise 5% per year, every year. This would mean growth from £60 bn to £74 bn by 2010. In 1997 the cost per student was £2700 while the forecast for 2010 would be £6600. The growth in the cost per student was a benefit for edu-businesses wanting to make a profit out of Academy Schools.

¹⁸² Referring to David Freud who became advisor for welfare reform.

¹⁸³ How academies have changed, The Guardian, 7 September 2009

¹⁸⁴ Academy chief: make it easier to sack and expel, The Guardian, 25 February 2008

Ed Balls announced that he wanted to see academy schools growing fast, and this time he was attempting to get sponsorships from universities. To do so, he planned to exempt the money sponsorship, and if universities wanted to get involved all they had to do was coming forward with good educational plans.¹⁸⁵

The second benefit for academy schools, no matter what sort of sponsor, was the end of VAT on buildings, as far as they allowed the whole community to develop out of school hours activities, this measure was classified as very significant by Sir Cyril Taylor, at the time chairman of SSAT.

The possible enlargement of the academy model came under the agenda by mid-2008, with the launching of a book “Academies” launched by the liberal thinktank CentreForum, that once again showed the unanimity of the parties around this policy.

By 2009, the £2 million grant required to private entities was also abolished, and the government decided that instead, a selection process was to be put in place: "We are putting in place a robust selection process to thoroughly assess potential sponsors to make sure they have the right calibre to do such a vital job for us."¹⁸⁶ This new move was seen as a desperate move to achieve targets by several opposition elements, such as teacher unions.

By 2010, parents were granted the right to vote for the changing of school leadership, in a move similar to the one tried for Grant Maintained Schools, many years before. He also showed support for the idea of education brands, where companies would create brands that were trustable, and schools grouped into school chains, in five years.

During Br’s period, the amount of opposition increased slightly, coming from the conservative area of politics, and against the limits imposed on Academy Schools. There were also some small movements coming from teachers, faced by the firing of teachers in some Academy Schools¹⁸⁷ followed by sharp pay rise in salaries of head-teachers and administrators.

The most relevant opposition came from teachers’ unions who did not want to see academies able to set their salary schemes, nor easier dismiss of teachers. In March 2008¹⁸⁸ the biggest teachers’ union NASUWT pledged for a strike in every school where there was pressure to become an academy. “Teachers said they wanted academy heads to recognise national pay and conditions and union membership”, they were also upset by the fact that they had to sign a total agreement to the new management ideas.

The newspapers kept on publishing reasons why academies were not a good choice, from corruption to selection practices, from lack of evidence on improved results to lack of interest of the private sector, from parents to teacher’s opposition (Gillard, 2011). Still, these focuses of anger were no more than occasional moves. The national mood continued favourable to the privatisation of

¹⁸⁵ Gordon: our schools are your best hope, Telegraph, 07 Jan 2007

¹⁸⁶ Labour scraps £2m fee for academy sponsors, The Guardian 2009

¹⁸⁷ Teachers to strike over sackings at academy, The Guardian, 20 April 2010

¹⁸⁸ Teachers may strike to derail new academies, The Guardian, 26 March 2008

education, and most parents still valued the idea that private providers do it better, even if the idea of choice was not an essential issue in the agenda.

Once again, the entrepreneurs of the growth of Academy Schools were Cyril Taylor, the stone man in this area, however he was substituted as the head of the Trust and therefore his direct influence was reduced. “The ousting of Sir Cyril Taylor means the state and community can once again take responsibility for our children's education” was the strong headline by Francis Beckett on an opinion column at *The Guardian* when Sir Cyril stepped d¹⁸⁹. Adonis who was initially kept as schools’ minister, another very influential counsellor for these issues, was in 2008 withdrawn from education and rechannelled to the department of transport. These two men had been the soul of ePPPs in England for nearly 20 years. As the Brown’s government put them aside, some thought this was a signal of policy inversion, nevertheless the game had been set and by 2007 there were several think tanks (Table 4-8) dedicating some of their resources to produce reports showing how academies were doing better and recommendations on new measures to increase the share of these schools, relevant publications were identified¹⁹⁰.

Table 4-8 List of some publications issued by think tanks in favour of Academies and ePPPs

Date	Think Thank	Title
2009	Civitas – centre to right wing	The Secrets of Academies’ Success Anastasia de Waal
2008	Civitas – centre to right wing	Swedish Lessons: How Schools with More Freedom Can Deliver Better Education (Nick Cowen)
2003	Demos	Getting d to business: An agenda for corporate social innovation (Rachel Jupp)
2009	Demos	Mistaking mistakes and the rightness of wrongness. (Julian Baggini)
2007	Reform	Retreat from reform: The initial policy decisions of the new Government (Professor Nick Bosanquet)
2008	Reform	Academies: A model education (Richard Tice)
2009	Institute of Economic Affairs and Weston Foundation	A good School for Every Child (Sir Cyril Taylor)
2008	Centre Forum	Academies

Source: Sites of publishers

The new academies opened during Ed Balls period were not multi-million new buildings, involving enormous investments of government and private sponsors, they became a cheaper scheme to implement:

¹⁸⁹ “Good riddance, Sir Cyril”, *The Guardian*, 24 December 2007

¹⁹⁰ <http://www.teachertoolkit.me/2016/11/13/think-tank-list/>

Where once new academies meant multimillion-pound, award-winning new buildings and hefty investment in set-up costs, new academies are increasingly opening in existing buildings, rebranded over the summer holidays by a new sponsor and management team. Essentially, it's the same children in the same school¹⁹¹.

By May 2010, and despite the reduction in autonomy, there were 203 academies, half of the established objective, and further 100 schools set to open by September 2010 (Manna, 2014, p. 18). Which represents a small percentage of the schools, as in 2010 there were 3333 (Department for Education, 2012) secondary schools. Therefore academy school represented only 6% of the total number of state-funded schools, approximately the same as independent, i.e. entirely private schools.

From 2000 to 2010 the idea of academy schools had gone from an extravagant right-wing idea, that at the time met a wall of no answers, with very few businesses willing to invest and very few parents wanting to risk, to become the main-stream idea on how to make education better. Regarding numbers, academy schools were a slow process. After ten years of enormous investment in this idea, with many entrepreneurs involved, both from within and outside Whitehall, and many litres of ink spent by newspapers giving information on the issue¹⁹², only half of the objective had been achieved. Moreover, there was the need of dropping all the investment from the private sources, and simultaneously increase the per head cost of students.

In terms of solving the problem there were also some objectives: “Labour Ministers expected all academies that had been open for three or more years to have more than 30% of pupils achieving at least five GCSEs grades A* to C including English and Mathematics by 2011, or be making very strong progress towards achieving that aim.” (Long, 2015). In general, the message was that academies were doing better, but this message was not consensual, as some pleaded that academies were becoming just more selective, so getting rid of hard to teach students. Some cases caught the attention from the media, such as the case of Sunderland Academy that excluded 40 students in the first week¹⁹³, with the excuse that students needed to learn the “no tolerance rule”. Despite these claims and occasional report on how wrong-doing academies were, the general numbers provided by independent studies were favourable for academies concerning improving education standards for deprived students. The 2011 school census (Bolton, 2012b), showed that academies were taking students that were worse off than the average population in every criteria used (Table 4-9)– eligible for school free meals; with special needs, the children of immigrants and children for whom English was a second language.

¹⁹¹ How academies have changed, The Guardian, 7 September 2009

¹⁹² Just the guardian published 900 articles about the subject in the 10 year interval considered.

(https://www.google.pt/search?q=%22Academy+schools%22+site:theguardian.com&tbs=cdr:1,cd_min:2000,cd_max:2010&ei=Sou1Wo_iHJOuUv2Fp6gJ&start=80&sa=N&biw=1163&bih=536)

¹⁹³ Academy criticised for excluding 40 pupils in first two weeks, The Guardian, 19 September 2008

Table 4-9 Pupil Characteristics in Sponsored Academies vs Public Schools

	Academies (N=271)	All public schools
Eligible for free meals	29,4%	15,9%
Special needs	30,7%	20,4%
Non-White British ethnic Background	34,7%	23,4%
First language not English	17,7%	12,3%

Sources: Schools Census, 2011, DfE

Reports on school performance were published (Bolton, 2012b) showing that on average most academies were accomplishing what they had been established for and getting closer to the national average – Academy percentage of students achieving five or more GCSE within A* to C was 48% compared to all public schools that achieved 59% of students in the same interval. Put in perspective, they were doing a good job recovering children from difficult backgrounds.

As the first objective was only partially attained, the problem was not entirely solved but on the right path. The distribution of schools showed that only about 15 academies out of 271 were not achieving the required results (Figure 4.19). One must bear in mind that these schools had all been classified as problematic following the same GCSE criteria before being converted into academies.

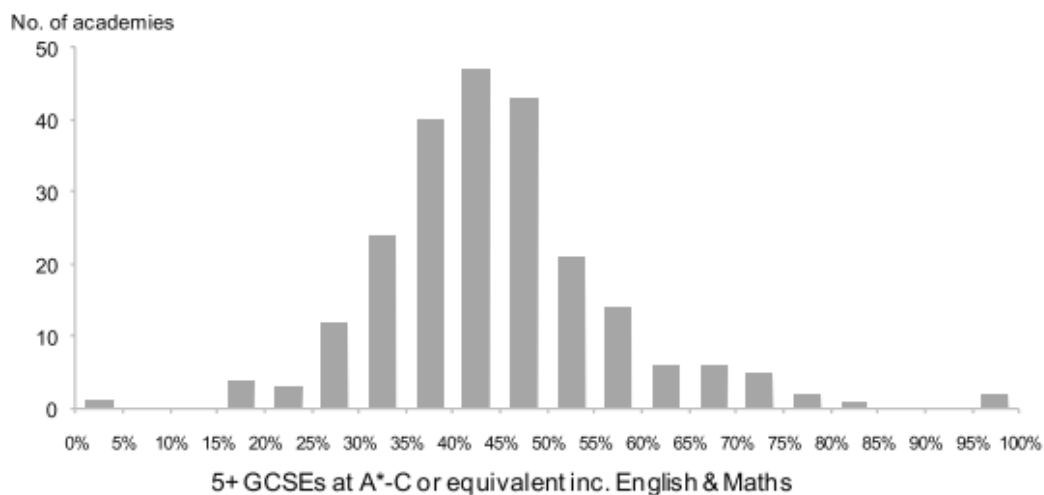


Figure 4.19 GCSE at A*- C range

Source: DfE

Criticism on results was nevertheless thrown against the absence of a control group, as the question on what would have happened if the same resources had been given without moving the power and autonomy to the hands of private providers. Would it be possible to achieve the same range

of results had the government given more resources to local maintained schools? This is a question due to remain unanswered. Thus one cannot pledge that private companies did better than the state, at least in this case (Table 4-10).

One is also to remember that for the labour governments Academy Schools was not to be a universal model, they did not intend to allow every school to become an Academy. This programme had been reserved for schools identified with problems by Ofsted.

Academy schools were an improved policy of city academies where the policy was better designed in to allow for scaling up, within a very favourable national mood and entrepreneurs who had access, resources and capacity of argument to influence for their pet policy (Figure 4.20).

The model shows a correct power of understanding that the conditions were set for the policy to be well succeeded. By making the policy more appealing to private investors the popularity of the measure grew, the adaptation of the measure was triggered by policy entrepreneurs who are decided to see their pet policies implemented. Although the national mood was less favourable, as the measure got more opposition from teachers, the opposition was not enough to prevent implementation. The problem was the same as before.

Table 4-10 Most relevant information on Academy Schools

Policy identification	Academy Schools (2009) – Education Act 2009 the scraping away of the need of private investment for the creation of ePPPs on the failing schools. The objective was initially 200 schools, and then it was revised to 400.
Policy origin and design	Continuation of City Academy Schools is making it easier and more appealing for private companies to be interested in ePPPs. No need for an initial investment, higher per-pupil pay and no need to refurbish/build fancy buildings. Private companies were invited to take over schools, gaining management power for improving failing schools. Limited autonomy on curricular or structural subjects, despite very high levels of autonomy towards teachers and staff.
Window of opportunity opening	The failure of the previous policy led to successive small changes, which found a better formula with the change in prime minister and new, more stable education secretary
Problems to be solved	Lack of success in inner schools, need to give a chance to marginal students, cooperation between schools and new ideas brought into the system. The choice was also part of the speech.
Ideology, government, and opposition	Even though the Labour party under a new leader had turned more to the left, the belief that ePPPs in education was beneficial remained. The Conservative party was favourable although not entirely pleased with the insertion of limitations to autonomy. There was some opposition from teachers as they worried about unequal treatment. Newspapers were used as a vehicle by several voices trying to show how academies were not a solution.
Policy Entrepreneurs	Several think tanks published many studies on the advantageous of this scheme,

	inspiring a more feasible policy design. Cyril Taylor and Adonis were still on the background defending and inspiring the policy, but they were put aside as direct counsellors.
Establishment	Much enthusiasm, and quickly the numbers grew to near 300 schools with the status, which was three fourths of the number of schools that had been signalled by OFSTED.
Lessons learned	The path was opened to enlarge the scope of ePPPs as the society favoured the policy. Therefore the terrain became fertile.

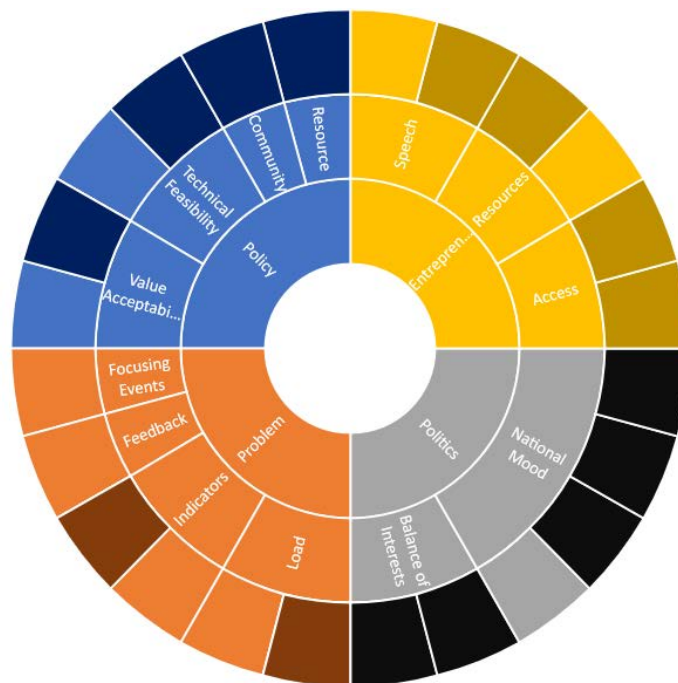


Figure 4.20 Visualization of the dimensions relative strength

Source: Author's design

$$0.6 \leq \langle ((0.3 + 0.4) * 0.8) + (0.2) \rangle / (Open Window)$$

0.6 ≤ 0.76 – Inequation True – the possibility of policy establishment is favourable

Another advantage of this strategy had to do with the support of the opposition, the Conservative party, this support was transversal to most New Labour's policies. The opposition support was such that the academisation of schools was introduced in every electoral programme, just in different scales.

Given the evolution of academy schools, there was a favourable national mood towards the idea of partnership as new elections approached by May 2010; every party promised to continue and enlarge the scheme, but in different terms. According to Chowdry et al., (2010) Labour plans were to expand to another 200 academies, updating their objective of 400, but academies ought to be limited to

underperforming schools. Liberal Democrats intended to substitute academies by “Sponsor-Managed Schools” which unlike academies would go back to the control of local authorities, even if they would be allowed to receive donations and sponsorships by private companies, charities and other groups. Finally, the conservatives were the most radical, the academy status is by far their preferred model and they wish to enlarge it to every school, and good schools would not even need to be pre-approved by the education department. Academy schools were also to be extended to primary schools, and new schools would be allowed to open following the free-school movement, which had started in Sweden and the USA.

As a resume of the New Labour Academy schools, they were developed based on the same scheme as CTC had been imagined more than two decades before. These schools are initially conceived as new schools requiring big lumps of investment that emerged to substitute failing inner-city schools; it required a quite relevant financial effort from a public partner and an enormous effort from the state. Whereas the private partner would gain control over the school, and quite a lot of autonomy the prospects for profit were tiny. This time, both conservative and labour party supported this policy, and it emerged in an environment where new Labour has a firm conviction that public-private partnership could bring the best of both worlds together. There was very little opposition, just slightly from the Liberal party and in the margins of teacher and school organisations. It was highly supported by several emerging think tanks which provided the logic and studies to support it both ideologically and regarding effectiveness. The problem linked to this policy was standards and cooperation, for the benefit of all society, and only much later the issues of choice came into the debate. As time went by, and because the number of schools was stubbornly low, some rules were relaxed, firstly the need to build new premises, then no need to invest big lumps of money (initially to particular groups like universities but later for all investors), and finally the increase in the amount paid by students.

4.7.5 Converter Academy schools - 2010

The conservative party, despite their alliance with the liberals, were determined to stick to academy schools’ model, and so they did! In the first month, Mr Gove wrote a letter to all primary schools inviting them to change into academy schools¹⁹⁴. He also launched the idea, to attract sponsors, saying he had no objections about profit, signalling that from now on public education had turned into a proper business, where the gain was not only influence and goodwill. Many businesses had already started to position themselves as anticipation to a conservative government, that would align more with the Sweden, style model¹⁹⁵.

¹⁹⁴ Michael Gove invites all schools to become academies, Department for Education, 26 May 2010

¹⁹⁵ Michael Gove has no ‘ideological objection’ to firms making profits by running academy schools, The Guardian, 31 May 2010

Academy schools became the dominant political education policy in England. With the conservatives coming to power and the smooth and but effective growth of academy schools, the number of newspaper articles grew sharply. From May 2010 to February 2017¹⁹⁶ the number of articles focusing on academy schools was nearly 1000.

The new government was elected in May 2010, and by the end of July the same year, the academies act had been approved¹⁹⁷. The new bill made it possible for every school to become an Academy, no need to be a failing school anymore, and excellent schools would not need the permission of the secretary of state, the government opened a fast track for such institutions. These new academies would be known as “Converter Academies” to distinguish them from academies that were connected to poor performance. The process was simple, no need to consult with parents, staff, or anyone locally. All the financing was to be made by the government, both regarding initial school refurbish and running costs. By now there was no need of any initial financial investment by the sponsors, and the newly converter academies would need no sponsor involved, solely the will of the directors to transform it into a converter academy. The benefits were further autonomy and slightly extra money, to compensate for shared services, such as the organisation of transports or meals.

I would say that this model of converter academies is more in the field of autonomy than privatisation of schools. Even though the management would not be by local authorities, there was no need to involve any other external people, including businesses, or charities to add their, theoretical, know how. Once again, the primary driver of the conservative party was to take power away from LEAs, more than handing social service to private companies.

Mr Gove expected that every school becomes an academy as fast as possible including, for the first time, primary schools¹⁹⁸. He expected that, if all outstanding schools turned into academies, there would be another 2000 primary and 500 secondary schools by the beginning of the following school year¹⁹⁹. The movement of top schools was voluntary, compulsory academy status would fall only on schools classified in the worst category by Ofsted, as had happened in the previous government. The non-independence of Ofsted (Box 4-1) from the public-private partnership movement is a question raised, that can support the idea that academy schools could be enlarged to every school. The classification of ‘failing’ might not be as independent as it ought to be.

Box 4-1 Is Ofsted Independent?

How independent has Ofsted been from the private schools’ movement, once it is the evaluation

¹⁹⁶ Date of consultation 05 February 2017

¹⁹⁷ <http://www.legislation.gov.uk/ukpga/2010/32/contents>

¹⁹⁸ What is an academy? The Guardian, 26 May 2010

¹⁹⁹ Most schools will become academies, says Gove, The Guardian, 26 May 2010

board and it determines which schools are excellent and which are doing poorly? At the moment, of writing, information retrieved from Ofsted site²⁰⁰ revealed that the current leadership has as chief inspector Amanda Spielman who comes from being “founding member of the leadership team at the academy chain Ark Schools, where she became Research and Policy Director and an education adviser to Ark, the education charity”. Before joining Ark, she had spent some years at KPMG being a consultant. Her predecessor Sir Michael Wilshaw (2012-2016) had also been recruited from academy schools “In 2003, Wilshaw was appointed executive principal of Mossbourne Community Academy in Hackney in London”²⁰¹. Christine Gilbert was the previous Ofsted Chief (2006-2012) who had a career as a history teacher, head teacher of a comprehensive school and later as the director of education for the London Borough of Harrow. She had strong links to the Labour party, and direct access to influence police, without any formal link she is married to the former Labour minister Tony McNulty. Though she was not linked to academies and private education companies before getting to Ofsted, the offers and links arose during her chief years, and in 2010 there were rumours she would leave her job due to privileged contacts with United Learning Trust, one of the major academy trust groups²⁰². Most school inspections are carried out by outsourced companies, Regional Inspection Service Providers (RIPS) that are currently three, who in turn hire inspectors. South of England inspections has been consigned to Tribal Group, a big group providing services in the area of education “Management Information Systems Facilities, Asset Management Quality (in where the inspection services fall) Assurance Solutions and Software Solutions”. The company is presently run by a board of directors with technological and accountancy backgrounds, and it is still recovering from previous problematic years, which ended with the sale of the health part of the company. They aim at providing learning technologies to cover the full cycle of learning, starting with schools and moving on until work-based learning.

Fundamentally, academy schools enjoy a lot of autonomy both curricular and managerial. They can hire, fire and establish salaries, including head-teachers who can make more £40,000 a year than in the regular local schools²⁰³, there would be no cap on their earnings. Limitations were related to the intake of students from local areas and the provision to students with different abilities (DfE, 2010). They could not charge any money from parents, neither as registration or fees. The school had to be known as an “Academy”. The agreements were for a minimum of 7 years.

The biggest drive of schools to apply for the academy status was the prospectus of having slightly extra funds, as was revealed in 2011 by a survey: “1,471 head teachers by the Association of School and College Leaders showed that nearly half (46 percent) had converted their school to

²⁰⁰ <https://www.gov.uk/government/people/amanda-spiel-man> (18 February 2017)

²⁰¹ <https://www.gov.uk/government/collections/hmcis-monthly-commentaries> (18 February 2017)

²⁰² Ofsted head Christine Gilbert in talks to leave early and join academy sponsor, *The Guardian*, 8 December 2010

²⁰³ *Idem*

academy status or intended to do so. Three out of four were driven by the belief that such a move would benefit their schools financially”²⁰⁴.

The problems that the government wanted to tackle by the quick enlargement of academy schools was to improve achievement and close the gap between the richest and the poorest. The secretary of state tries to persuade the schools by telling that teachers and headteachers are the only people who know what to do. Gove pledged that the rationale for this policy was "Instead of this country declining relative to other nations, we can once again become a world leader in education”²⁰⁵ Such an autonomy to schools would prevent the Local Authority’s stagnation that thwarts schools from delivering better education for their students.

As the bill moved through parliament the most prominent criticism was related to lack of discussion and rushing into approval, which happened with 317 votes in favour and 225 votes against²⁰⁶. The issues that raised some consternation was the fact that parents needed not be consulted, and the need to persuade schools that were doing well to become academies, as these schools did not need to be fixed by new projects. Within the Tory Party, some voices raised "To make changes to public services of this importance. Ideally, you would have longer to reflect on it and to suggest changes and improvements and make sure there aren't any problems which haven't been considered.”²⁰⁷

On the Labour party side, there was also opposition, which came from Ed Balls, at the time the education shadow secretary as he linked the academy proposals to the finishing of the refurbishment of schools the Labour party had started:

The academies bill will allow [Gove] to spend the money he has snatched away from hundreds of schools across the country to build his 'free market' schools. That reform was tried and failed in Sweden, but it saw standards fall and inequality rise as only the better-off took advantage²⁰⁸.

The argument was that building works would still take place, but only in schools that applied to become academies, and not in LEA controlled schools. The lump sum of initial money for improving schools’ premises was one of the driving forces for school to transform into academies.

The occasional opposition also came from parents and teachers, who were not very fond of transforming schools that were working well, especially in a process that seemed less democratic as the directors could decide without consulting parents, staff, or local authority. Some pointed the finger as an unprecedented concentration of power in the hands of the secretary of state, others to the fact

²⁰⁴ Ten things they don't tell you about academies, *The New Statesman*, 22 March 2012

²⁰⁵ Michael Gove defends academies push, *The Guardian*, 19 July 2010

²⁰⁶ <http://www.educationengland.org.uk/history/chapter13.html>

²⁰⁷ Michael Gove defends academies push, *The Guardian*, 19 July 2010

²⁰⁸ *Idem*

that a massive move of schools to academy status would dry the supply of teachers to state schools, as academies could pay better²⁰⁹.

YouGov carried an opinion Poll shortly after the act approval and concluded that:

27 per cent of voters think that turning more schools into academies will raise educational standards. On the other hand, 53 per cent of voters thinks academies will either "make standards worse" (24 per cent) or "make no difference (29 per cent).

Indifference was indeed the predominant feeling towards this kind of policy. The previous labour experience had not been damaging, with several favourable reports, and this was a milder change, where fundamentally everything would remain very much the same, except that the school would have a little more money and be taken from LEA control.

Teacher Unions were cautious as teachers would have to sign new contracts with the directors. Therefore, they would need to be careful and analyse the contracts "In return for a salary just a little above national scale, you may be giving away some fundamental rights."²¹⁰

The approval of this measure did not have strong supporters nor opposition from out of the government as it was a quick measure to be approved, and it was built on previous labour experience. Just enlarging it to a broader number of schools and children, and making it easier for headteachers to decide, by wiping off the need of private involvement. Mr Gove put it:

We believe that the academy movement has been successful because the improvement in education is driven by heads and teachers," he said. "The most important thing you can do is raise the quality of experience that individual students have with their teacher."²¹¹

Converter academies had a slow start with just over 100 opening with new status in September 2010. These number was slightly disappointing for the government who had expected more than one thousand schools to apply for a quick move, being this number the excuse behind the fast approval of the bill. In January 2011, this number had grown to 200²¹², which represented double numbers on what had been left by the labour party. Most schools were secondary, and the new openings brought the structure of secondary schools to 11% academies. By April 2011, one year on the new coalition government, the idea of academy schools had spread its arms. A survey conducted by the Association of School and College Leaders showed that only 19% of headteachers had not considered this status,

²⁰⁹ Academies bill is anti-democratic, lawyers warn, The Guardian, 6 June 2010

²¹⁰ Ten things they don't tell you about academies, The New Statesman, 22 March 2012

²¹¹ Michael Gove has no 'ideological objection' to firms making profits by running academy school, The Guardian, 31 May 2010

²¹² One school in 10 is now an academy, The Guardian, 6 January 2011

yet. The reason for such a massive swap had to do with financial motivation in 72% of the cases²¹³, some directors pleaded increases of about 10% in their budgets, with minor increases on the expense side²¹⁴.

The consequences of this were added fear that soon local authorities would be unable to support even primary schools, so some councils started to suggest that every school would better apply for academy status before it was too late.

While academy status became more common, Teachers' Unions became more uncomfortable with the idea that salaries would not obey to a standard table. As a consequence, they unsuccessfully pressed for the salary table to be kept despite the school's status. Teacher's flexible pay was one of the benefits publicised by the government; therefore, the unions' wishes slammed against a wall.²¹⁵

Academies became more common, but one of the largest obstacles preventing an even faster change was the excessive bureaucracy associated to the process of converting. The fear of this process was keeping many schools away, especially smaller ones. The government decided to give a lump sum of £25.000 for schools to deal with the process and some were afraid this would be not enough. Lawyer firms were one of the clear beneficiaries of this business, as contracts needed to be written and unforeseen circumstances would better be considered. Some management and law businesses started to specialise in converting schools into academies²¹⁶, being themselves a trigger for head teachers.

Owning the schools was not the business model attached to Academies, but companies sensed the possibility for profit in the outsourcing of services, mainly in management and accountant services. The second option for profit to the private sector, with charity status, was to run groups of academies and have only one centralised administrative facility, allowing for gains from economies of scale. Such was pointed by E-Act director, as he presented is the ambitious goal of running more than 250 schools²¹⁷. They also established a for-profit branch, E-ACT Enterprise, with the objective of selling services to other schools²⁷.

The question posed by opponents of the model is that in the end there will be no visible difference between the umbrella academies and former Local Education Authorities. A big central body is managing several schools.

Table 4-11 Most relevant information on Converter Academies

Policy identification	Converter Academy Schools (2010) –Education Act 2010 Expansion of academy status to every school. The objective was 1000 immediate conversions.
Policy origin and design	No need to be a failing school, but also no need to involve private partners, as schools

²¹³ Forget school autonomy, Gove is forcing through change, The Guardian 19 April 2011

²¹⁴ Schools cash in on academy status, The Guardian, 26 April 2011

²¹⁵ Teachers' unions set for row with government, 19 April 2011

²¹⁶ How to become an academy, The Guardian, 30 May 2011

²¹⁷ Are profit-making academies the future for Education? The Guardian, 4 July 2011

	<p>were to be managed by headteachers and teachers.</p> <p>Enlargement of Academy status was bringing back the idea of emptying LEAs, which combined with the possibility of management outsourcing as a way of involving private companies for profit.</p> <p>Schools would see their budgets increased, including money for building refurbishment.</p>
Window of opportunity opening	Conservative Government, despite not being in total agreement with the Liberal party, was determined to hand in 100% of education to private management. T
Problems to be solved	Lack of success and power to the people who deal with problems.
Ideology, government, and opposition	The ideology was “Big Society” based on the idea that power was to be handed to people who know what is better for them. Proximity management, schools, were the right target for these ideas. The opposition was mild, despite voting against. As the policy was very fast to be approved, there was no time for crucial manifestations.
Policy Entrepreneurs	No visible entrepreneurs, as indifference was the central tone for this move. Entrepreneurs were acting in the back, and notably related to the implementation of the Big Society ideas. Parents were slightly against as they were not consulted, headteachers were slightly afraid as they feared being trapped into contractual clauses and teachers were afraid of new contracts that had higher pay attached to new conditions. None of these voices was audible.
Establishment	It started slow, but as the first experiences were a success, and the word of extra money started to spread many schools decided to take the move, with the support of lawyer companies and also management professionals. Primary schools were moving as fear of unpowered LEAs started to spread. By 2017 there were about 70% of secondary schools and 20% primary schools, with the objective of growth to 100% as soon as possible.
Lessons learned	It is possible to make success even when indifference is the mood. It will only take more time, especially if the change is not very big and there is money attached to it.

The expansion of academies led to LEAs shrinking and some of them, thriving to survive have appointed private trusts to deal with their schools, as if an academy group was in charge. Such was the case of Hackney, where The Learning Trust established a partnership for managing local schools.

Academy schools could not be run for profit, but no cap on managers’ salaries was established. Therefore, the salaries started to climb as the groups expanded.



Figure 4.21 Visualization of the dimensions relative strength Converter Academies
 Source: Author's design

Converter Academies is an end of the line policy, where policy design got to be very adjusted, and national mood had achieved stability toward this kind of policies (Figure 4.21). Therefore, there was no more need for strong entrepreneurs as the work had been done in the previous decades.

$$0.8 \leq \langle ((0.5 + 0.4) * 0.8) + (0.2) \rangle / (Open Window)$$

0.8 ≤ 0.92 – Inequation True the possibility of establishment is favourable

With the objective set of 100% academy schools by 2020 and the steady rise that these schools have been presenting, there is no need for major changes in the system, except for creating more information channels and making the conversion process more accessible and better supported.

Mathematically, by considering the forces at stake in our reference model, it comes as no surprise that Converter Academy schools were a success and that all the dimensions seemed ripe and favourable. Still, as there was no direct entrepreneurs and indifference was the main mood, it must have benefited from the past slow evolution.

The strength of previous entrepreneurs, advocating and pushing towards this policy had by now picked, both inside and outside of the government, public opinion was favourable and had been informed to believe that academies have a more significant potential than LEAs as school managers, doing it with better results at a smaller cost. The only doubt was linked to the move of schools that were doing well, why touch success was probably a question in the mind of parents.

The small opposition focus, on the side of teachers and occasional parents, was no more than local enclaved events. This policy did not even need to define a problem; there was no education problem in schools rated excellent in need to be sorted out. The problem was just this diffuse idea of better to all, pleasing also the high-middle social classes, that now had the opportunity to see their children in academies, the poor cousin of independent schools. The real objective of this policy was to get rid of LEAs, and that was surreptitious, but this time they were very well targeted.

Finally, the technical feasibility, perceived value, resource structure and veto points were all under control, had been trimmed and enhanced for 30 years. The window of opportunity for massive education change lasted for 20 years since education became the priority of Tony Blair's government. Probably just in time, as a new major priority, Brexit, is emerging thus throwing education into a limbo.

As asserted by the former Ofsted director "I have learned this not just as a chief inspector but also as a headteacher: that change sometimes has to be slow and incremental." Sir Michael Wilshaw²¹⁸.

Following Brexit, Cameron resigned as prime minister and was substituted by Theresa May. Education lost its central role, as suggested by Amanda Spielman, advocating that in the coming years the opportunity window for changes in education was going to be shut "Brexit is a huge, huge ... national preoccupation. Regarding government thinking and government action, it's something that's going to be absorbing so much time and attention that it may be harder to get the focus sometimes that we need."²¹⁹ The times ahead are probably going to be marked by the constant rise of academy schools, occasional discussions on pupil selection and of course budget cuts, as England goes through turbulent and uncertain times preparing to leave EU.

4.7.6 Conclusion on Giving Management Away

Giving management to private providers was a principal objective of the first conservative government, who had established the desire of taking power away from LEAs. Grant Maintained Schools was the first attempt as it enabled for the creation of new schools partially financed and managed by private companies, that would compete for the same students but not under LEAs umbrella. The idea was that by introducing competition, LEAs would lose students and therefore financing.

The window of opportunity remained open or re-opened several times for the same typology of policy, as much as the approach to the policy moved substantially in the dimension configuration.

In the end, GMS that were transformed and ripened into Academy Schools became a reality by 2015 especially at secondary level, even if expansion at the primary level has also started.

²¹⁸ The Guardian view on Sir Michael Wilshaw: ruffling the right feathers, the Guardian, 1 December 2016

²¹⁹ Brexit may shift political focus from education, says new Ofsted chief, The Guardian, 9 January 2017

The leading change in problems happened in 2000 as the idea of choice was dropped, and the focus was given to cooperation and the benefits of importing new ideas from private providers, that could add value to solve problems. Lack of success is a transversal problem always inserted in speech. In 2010, there is a new move in the problem dimension as it is clarified that local actors were better positioned to solve local issues. The idea that there is not a single transversal problem to the whole system became predominant.

The only transversal problem was lack of success, especially for students from deprived families and the very slow learners (Figure 4.22). Looking at level one learners as classified by PISA²²⁰ in 2015 still 20% of students scored below level 2 (OECD, 2016) and this value has remained more or less constant since 2000 (OECD, 2003). These numbers show that the main problems have remained unsolved, despite management and other education policies.

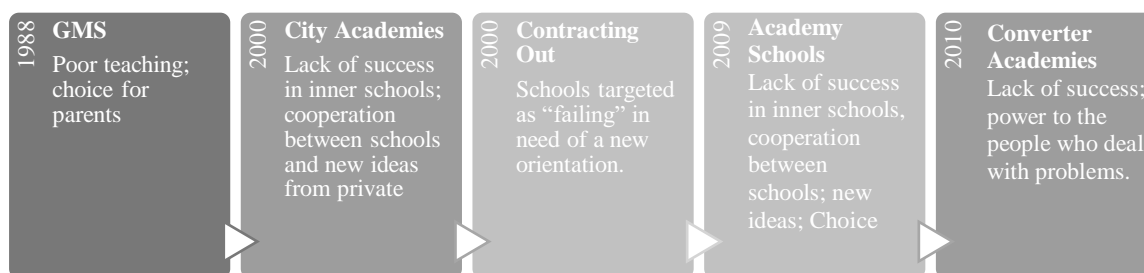


Figure 4.22 Problem Evolution in Giving away Management

Source: Author's design

About policy design, there were relevant changes, which transformed a non-feasible policy into a prevalent implementable strategy. The hugest change in policy design happened in 2009 when the payment by private companies was totally relaxed, and the amount paid per student increased to transform schools into an attractive business (Figure 4.23). The new design pushed more schools into the Academy status, even if there was still the restriction to failing schools. It was in 2010 that the possibility of generalisation became a reality.

²²⁰ In maths level 1 students can answer questions involving familiar contexts where all relevant information is present and the questions are defined. They are able to identify information and to carry out routine procedures according to direct instructions in explicit situations. They can perform actions that are obvious and follow immediately from the given stimuli. They score less than 420 points. <http://www.oecd.org/pisa/aboutpisa/PISA%20scales%20for%20pisa-based%20test%20for%20schools.pdf>

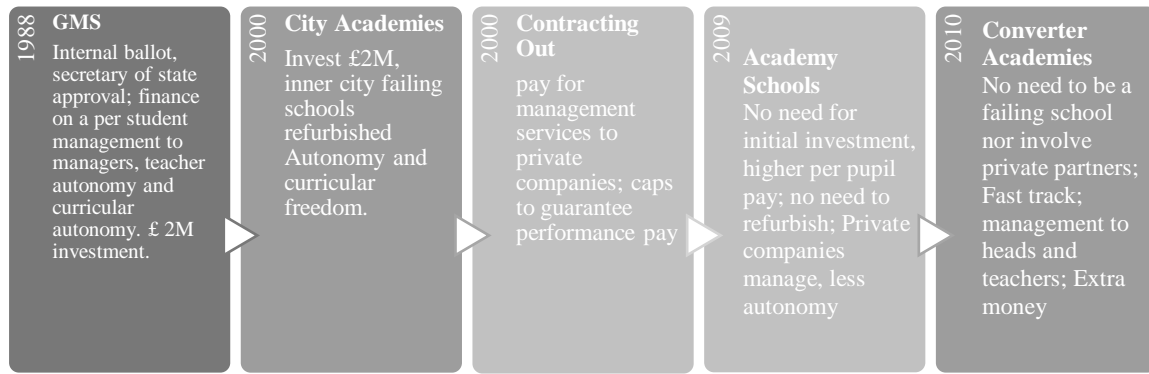


Figure 4.23 Policy Evolution in Giving Management Away

Source: Author's design

The national mood was also altered along this period, probably one of the configurations swiftness (Figure 4.24). The most crucial change happened in 2000 when the labour government decides to align with privatisation ideas, and therefore eliminates opposition in the public arena. At the same time, teachers become milder as their salaries increase. In 2009, the national mood was again slightly less favourable especially within an eclectic part of society who read selected newspapers; nonetheless they did not have any power to stop the process in the move. Towards the end of this long process, society had gone into a dormant state, and no opposition happened, just some fears on how the process would work.

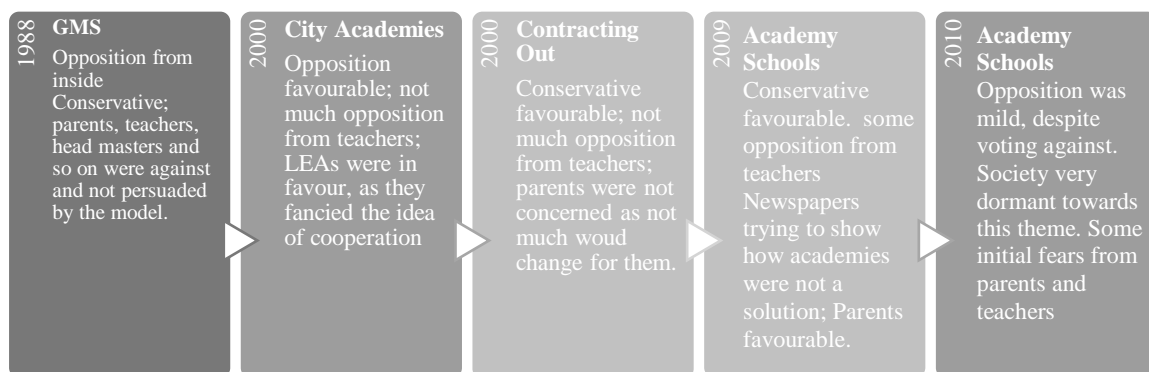


Figure 4.24 Politics and National Mood Evolution in Giving Management Away

Source: Author's design

Finally, entrepreneurs were also a force for change, especially during the New Labour Government (Figure 4.25), with an explosion of think tanks and research on the subject. Towards the end of the process, as most works had already been done, there was no need to invest further resources, and the think tanks moved their ideas to implement the Big Society Philosophy.

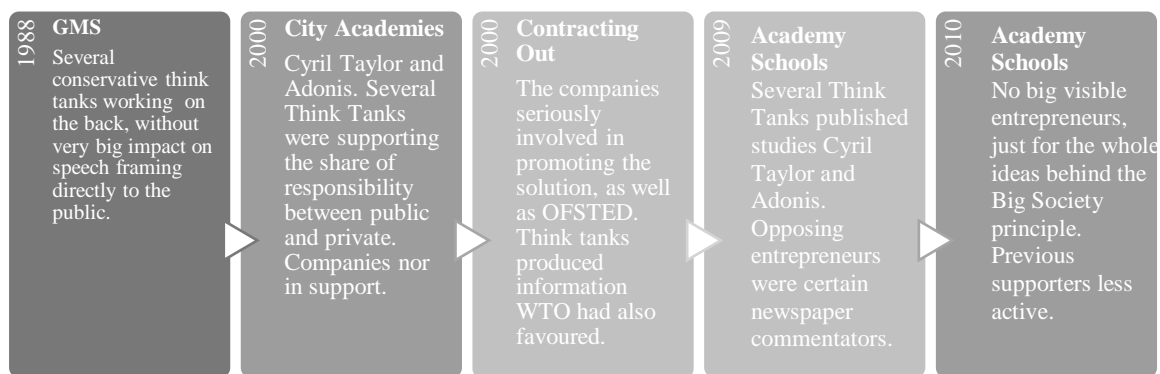


Figure 4.25 *Entrepreneurs Evolution in Giving Management Away*

Source: Author's design

4.8 FREE SCHOOLS - 2010

The second line of action promised by the conservative parties during their campaign for the 2010 election was Free Schools inspired in the Swedish model of private schools, opened from scratch, paid by the state and which mission was to increase choice and competition, with the potential to have a positive effect over the system.

Under the title “Give every parent access to a good school” (Conservative Party, 2010, p. 53), the conservative party made it clear that once elected “we will break d barriers to entry so that any good education provider can set up a new Academy school. Our school’s revolution will create a new generation of good small schools with smaller class sizes and high standards of discipline”. Gove, in an interview just after the election considered that Free Schools did not represent an “expensive option”, even though they implied the building or refurbishment of new schools.²²¹

Once in government, they set out to fulfil the promises and in the same education act (as for the Converter Academy Schools) the concept of free schools was introduced. According to Hatcher (2011), free schools represented the “most uncompromisingly the market dynamic” that the conservative government wanted to imprint in the education sector, as one more policy in the slow rise of education marketisation, this time in a less hidden way.

According to Higham (2014) the idea of Free Schools is solidly anchored in the emerging concept of Big Society. This idea was highly supported by charities who were willing to have a higher participation in the welfare system, Charities Aid Foundation published a working paper to distribute to their partners (CAF Venturesome, 2010) calling the attention to the enormous possibilities to the sector opened by the Big Society ideas. In this report, they establish the several categories of organisations that can participate in the decentralisation of the state (Box 4-2), with higher participation of the civil society matched by appropriate sources of funding.

²²¹ Michael Gove has no 'ideological objection' to firms making profits by running academy school. The Guardian, 31 May 2010

A global online survey on wealthy philanthropies inquiring about strategies and priorities, run by Scorpio Partnership in 2010 (retrieved from (CAF, 2012)), showed that “poor education standards” came second on their list of giving wishes from about 40% of younger givers, the Y-givers generation. These individuals are much more interested in getting involved personally in their causes especially with their vision and strategy. The desire to remain anonymous was much lower than compared to older givers. As John Gardner puts it:

Wealth is not new. Neither is charity. However, the idea of using private wealth imaginatively, constructively, and systematically to attack the fundamental problems of mankind is new.²²² Philanthropy actors have become key political actors involved in the design, negotiation, promotion, and delivery of policy processes, including the reorganisation and enactment of public services, civic action, and community development. (Olmedo, 2016, p. 47).

Box 4-2 The Case of ARK

This idea can be well illustrated in the case of ARK, and how money and pressure mix and work their influence in directing policies and pushing ideas forward. Olmedo (2016, p. 50) shows the building of ARK’s network of the influence, showing well their links to Ofsted, UK government and the education department, as well as other foundation, consultancies, edu-businesses and several capital sources.

Ark is a charity operating in the Academy Schools and Free Schools market in England (among other businesses) who was initially created by a group of philanthropists who got together to change education for every child. Though they were created in 2002, it was in 2006 that they took over an Academy School, Burlington Danes, that was one of the worst performers in England (at the time only bad performers could become academies). They have been steadily growing, and by 2017 they were in charge of 35 schools in the UK alone, and their objectives have grown “We want to change the lives of children everywhere, not just in our own schools. So, we create and incubate ventures designed not only to help pupils in Ark schools but also to improve education systems as a whole”²²³.

Their business has gone far beyond running schools, and they have also developed teacher training courses that train teachers in hundreds of other schools, suggesting partnerships with other academies, free schools and eventually local schools. They also make sure that their impact reaches policymakers “We can have a bigger impact when we work with others, such as governments and education organisations.”²²⁴ They have a panel of trustees who guarantee additional financing,

²²² <https://www.nptrust.org/history-of-giving/philanthropic-quotes/>

²²³ <http://arkonline.org/about-us/what-we-do> (17 February 2017)

²²⁴ idem

business strategy and connections to power. These trustees include²²⁵; “Lord Fink was principal treasurer of the Conservative Party and was elevated to the Peerage in 2011” “Paul Marshall is also Chairman of CentreForum, the Education think tank which was launched in 2005. He is the author of “The Tail: How Britain’s schools fail one child in five” (2013), “Tackling Educational Inequality” (2007) and co-author of “Aiming Higher: a better future for England’s schools” (2006). In 2015, he co-founded The Marshall Institute for Philanthropy and Social Entrepreneurship, based at the London School of Economics”; “Jennifer Moses was a senior policy adviser to Prime Minister Gordon Brown. She was previously Chief Executive of the policy think tank CentreForum”. Their executive board is also composed of highly influential individuals with experience in government, academy and the media: “Lucy Heller previous roles include General Manager of The Observer and Executive Chairman at Verso, a trade and academic publisher”; “Michael Clark was previously a Junior Partner at McKinsey & Company and led its Education Practice in the UK. During his time at McKinsey, he worked for government departments, regulators, inspectors and non-profit organisations in England and America”;

The number of charities operating in England in the area of education and training of children and young people was reported at 505 as reported by the Charity Choice²²⁶, showing well the dimension of this social business.

From June 2010, parents and other members of society were entitled to ask for permission and funds to open a free school, based on a simple application where educational objectives and demand would have to be clarified. The opening of these schools would be demand led; the government would prioritise proposals coming from deprived areas.

Minimal limitations were held on the profile of who wanted to apply, “The prohibited list currently includes those seeking to make a profit, preach hatred or teach creationism as science (*DfE 2012a*)” (in Hatcher, 2011, p. 486).

Concerning funds, the government supported fees. Following approval, a first tranche would be made available for initial investment, and then a maintenance per-pupil amount paid in the same mould as academy schools. Free schools were no more than new academy schools: did not report to local authorities, were entirely funded by government; did not have to follow the national curriculum; however they had to comply to some admissions’ rules, they were their managers and could contract their teachers and negotiate salaries as they were outside the scope of the national union agreements (Hatcher, 2011).

²²⁵ <http://arkonline.org/about-us/who-we-are> (17 February 2017)

²²⁶ <http://www.charitychoice.co.uk/charities/search/?q=&t=advsearch&postcode=&distance=§or=4&subsector=22®ion=®ion=england>

In September 2011, the first 24 free schools opened their doors, the second series of 55 opened one year later (Higham, 2014). As free schools were a demand-led process, theoretically to spread faster in most deprived areas, in the first batch of openings: “nine were in the 50% least deprived areas of the country, 15 in the 50% most deprived areas, but only two of them in the bottom 10%” (Hatcher, 2011, p. 494). Showing that the odds were not so favourable to very deprived areas, especially when proposed by private providers (Higham, 2014).

Despite these arguments, free schools kept on growing:

By 28 October 2014 there were 252 open free schools, with a further 111 opening in 2015 and beyond. Of those already open, 107 are secondary schools, 94 primary schools, 37 ‘all through’ and 14 for those aged 16-19 years (House of Commons, 2015, p. 5).

By 2012, there was a big discussion on whether schools could or could not be run for profit, with the government and several companies supporting for-profit institutions, as attention ought to be kept on quality and not on if someone is making money out of it²²⁷. This was a false discussion as it was already legal to sub-contract full control of the school to a for-profit company, the question had to do with the wish of some companies to create strong education brands, therefore be entitled to their profits without the need of by-passing services to others²²⁸. A for-profit authorisation was given to IES a Swedish company over a contract of 10 years. The government recognised that this was a one-off case, and that for-profit in Free Schools and Academies would take a slow road, chiefly as the national mood was not ready for this move. A survey²²⁹

Polling shows the public is opposed to private companies running schools for profit, though the distinction – when non-profit providers pay executives lavishly and often run schools abroad for profit – is in any case blurred” According to Verger et al (2016b) “GSV-Advisors calculated that the value of the education market, globally speaking, was \$4.9 (USD) trillion in 2015, and that venture capital investment in education companies reached nearly \$2 billion in 2014 (after growing at a 45% rate over the past five years).

A share of this was being made inside England, and many English companies are the leading promoters of this growth, such as Bridge International Academies or ARK.

At the level of opposition, free schools moved without any vital resistance. In the beginning, the Liberal Party (in government coalition) assumed a public position against this sort of schools fuelled by fears of increased segregation. Nevertheless, they ended up not taking a clear parliamentary position as they were not willing to shake coalition over this issue, and just two voted against the academies Bill of July 2010. The labour party voted against; even though, in reality, they did not make

²²⁷ State schools hover on the brink of huge private sector revolution, Guardian, 28 January 2012

²²⁸ Let state schools be run for profit, says former Department for Education chief, The Guardian 1 February 2012

²²⁹ Crony capitalism feeds the corporate plan for school, The Guardian, 14 February 2012

any considerable opposition to this policy²³⁰. Some deputies had a locution calling attention to the lie, underlying this policy, and showing that putting responsibility in the hands of communities, calling them to solve their problems was just a manner of saving money and getting rid of future responsibility: Labour's Tessa Jowell told the *New Yorker*²³¹

In a rather arbitrary way, what the coalition is doing is simply withdrawing from the responsibility for providing particular services. The principal reason for withdrawing is to save money. The stated reason for withdrawing is a belief that the local community better provides this service. That's where there is, at worst, a lie and, at best, obfuscation at the centre of this policy.

Teacher unions were also concerned about the loss of the laces to local authorities. The teachers were to sign individual agreements with trusts, and maybe they would be on the row to lose some of their rights, even if salaries in the short term seemed higher. In general, teachers were against free schools as shown in a survey by the Sutton Trust where "all three of the classroom teachers unions – ATL, NASUWT and NUT – are strongly opposed to free schools"(Hatcher, 2011, p. 499). In contempt of few rumours from the opposition, nothing serious emerged, and the school revolution materialised "with barely a squeak of national political Protest."²³²

On the side of entrepreneurs, Free Schools were an excellent match for the fast-growing philanthropies and social venture economy. These were the initial driving forces (Higham, 2014). It is very clear that some influential philanthropists have, meanwhile invested money and knowledge into some free schools:

The other directors are Ron Bellor and Gerard Griffin (both hedge fund managers), Paul Dunning and Anthony Williams (both formerly of investment bank Goldman Sachs), Neil Woods (partner at professional services firm Deloitte) and Lucy Heller (chief executive of Ark and former joint managing director of News International's former education subsidiary, TSL Education). They set the overarching strategy of the trust, approving its annual budget and making major decisions on expenditure.²³³

This philanthropic interest is now also shown in donations, that can be spotted at the accounts of free schools. This participation became a late reality, as there is a lack of evidence on the early involvement of philanthropies in the policy drawing and implementation.

Free schools, as they were so quickly agreed, concerning the law, it becomes tenacious to track the entrepreneurs involved in the design of this policy. It was a policy, very much in line with

²³⁰ Information taken from <http://www.publicwhip.org.uk/division.php?date=2010-07-21&number=37>, in 12 February 2017.

²³¹ All Together Now! *The New Yorker* (UK Journal) 25 October 2010

²³² Crony capitalism feeds the corporate plan for schools, 14 February 2012

²³³ Investigation: Philanthrophiles –meet the donors propping up our education system, *School's week*, 17 June 2016

conservative Grant-Maintained Schools with some nuances such as the need for them to be demand driven. Groups of middle-class parents²³⁴ were indeed interested in this measure, and some teachers were also interested in open new schools, in search for more autonomy and fulfilling old dreams that education could be different and better for all²³⁵. Another sort of actor seemed to be interested in the social character of the venture but in the way of potentiating her career, either as a trampoline to government or as a perch after public service²³⁶.

Table 4-12 Most relevant information on Free Schools

Policy identification	Free Schools (2010)– Academies Act 2010 The opening of new schools by anyone with a credible project. Based on demand. Entirely paid by the government. No specified objective.
Policy origin and design	These schools were inspired in the Swedish model, and also in charter schools in the USA. Anyone who thought there was local demand for a new education project could apply to open a school, priority given to deprived areas. The government would pay for the initial investment and a per-student basis. Schools would be autonomous, and there were very few rules to comply. The policy was approved in the same act as Converter Academies.
Window of opportunity opening	The conservative Government, in partnership with the Liberal party, was determined to hand in 100% of education to private management. Free schools were an electoral promise.
Problems to be solved	The community does it better and more competition improves the whole.
Ideology, government, and opposition	The ideology was “Big Society” based on the idea that power was to be handed to people who know what is better for them. Proximity management, schools, were the right target for these ideas. The opposition was mild, despite voting against. Only a few voices were heard concerned with the long-term and the government getting rid of their responsibilities.
Policy Entrepreneurs	Visible entrepreneurs were philanthropies, willing to invest in education as an area in need to change and where they could bring innovation. They invested in studies and promoted the importance of proximity, well-managed schools. Parents were absent, and few were involved in opening new projects. Some teachers were also willing to open a school as the materialisation of a dream.
Establishment	It started slowly, with a constant pace for a policy that involved creation from scratch.
Lessons learned	When the streams are ripe, policies happen.

²³⁴ Parental support for school reform, The Guardian, 10 April 2010

²³⁵ Why we are setting up a free school, The Guardian, 20 November 2010

²³⁶ Crony capitalism feeds the corporate plan for schools, The Guardian, 14 February 2012

This policy can also be traced to some think tanks, such as Adam Smith Institute or CBI, some education groups already established at academy level such as ARK or E-Act who also were expecting some business from this new concept, as well as some international investments who were early investors trying to position themselves for future earnings. Companies specialising in management, consultancy and law were also very interested and ready for the emergence of free schools. Atkins, who earns £100,000 a year in her role at Wey Education, says she is working with seven potential founders of free schools and hopes to help them to manage their establishments once they are set up – at least in part because of the daunting nature of the task. Parents and governors, she says, has created an academy,

"may realise they don't have the capacity, and they don't have the risk appetite, because you have to have a big one to take everything on their shoulders and they want to contract that out – that's my business"²³⁷.



Figure 4.26 Visualization of the dimensions relative strength - Free Schools

Source: Author's design

Free schools were a relatively new strategy inspired in Sweden and benefiting from the long process of ePPPs introduction in England. Against the fact that its cost ought to be relatively too high

²³⁷ State schools hover on the brink of huge private sector revolution, The Guardian, 28 January 2012

for the poorly defined problems, national mood and institutions did not oppose (Figure 4.26 and **Error! Reference source not found.**).

$$0.6 \leq \langle ((0.3 + 0.3) * 1) + (0.2) \rangle / (\textit{Open Window})$$

0.6 ≤ 0.8 – Inequation True, the possibility of establishment is high

The model can forecast success as the entrepreneurs are moderately active but profiting from the past. There is money to be made by private companies, and all the investment comes from the state. Peoples mood towards the private participation is favourable, and by 2010 in England, it was clear that alternative education solutions were to become a reality – a free market where schools teach as they think is right and parents try to find the best option for their children, at least within a territorial choice. There is the vague problem of quality, not measured and without any immediate solution, so the problem is just attached to who has the potential to do it better. Free Schools policy was well designed, as it was not too bureaucratic and theoretically accessible to everybody.

4.9 CONCLUSION ENGLAND

About academy schools, the news from 2011 was the sharp rise of MATs (Multiple Academy Trusts). In February 2017²³⁸ there were 10243 academies, out of which 78% were grouped with at least another academy school.

The evolution of the grouping and the creation of brands linked to education was staggering in the last five years. In 2012 the Guardian published a list of who ed the schools²³⁹, and at the time the Trust in charge of the most significant number was Academies Enterprise Trust (AET) with 38 effective schools and another 28 coming soon. Only ten trusts were owning more than ten academies, the global number of academies was also about 1400.

The data for 2017 shows 153 academy trusts that control more than ten schools each, with size leadership assigned to REACH2 Academy Trust, controlling more than 109 academies both primary and secondary.

The of majority schools at the secondary level is now run by a private trust, with or without a sponsor. At primary levels, LEAs continue to have control over the principal part (Figure 4.27).

²³⁸ <https://www.compare-school-performance.service.gov.uk>

²³⁹ Who is sponsoring England's Academy schools - and where are they?

<https://www.theguardian.com/news/datablog/2012/sep/26/academies-sponsors-list-map>

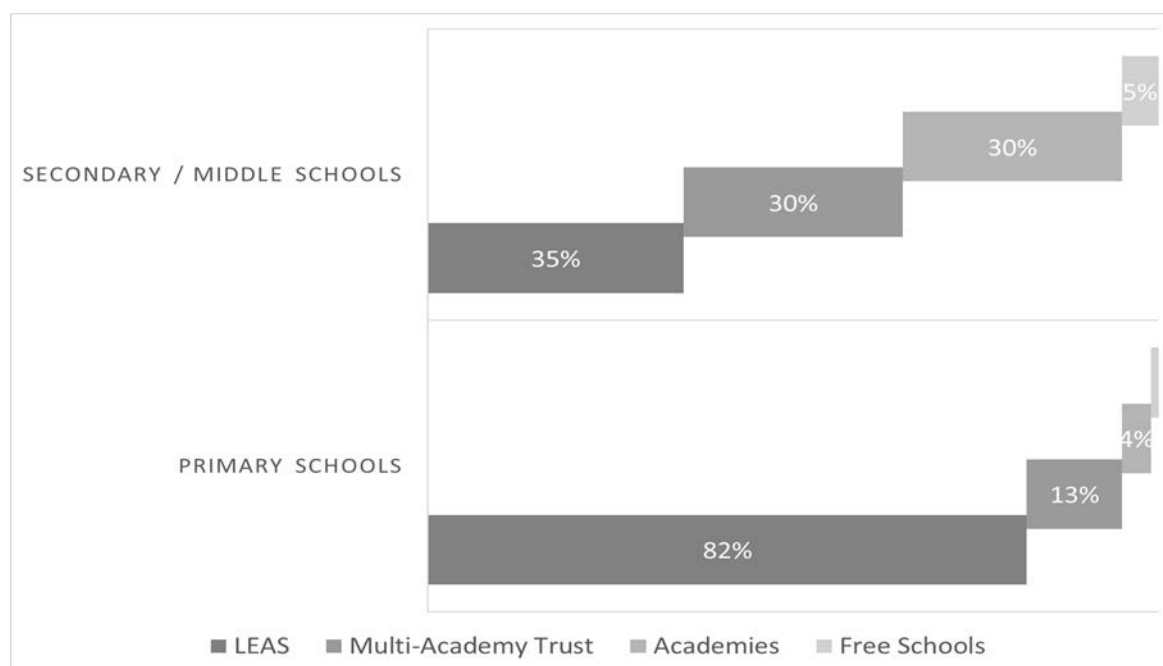


Figure 4.27 School typology in primary and secondary education, England 2017

Source: Gov.UK, author's graphic

At the secondary level, there are only 33 schools left for LEA direct control, to which 250 can be added that are Voluntary aided schools which have quite a lot of autonomy though they still use some services provided by LEAs. Around 65% of secondary education is now run and managed by private providers, who receive money and depend directly on the secretary of state.

At primary level reality is still different. Private providers oversee about 45% of all primaries, 20% depend directly on LEA, and the remaining 35% are voluntary aid schools. Primary schools tend to be smaller and with stronger ties to local authorities.

In both levels of education, Academy Schools became the norm, both with sponsors or converter versions. Sponsors are involved in about 25% of secondary schools and 10% of primaries. The most relevant proportion goes to Converter Schools who were fast-tracked by the coalition government. Foundation schools, which are sponsor supported and are the old Grant-Maintained Schools also have a small share on both levels, and Free schools the most recent measure towards privatisation are still in small numbers.

According to the DfE Guidelines, sponsors must be someone with a clear project for education, willing to take responsibility and influence over the daily business of the school, including the right to appoint directors and governing body, in exchange of monitoring the performance and making sure the funds are efficiently managed²⁴⁰. Sponsors can be businesses and entrepreneurs, but they can also be other schools, universities, education foundations, philanthropies or faith congregations. The government has set a grant scheme to support transition costs so making sure the sponsor is covered for financial reasons, the sponsors must be constituted as trusts, to assure the non-

²⁴⁰ <https://www.gov.uk/guidance/sponsor-an-academy>, consulted 09 February 2017

for-profit compromise. The amount of the grant varies from £70K for fast-track primary schools to £150K full sponsored secondary and all-through schools (Department for Education, 2016, p. 4).

Table 4-13 Number of academies by the sponsor typology

	N.	N. Schools	Average
Universities	12	43	3.6
Colleges	39	85	2.2
Dioceses	40	343	8.6
Trusts	732	3218	4.4

Source: Gov.UK

The last data available shows that there were over 800 sponsors, supporting nearly 3700 sponsored schools (Table 4-13). Only 12 universities are sponsors, and they tend to sponsor three to four schools. On top, 39 Colleges are supporting a total of 85 schools. Universities and colleges represent a small fraction of the sponsor structure; together they only support 3,5% of all the sponsored schools. Dioceses are strong supporters, which means that the dioceses who have decided to support schools, on average they are in command of nearly nine schools, there are only 40 dioceses involved relating to 342 schools. The clear majority are constituted as trusts, so the real origin is hard to identify.

ePPPs in England was a slow process that expanded to most schools, evolved with the cooperation of several political parties, and above all with the emergence of strong entrepreneurs that managed to frame the speech and change public opinion. The most relevant strand was giving the management of local schools to private agents, with or without the support of business and capital. Using the private services already existent was a marginal policy that took place during the first Conservative period. The technical path ePPPs were also relevant, but as specialism was enlarged to regular projects, it has lost some of its differentiation.

In our voyage around the ten most influential policy moments, I realised that eight policies that were implemented to their objectives and just two that did not get out of the legislative moment (Table 4-14). Out of the eight successes, only one is associated with government ideological trend – assisted scheme places – that was implemented within a conservative government and discontinued when the government changed to Labour. All the other seven measures are transversal to ideology changes, and they represent an evolution from the previous policy.

There were four main strands of privatisation in England, which were: Assisted Scheme Places; Technical Education; Academy Schools and finally Free-schools. In the case of England, with exception to the first strand all the policies end up importing ideas from the parallel strand, and they are tightly interconnected.

With a change in the arguments and the gaining of entrepreneur’s power, as well as education, becoming a profitable business, all contributed for the expansion of ePPPs, and they are not solely anchored on ideas. However, ideas count!

There is a need for a favourable combination for a policy to be well succeeded. There is some inefficiency, but policies are never abandoned, even after failure. There are always lessons to be learned and, in England, one of the main characteristics is that policies improve in their weak points for the next cycle. This fact may have to do with the existence of entrepreneurs, even when they are not very strong, they still exist labouring on the background.

Problems tend to be vague and not very well defined, meaning that solutions are harder to attach.

In the case of England, all the measures that were well succeeded benefited from a favourable mood, (Table 4-14). In the case of the Converter Academy Schools, the mood was favourable; howbeit the entrepreneur was not particularly active at that time. This latter policy was benefiting from the accumulated work of entrepreneurs over the years.

City Academies moved very slowly, and their success was insufficient, despite the favourable mood. Entrepreneur e mildly strong and had the policy incorporated the learning from previous failures academy schools had the conditions to be implemented earlier. Policy design was complicated to implement – mainly in its cost to the private agents.

Table 4-14 Indexes per policy, England 1980-2015

	Entrepreneur	Problem	Policy	Politics	National mood	Status
Assisted Scheme Places	0.6	0.3	0.5	0.1	1	SUCCESS
City Technology Colleges	0.6	0.3	0.3	0.1	0.4	FAIL
Technology Colleges	0.6	0.3	0.3	0.2	0.8	SUCCESS
Specialist Colleges	0.4	0.4	0.4	0.2	1	SUCCESS
Grant Maintained Schools	0.8	0.3	0.3	0.1	0.2	FAIL
City Academies	0.6	0.3	0.3	0.2	1	SUCCESS
Contract out	0.4	0.3	0.4	0.2	0.8	SUCCESS
Academies	0.6	0.3	0.4	0.2	0.8	SUCCESS
Converter Academy schools	0.8	0.5	0.3	0.2	0.8	SUCCESS

Free Schools	0.6	0.3	0.3	0.2	1	SUCCESS
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The fact that ideologically Labour and Conservative parties became aligned in this respect have facilitated the building of a national mood favourable to privatisation. Ideas matter, and when there is a convergence in arguing for a policy, even if grounded in different arguments, policy becomes more straightforward to implement. There is no radical change; the English case fits well with the concept of ‘layering’ where incremental changes accumulate until one can consider the change has effectively occurred (Crouch, 2007). This process helped by skilful individuals who make use of institutions in order to bring in their innovations (Campbell, 2004).

As a general conclusion, I would say that ePPPs have a higher possibility of establishment when:

- (i) A policy is feasible, cost-effective, with a robust network;
- (ii) The problem identified is well targeted at national mood considerations;
- (iii) There are entrepreneurs ready to correct mistakes and learn from implementation feedback;
- (iv) National mood is favourable especially at the level of people who will be in charge of implementation. If these people are against, the odds of the policy slipping out of control are high. In one word – configuration is essential at legislation to increase the possibility of enactment.

5 PORTUGAL

LAWS THAT GET STUCK ON THE FIRST ROUND

“What one does is what counts. Not what one had the intention of doing.”

Pablo Picasso

5.1 SYNOPSIS

ePPPs until 1980	Until 1980 the Portuguese system was mainly public, ran by central government who was in charge of about 95% of schools. The remaining 5% were independent private schools where parents had to pay attendance fees.
Politics	From 1980 to 2015 there were 21 years of right-wing governance and 14 years of left-wing socialist within a new democratic scenario. Problems of infrastructure and universal school attendance were the focus of education. Public-Private Partnerships became popular in several economic areas, but only recently arrived at welfare services. No clear strategy or strong discourses to change pre-conceived ideas, an area where nobody invested for change.
Association Contracts and Family Support	Anchored on the need of supplemental education in areas where public investment was not enough, never managed to detach from this idea. Private management of public schools is still out of the agenda, as the idea of public school is ingrained in the constitution reading. Regarding family support, it never gained dimension to be real support, as it covers for a small share of private education cost. Some legislation tried to approach these ideas, but they failed as configuration was not appropriate.
Professional and Technological paths	These constitute the most significant success in the education scenario in Portugal. Emerged within a period of expansion in demand for education and also economic expansion in need of qualified labour. The opportunity was there, and it was skilfully implemented, whereas with no growth.
Private teachers in extra activities	In a time where the streams were ripe to solve a problem - the need for full-time school at primary level – the creation of ePPPs to provide teaching services that would guarantee that children could stay in school for more extended hours was the solution. This ePPPs remain active in most schools, despite some attempts to re-distribute this work to teachers from public schools. Once again ePPPs based on the argument of supply/demand unbalance.

5.22 INTRODUCTION

Moving into the Portuguese case, I would like to recall my hypothesis, regarding the privatisation of education. In this work, exogenous privatisation as defined previously is the dimension at stake; this is when private providers take over the management of schools, as in the case of vouchers, academy schools, free schools, or charter schools, or when students are sent to private education subsidised by the state. In the case of Portugal, privatisation of teaching services to after-school activities will also be analysed²⁴¹.

In Portugal, the privatisation process of education has happened occasionally but not in a continuous manner as seen in England. Basically, in the 1980s three measures to favour public partnerships at primary and secondary education level were launched and moderately implemented. At the beginning of the 1990s, the fourth typology of the partnership was launched. It was on the side of professional education that the ePPPs model proliferated with more enthusiasm, though it came to a halt a few years later, and the expansion on this segment did not have impact waves.

The Portuguese constitution revised in 1982, contemplates the possibility of private schools²⁴², although supervised by the state, they are part of the education service of the country. The same document makes it clear that education is to be provided by the state and a public network of schools must be offered, as education is a fundamental and universal right. As education is seen as a welfare service, the state must ensure quality, continuity and access to every child. Therefore, transforming education into a privatised provision option is made more difficult, albeit not impossible.

The law of 1980²⁴³ established the rules for the cooperation between the state and private providers²⁴⁴ and established the rules for:

- (i) Association contracts were defined as contracts with privately run schools located in areas where the state did not have enough infrastructure to suppress offer shortage. The state would pay for the attendance of children to private schools with an association contract. Private suppliers to substitute the state geographically.

²⁴¹ In Portugal bringing private providers to schools by the direct contracting of teachers is a relevant practice in the local context, as teachers are never contracted directly by the school, and schools are not involved in deciding who is coming. Teacher placement is made through a national list and autonomy to hiring teachers is totally out of any legislation, one of the main characteristics of public school – teacher selection is a process that is not subject to favour, with teachers being placed based on their university performance, years of service and other criteria. Teacher associations defend that the only fair mode of contracting teachers is through the national context, and they regularly oppose any attempt to give this selection to schools. For this reason, it is very interesting to understand how it was possible to grant access to schools by companies and private providers who could skip the national context and be hired by the project responsible in a direct manner.

²⁴² Article 43rd, n. 4, Portuguese Republic Constitution (CRP)

²⁴³ Decree-Law n° 553/80, 21 November 1980

²⁴⁴ Here only the rules for education from primary to secondary levels are referred. The articles related to pre-school (ISCED 0) or post-secondary are not mentioned.

- (ii) Simple contracts were celebrated to allow individual children whose parents wanted them to attend private schools to benefit from a partial payment from the state, this payment would be made based on income proof, and would only be made to families with low income. The objective was to favour liberty of choice.
- (iii) Sponsorship agreements were made with schools with a proved alternative methodology or specialising in arts – namely music, dance or theatre. Cooperation agreements were with institutions that were able to take children with special needs. The state would be entirely responsible for the payment to the schools. Still, initiative and management were from private providers who should substitute the state for original methodologies of learning.

This logic held still until 2013, when a new law²⁴⁵ was approved to accept ePPPs as a tool to respond to free choice by the families, considering, for the first time, possible that support to families or schools could be made, even if a public school was working next door. In this law, there would be more place for different essence of contracts²⁴⁶: simple family support; further family support (for pre-school children); association; sponsorship and cooperation agreements.

The two first²⁴⁷ were foreseen as mechanisms to partially support families wishing to register their children in private education, whose resources were not enough. The contracts were celebrated directly with the schools, and the amount would vary per children according to family income. Even if they may seem to constitute the design for free choice, the way they have been drawn is far from this scenario, as will be analyse in the section ahead.

The 2013 law tries to introduce subtle changes to the association contracts, as these contracts could from there on be celebrated in any region, despite public offer, with the objective to assure families can choose between public and private education providers.

The sponsorship and cooperation agreements have to do with the diversity of teaching methodologies and alternative curricular programmes that justify the extension of public offer into this schools. Professional, artistic, special needs schools all fall within this typology. Often the state cannot provide such specific training. Therefore a space for private providers is created under this umbrella. Once again, these contracts are only possible if the state does not provide an equivalent offer within the geographical limits.

Despite this being the law that is still in hold the results at implementation level are null, partially for the change of government into a left-wing coalition, but, according to our model for other problems in the policy adoption process.

²⁴⁵ Article 16, Decreto-Lei n.º 152/2013, 4 November

²⁴⁶ n.1 article 9

²⁴⁷ Wish did not change substantially since they were first introduced in the 1980s.

Finally, the idea of special subsidies was to allow for the creation of special conditions to provide help with an investment or temporary financial trouble.

Beyond the legislative process, it is by now clear that the Portuguese education system remains very much under public management, except where there were needs that the state was unable to supply in the short run. EPPPs emerge in secondary education through association contracts and professional/artistic education through sponsorship agreements and special needs through cooperation agreements. On top of these agreements, the law created some space for parent choice through family support agreements, wish to have also minimal implementation. In some way, the legislator wanted to reflect the opinion of some groups of parents and coalitions who pleaded for a transformation in the system and would like to have more choice (Viegas, Carreiras, & Malamud, 2007).

5.3 EDUCATION OWNERSHIP FROM 1900-1980

With the implementation of the republic in 1910 and the extinction of religious orders, schools become publicly administered and were a central piece for the country's development. At the time about 70% of the population was illiterate and reducing this number was the primary objective behind the designed reform (Grosso Correia, 2010), this number had emerged in 1878 following a census to the population, and it was one of the fuels to the movements against the monarchy. In 1911 there is a reform of primary education anchored on equality, gratuity and religious neutrality²⁴⁸. In the years that followed, one of the most renowned policies in education was the establishment of a mobile school, which peculiarly was privately run and financed by a powerful businessman, Casimiro Freire. This private initiative, not in partnership with the state, lasted until 1921 and reached 28941 students. Some other initiatives based on community cooperatives were spread around the country, yet the political instability with constant government changes²⁴⁹, reduced the impact of the education priority, and by the time the regime collapsed not much had been achieving.

With the emergence of "Estado Novo" primary education became a privileged vehicle to build nationality and sense of proud, building a national identity (Pereira, 2014), by destroying the principles and working mode of the Republican schools, education becomes more centralized with an increase on inspection mechanisms, and fear within the teachers. Primary education is not for improving literacy but more focused on moral, religious and nationalistic value appropriation (Ferreira, 2015). Despite the proximity between the most relevant political actors of the time and the Catholic church, the education control remains in the hands of the state, even supposing that the church could recover partially the power they had had before the republican period (Santa-Clara, 2014). Private schools were tolerated, it was made clear that they would not have a central role, would need to follow the state rules in respect to curriculum, materials and organisation, and only a few

²⁴⁸ Article 3rd, number 10 to 12 Constitution 21 August 1911

²⁴⁹ There were 45 governments in less than 16 years – from 5 October 1910 to 28 May 1926.

controlled pedagogical experiences were tolerated. In 1949 a law to regulate private schools was proposed²⁵⁰, enveloped in marginal controversy by private providers who wanted to have an identity (Cotovio, 2012). The case of private providers fulfilling a role of complementary providers, whose service is acceptable in areas where the state is temporarily unable to reach, is anchored in the centralistic ideas of the dictatorship. The final diploma on private education, law n. 2033 27 June 1949, shows that the state looks at private education as public service, and the rules are quite tight, and there is not the real liberty of teaching.

In 1957/58 private providers were in charge of about 10% of education at all levels, distributed by 1025 schools mostly in Lisbon and Oporto (Santa-Clara, 2014, p. 99). Officially the state was not subsidising these schools, which had their programmes of grants for more impoverished children.

When democracy was re-established in 1974, the schools were mainly state-controlled, with a representation of private providers, who were very much obedient to the public guidelines, and mostly without any ePPP agreements in place. Still, the constitution guaranteed the right to the freedom of teaching and learning, which was a critical milestone against totalitarianism (Abrantes, 2016). Most private providers were run by the Catholic church and went through a financial crisis immediately after democracy when some faced nationalisation or bankruptcy.

5.4 OVERVIEW ON IDEOLOGY

Figure 5.1 resumes the ideological trend of the governments, prime ministers and Education Ministers during the period that goes from 1980 and 2015.



Figure 5.1 Prime Ministers and Education Ministers, Portugal 1980-2015

Source: Governo Portugal²⁵¹

Looking at the period under analysis social democratic governments were in power for longer than a socialist party. In Portugal, since the fall of the dictatorship in 1974, there have been two parties that alternate government responsibilities:

- (i) PSD – Social Democratic Party that represents the centre-right and

²⁵⁰ Proposta de Lei de Bases do Ensino Particular e Cooperativo, 1949

²⁵¹ <https://www.portugal.gov.pt/pt/gc21/governo/governos-anteriores>

- (ii) PS – Socialist Party that represents the centre-left. Occasionally these parties formed a government either in alliance or with the parliamentary support of other parties.

Until 1985 there was a political instability since Portugal had only become a democracy in 1974, and prime minister Sá Carneiro died suddenly in an accident. From 1985 onwards, the political situation is marked by alternation between the socialists and the social democrats. Social democratic Cavaco Silva stayed as Prime Minister for ten years – 1985 to 1995 the most extended continuous permanence in power. The same stability is not extensible to Education Ministers as they have swapped regularly. Still, there were four full-term mandates: Roberto Carneiro, Marçal Grilo, Maria de Lurdes Rodrigues and Nuno Crato.

PSD and PS are parties with a central convergence, and alternate as government. Although they converge in many ideas, the issues surrounding ePPPs in education were set as one of the main ideological divergences within these parties. In a study on the differences between parties (Maximiano, 1994) the author demonstrated that the dimension with the most expressive discrimination power between parties was privatisation vs more state. This dimension included the question on the need for more (less) incentive to private education.

In the manifesto project analysis,²⁵² it is possible to spot parallel proximity between the two main parties except for the 1987 election when the socialists had a programme that seemed to be extreme left (Figure 5.2). In this election, Cavaco Silva won an absolute majority with most votes in almost every council²⁵³. His opponent was Mr Constâncio had ideas anchored in a stronger state. From 1990 on, both parties have become slightly more to the right and moved in a parallel mode with PSD moving slightly more to the right and PS becoming neutral in this spectrum²⁵⁴.

²⁵² <https://manifesto-project.wzb.eu/>

²⁵³ <https://www.portaldoeleitor.pt/Paginas/HistoricodeResultados.aspx>

²⁵⁴ Based on my knowledge I think that until 1991 there might be a problem with programme interpretation as I don't believe in so big ideological oscillation within the party's ideology until 1991

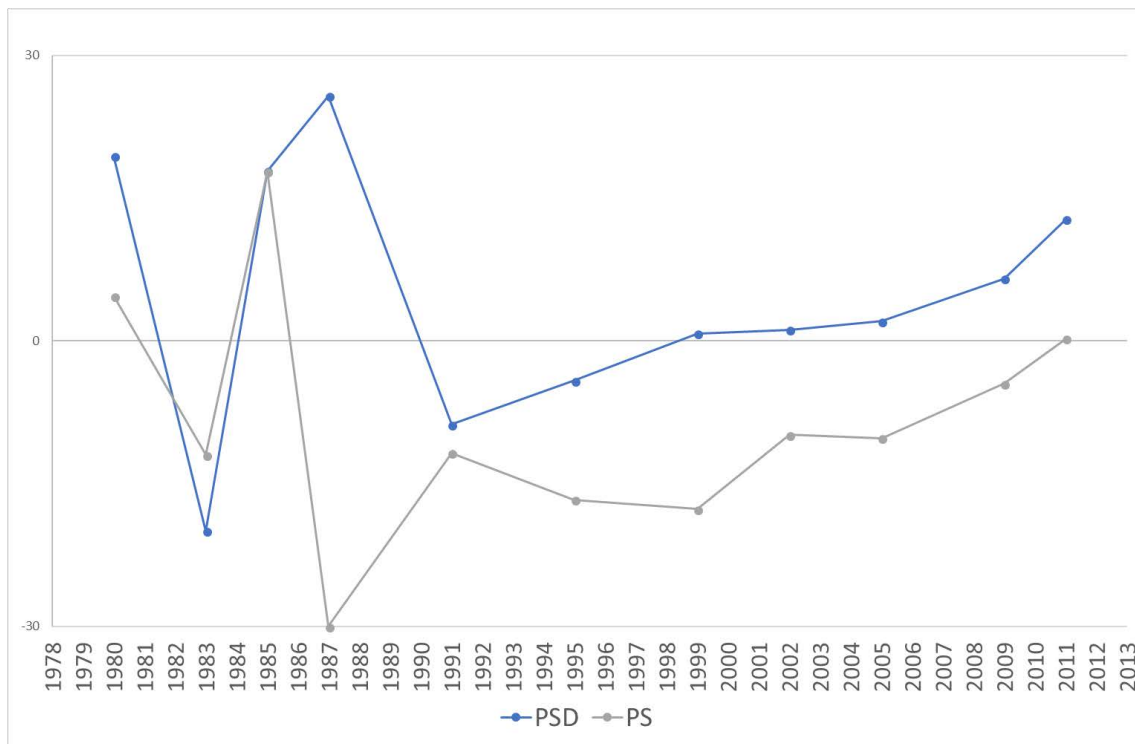


Figure 5.2 - RILE right-left position of electoral programmes – Portugal, 1980-2011

Source: *Manifesto-Project*, graphic by the author

Policies toward the establishment of ePPPs were developed in three strands (Figure 5.3). The first measures start in 1979/1980 with the publishing of the Private school Status where the rights and obligations of these schools are set, and the modes of public finance are stipulated.

In the Portuguese case, there were three typologies of ePPPs, set with the primordial document, which fit our definition which are Association Contracts, Direct Support to Parents and Sponsorship Agreements. The first means that the state pays to private schools to take full classes of students, the students do not pay fees, and the state entirely pays the cost. In the second the state partially pays the fees of students in private schools, following a parent requirement and relating to parent's economic capacity – this subsidy applies only to schools that have established an agreement with the government and to children coming from poorer households. The third refers to the state paying children who attend artistic education or schools with proved alternative pedagogical approaches. These three policies have developed together within the same legal framework, and therefore they will be treated together. Later there is a second strand concerning the creation of private professional schools, equivalent to the secondary education, which emerged from private initiative with government and EU funds' support. Finally, the third thread was the creation of ePPPs for hiring teachers who would oversee extra-school activities within the public schools.

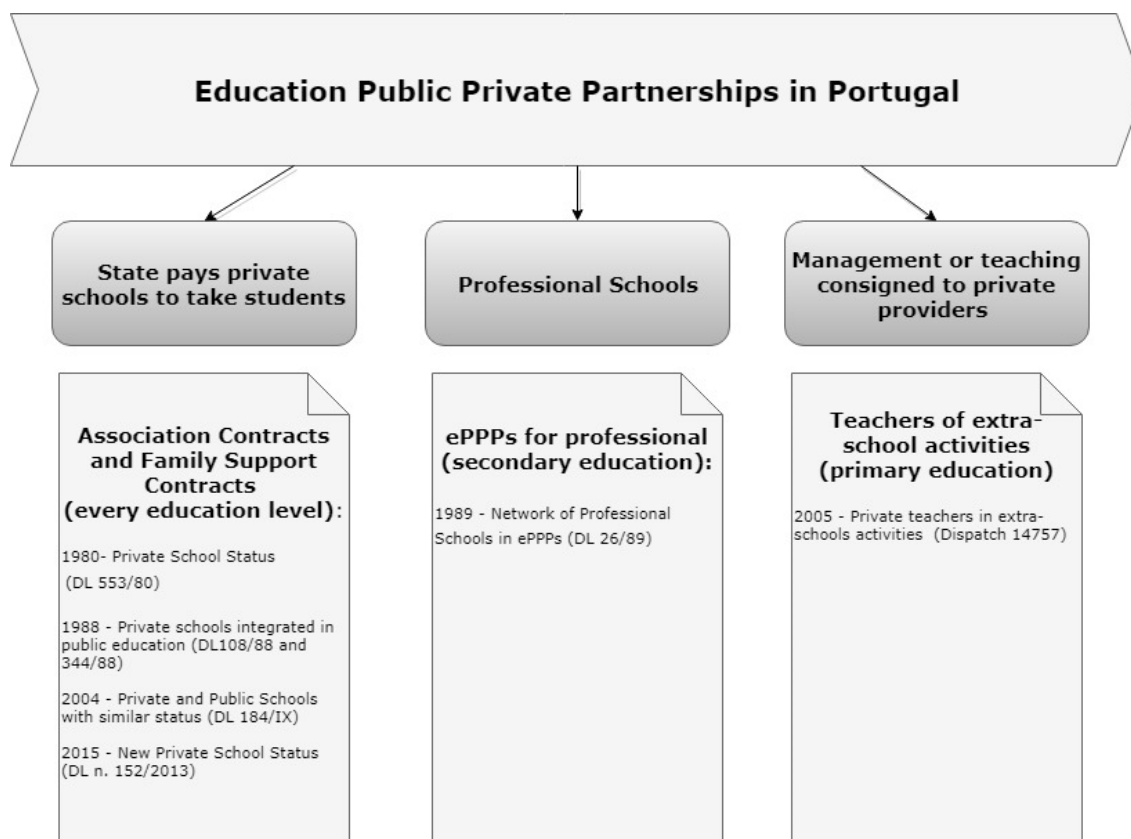


Figure 5.3 Prime Ministers and Education Ministers, Portugal 1980-2015

Source: Author's design

5.5 ASSOCIATION, SPONSORSHIP AND DIRECT SUPPORT

5.5.1 Private School Status 1980

The prevailing political environment where legislation on the status of private schools and possible partnerships were created, is characterised by the emergence of ideas that were turning to the markets and trying to finish with the socialist period that followed the revolution.

A centre right-wing coalition government led by Sá Carneiro had won the recent elections with a parliamentary majority. The IV government (1980) was liberal and open to better cooperation between private and public sector, as stated in the government programme²⁵⁵ “The public sector cannot constitute a load and must be profitable, productive and a progress factor for the community ... the government will create new conditions for the development of private initiative without putting at stake the superiority of politic power over the economic power”.

In the same document, under the education section, one of the main priorities was to publish a legal frame for private schools and draw the borders of public-private partnerships in this sector. In the programme, the government had also made clear that the parent's right to choose was within their

²⁵⁵ Manifesto Eleitoral AD (1980), p. 20. Author's translation.

concerns. Despite this will, the most critical concern of the education department was directed to increase quality and foment a better preparation of children and youth.

The origins of the law that regulates private and cooperative schools is a consequence of a previous legislation inherited from the previous Government²⁵⁶, where it was written that parents had the right to choose the best education for their children, and to the state was granted the role of ensuring equal opportunities within a free-choice ideology (Melo, 2010).

The VI government approved the law that regulated private schools and opened the doors to the establishment of partnerships, namely creating the strands already described²⁵⁷.

In 16 January 1980 the issue of the conditions for ePPPs were brought to the assembly by The Education Minister (Vitor Pereira Crespo), where the announcement was made²⁵⁸, and the idea that the subsidies were to match the average cost of public education was also launched. No substantial opposition was shown, and the budget discussed in April 1980 contemplated some money to transfer to private schools. For the first time, it is said that this money would help to save schools in a fragile financial condition, signalling that to avoid the bankruptcy of particular private schools was also one of the problems identified, but not explicitly stated²⁵⁹.

From the reading of the parliamentary debates of 1980, one could observe an almost total absence of discourses against ePPPs by the opposition. Only one remark from a marginal opposition party, UDP²⁶⁰, was found stating that the real wish of the government was not to balance demand, but to create inequality and favour the reappearance of an elite. The communist party did also try to introduce a line that would effectively declare private schools as a supplement to public schools, when benefiting from state payment schools should change into public utility status (Loureiro, 2016). This idea failed and was not inserted in the diploma. All the other parties seem to be absent from this discussion. Decree-Law n. 553/80 was approved and signed by the president, Ramalho Eanes.

In the same law, the government wanted to establish rules to the opening of private schools, as a manner of ensuring control over them, clarifying that every school had to be authorised by the ministry and had to follow a specific number of rules concerning the owners, directors, premises, and curriculum. In 1980 the idea of public-private partnerships of education was strongly linked to the incapacity of the state for providing education for every child, in the short term, all over the country.

²⁵⁶Law n. 9/79, 19 March 1979 and 65/79, 4 October 1979

²⁵⁷ The law was also concerned with artistic education and also pre-school agreements. They both fall out of our scope.

²⁵⁸ [http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/006/1980-01-](http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/006/1980-01-16/216?q=Estatuto%2Bdo%2Bensino%2Bparticular%2Be%2Bcooperativo&from=1980-01&to=1980-12)

[16/216?q=Estatuto%2Bdo%2Bensino%2Bparticular%2Be%2Bcooperativo&from=1980-01&to=1980-12](http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/006/1980-01-16/216?q=Estatuto%2Bdo%2Bensino%2Bparticular%2Be%2Bcooperativo&from=1980-01&to=1980-12)

²⁵⁹ [http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/045/1980-04-](http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/045/1980-04-29/1764?q=%2522ensino%2Bparticular%2522&from=1980-01&to=1980-12&pOffset=10)

[29/1764?q=%2522ensino%2Bparticular%2522&from=1980-01&to=1980-12&pOffset=10](http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/045/1980-04-29/1764?q=%2522ensino%2Bparticular%2522&from=1980-01&to=1980-12&pOffset=10)

²⁶⁰ [http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/046/1980-04-](http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/046/1980-04-30/1897?q=%2522ensino%2Bparticular%2522&from=1980-01&to=1980-12&pOffset=0)

[30/1897?q=%2522ensino%2Bparticular%2522&from=1980-01&to=1980-12&pOffset=0](http://debates.parlamento.pt/catalogo/r3/dar/01/01/04/046/1980-04-30/1897?q=%2522ensino%2Bparticular%2522&from=1980-01&to=1980-12&pOffset=0)

Nevertheless, this was not a new solution as the support to private schools through fee payment had started before in an unclear manner through private negotiations.

5.5.1.1 Association Contracts

In 1972, the schools' directors were very concerned about the enlargement of public education, free and universal, and wrote a memorandum to the education minister asking for subsidies, especially for private schools outside the big cities (Cotovio, 2012, p. 1031). In the same year, there is evidence that some subsidies were attributed to some schools linked to the church, as is evident in a letter written by the Lisbon patriarch to the Education Minister (Cotovio, 2012, p. 1032). Veiga Simão, minister of education until the 1974 revolution, admitted that subsidies were given based on the quality of the work developed by reliable schools and in the pioneering initiative of taking education to students away from the big cities (in Cotovio, 2012, p 1251).

In the years that followed the revolution, there was a degree of public discussion on what to do with the private schools, inherited from the old regime. Some thought they had to be nationalised, others subsidised. In 1976, the minister of education produced a letter published at the national press²⁶¹ clarifying the government position towards private schools. He divides schools that serve populations where no other schools have been established and schools with fees paid by parents, that compete with public education. The first is subsidised and controlled by the state, but not nationalised. The amount paid to these schools is a per-student value that thoroughly covers the school expenses. The latter must survive by their means and will not be granted with subsidies to impede bankruptcy.

The 1980 law that rules the statute of the private education is the ending point of previous pressures and negotiations. Private schools, which were feeling threatened got together in an association and spoke as a sole voice, trying to survive the expansion of public education. Several directors were quite active in assessing the government, some from Catholic schools, but also from non-religious schools, as stated by Amadeu Pinto²⁶² and António Santos in separate interviews given to Cotovio (2012, pp. 1069, 1105). In his opinion and memory, Pinto does not recall the involvement of the church hierarchy in the fight for private education, and public subsidies to keep schools open; nonetheless he admits that he was one of the "heads" developing the idea of the association contract (idem, p.1078).

Pereira Neto, involved in the 1980 law, admits that the process of discussion was narrow, and centred in a few participants, showing the lack of political entrepreneurs behind the law building. Private schools were not called into the discussion. Seventeen people were working full time and under pressure to produce the document. Some of these people had been suggested by the private schools association²⁶³ (Interview in (Cotovio, 2012, p. 1232)).

²⁶¹ Diário de Notícias 24 abril 1976

²⁶² Director of Colégio S. João de Brito in 2007

²⁶³ AEEP

The 1980 law stated that annual agreements, automatically renewed, would be established with private schools in areas where the state was not able to provide places. Thus, education would be free for the students. Such a scheme could partially or entirely finance the school, and schools that signed for these partnerships were to be inspected and had to follow some rules:

- (i) They could not charge any supplementary fee to parents,
- (ii) They had to respect the rules for accepting students, being that they could not choose their students based on their criteria,
- (iii) Private schools would also need to present their accounts every three months, as the state was willing to establish partnerships with financially stable partners.

On the side of the problems, on the one hand, the government wanted to transmit the idea of choice to parents, by recognising the private providers as part of the public education system. The stated objective was to solve the immediate problem of lack of places for every student, in a period where the state was unable to build schools to answer to immediate demand needs. This incapacity was caused by the rapid growth of demand (Figure 5.4) caused by the universalisation of school attendance and enhanced by the return of half a million Portuguese from the ex-colonies. The economic crisis that characterised the transition period was not favouring the infrastructure provision.

As is shown (Figure 5.4) the number of students in the system grew from about 1.3 million to 1.7 million in just ten years, with simultaneous growth at primary and secondary level. The demand pressure in the system meant the need for an extra 15.000 classes, to provide for every student, keeping the number of students at about 30 per class.

The legislation intended to be an answer for inverting the reduction of students attending private schools, which was a reaction to the 1974's revolution. Many students had abandoned private education immediately after 1974, putting an extra burden on the public system.

Simultaneously, the private infrastructures that existed all over the country were being abandoned, and bankruptcy was threatening several private schools, especially secondary schools, which had shrunk from 130.336 students in 1973/1974 to 71.782 in 1979/1980 (Cotovio, 2012, p. 1003).

In 1973 there were 334 private secondary schools all over the country, being that Lisbon and Oporto had the majority of these, 58 and 45 respectively. On the other hand, the number of private schools per 100.000 inhabitants shows that it is the north and interior of the country that holds a higher ratio (Figure 5.5).

Therefore, it was clear to the government that some legislation was required to take students out of the public system, and back into private education. The drop in the total number of students who were registered at private education was also a sign of infrastructures that were being under-used, creating an opportunity for ePPPs.

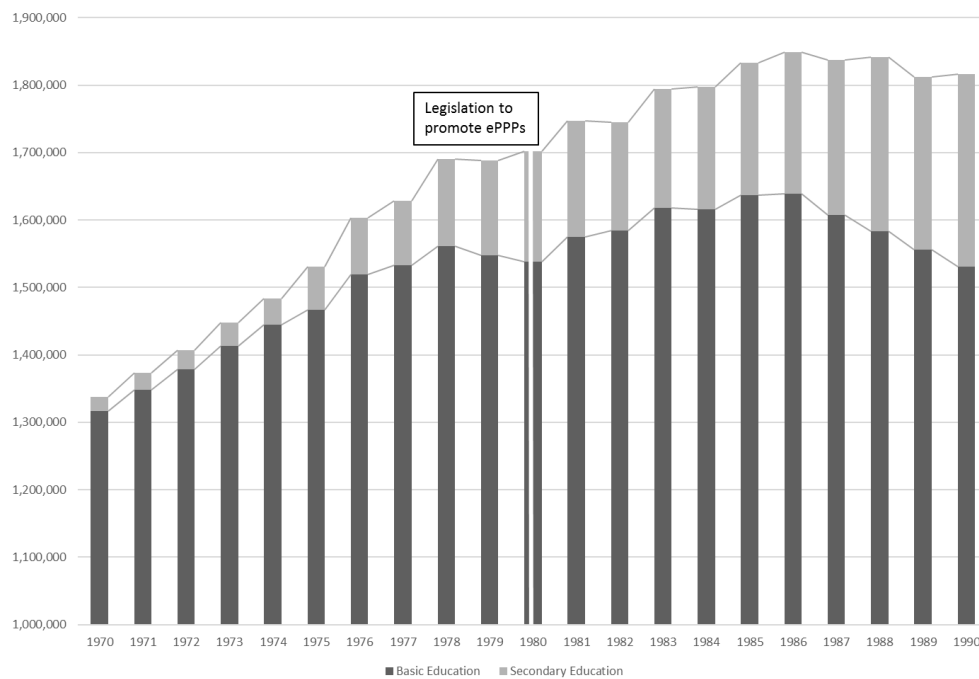


Figure 5.4 Number of students in Education System, Portugal 1970-1990

Source: Pordata

What also becomes noticeable from Figure 5.6 is that the legislation had an immediate impact regarding increasing the number of students in the system especially at the secondary level, which was also the highest number of private infrastructures available. Primary education private schools had been attended by a stable number of children from 1979 to 1985/1986, about 11,5 thousand. In secondary education, there were a clear growth in 1982, when private school doubled their capacity. In secondary education, there was an answer from private schools to increase the global supply capability.

Despite the insignificant growth of the private sector, the analysis of the state budget for education shows that expenses in transfers from the state to private providers grew immediately.

One first remark is to observe that even before the legislation, there were already transfers from the public to the private providers, supporting the occasional contracts evidence stated previously, and disclosing that the model of the state paying for some children to attend private education was inherited from the past. Therefore, legislation helped to clarify and probably acted as an incentive for adding some private schools to the payroll.

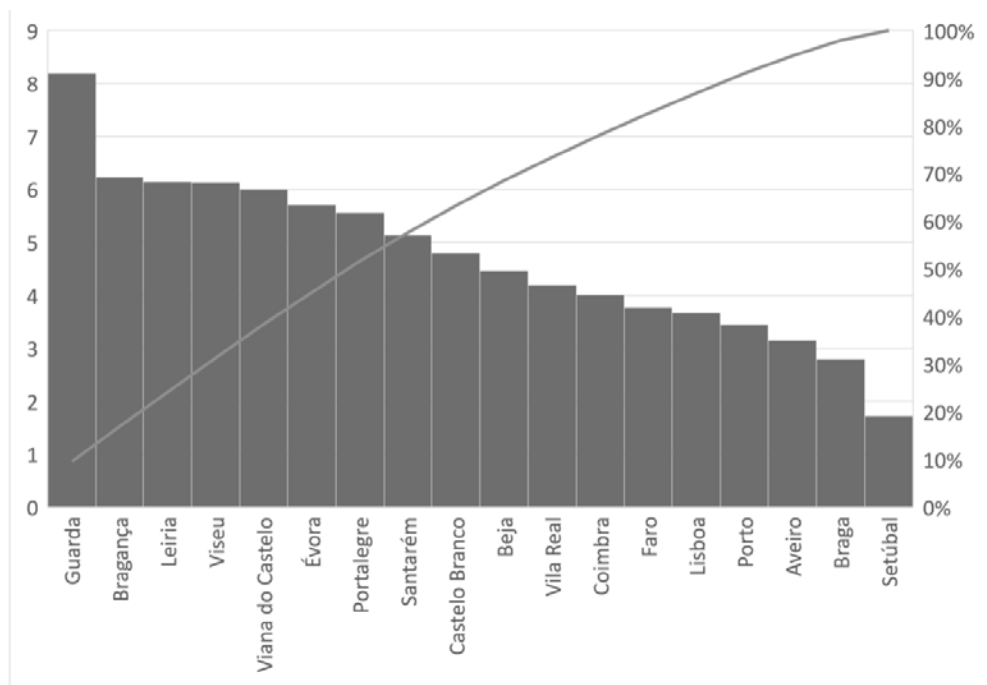


Figure 5.5 Ratio of private secondary schools per 100.000 inhabitants, Portugal 1973

Source: (Cotovio, 2012; Valério, 2001)



Figure 5.6 Number of students in Private schools, Portugal 1977 -1987

Source: Pordata

A second observation is that, despite the marginal increment in the number of students attending private education, expenses in the form of transfers to private providers more than tripled

from 1980 to 1982. Followed by two years of stability, but the second spur of growth happened in the period from 1984 to 1986, but at least this latter period has also witnessed a growth in the number of places available in private education (Figure 5.6 and Figure 5.7).

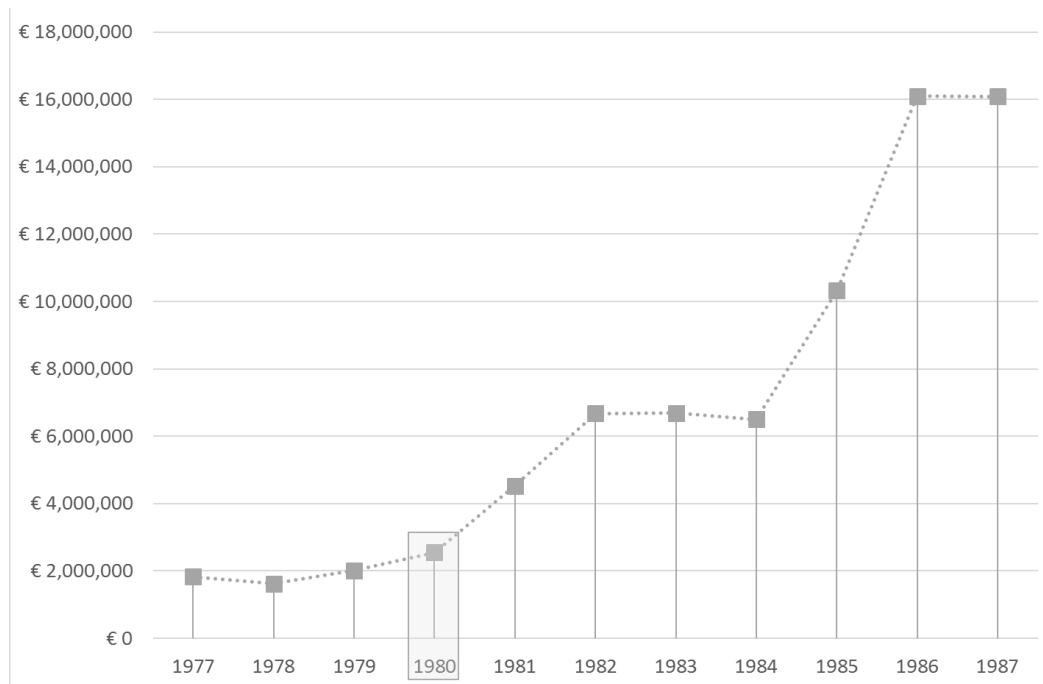


Figure 5.7 State Budget public transfers to private schools (current prices transformed in Euros)

Source: <http://www.dgo.pt>

No new schools were opened during the first two years that followed the approval of the law, so the government decided to approve a credit line for the opening or enlargement of new schools. The government negotiated a reduced interest rate, following project approval by the ministry. The financing through the credit line could cover up to 70% of the total investment²⁶⁴. The government gave two years for the investors to present their projects and benefit from the cheaper investment²⁶⁵.

There was no significant opposition within the assembly to the creation of partnerships with private schools. No pertinent reactions were produced, and in 1981²⁶⁶ the communist party presented a project for education, where the role for private providers is guaranteed, without crucial changes in this field. This project was rejected. Still, it is interesting to observe that even the Communist party,

²⁶⁴ Decree-Law 37/83 from 25 January 1983

²⁶⁵ At the time interest rates on credit were very high, so this credit had a special appeal, as it represented big savings. In 1983 interest rate was about 28%. (<http://www.tvi24.iol.pt/taxas-de-juro/credito-a-habitacao/valor-das-prestacoes-para-compra-de-casa-caiu-30-em-24-anos>)

²⁶⁶ <http://debates.parlamento.pt/catalogo/r3/dar/s2/02/01/073/1981-05-29/2760?q=%2522particular%2Be%2Bcooperativo%2522&pPeriodo=r3&pPublicacao=dar&pSerie=s2&pLegis=02&pSessao=01&pCategoria=diario>

with a very pro-state ideology, did not consider the closure or nationalisation of private education providers.

At the public opinion level, as could be observed in the press, there is a general feeling of indifference²⁶⁷. This issue was regarded as a minor policy, that affected only a reduced share of the population. This policy had a low impact on the schooling population. More notable than the association contract was the private teacher's career, and the unions were centred on this subject.

Occasionally, it was possible to find an opinion against this law, expressing concerns of a disguised manner of financing private initiative, deviating money away from the public system²⁶⁸. In reality, this subject was a matter of very little attention by the newspapers but also within the parliament. In reality, the problem to be solved was the bankruptcy of some private schools, and it was reframed by being attached to a more social problem - demand and supply unbalance. This policy was approved without opposition, within a national mood that was dormant. The policy was not designed to solve demand/ offer problems, as no studies on lack of schools were developed, no numbers were proposed to be targeted by this measure and no incentive for the emergence of new private schools was drawn. If this had been the real problem this was a very poorly designed policy, and incapable of solving such nature of problems.

5.5.1.2 Direct Support for Parents

Even less attention was given to the part of the document where direct support to parents²⁶⁹ was clarified. The law stated that this style of contracts had the objective to allow special conditions for children who were not englobed in association contracts to have the choice of attending private education.

Embedded in the spirit that parents were the first responsible for education the state assumes the role of supporting families in their choice. These contracts represent subsidies to schools given in the name of individual children whose parents are willing to register them in private education, despite not having the means for that. Therefore, the state agrees with the schools the possibility for co-payment of the parent fees, extensible only to parents with a reduced income. Each school will have a specific contract where the amount paid per student is determined and varies according to the parent financial capability. Only families with declared income within pre-established intervals would be entitled to this subsidy (Oliveira, 2013). The subsidy that was attributed would only contemplate relatively few people and only for a partial amount of the fee. The highest proportion would be just over 50% of the average fee charged by private schools, and for relatively more affluent families the share would be around 25%. Primary schools are thought to be the biggest beneficiaries of these

²⁶⁷ Aprovar lei não é tudo, *Jornal da Educação*, n. 20, 01 February 1979; Um exercício de distanciamento, *Jornal da Educação*, n. 40, 1 December 1980.

²⁶⁸ *Jornal de Educação* n. 40, 1980-12-01

²⁶⁹ The official name was simple contracts

agreements, though there are no numbers on who benefited from these agreements until the end of the 1990s where the number was about 30.000 students, more than half attending the first cycle, representing an annual total cost of about 600 Euros per student. In 2000, there were 427 schools receiving students 30721 under this agreement with a total expense of 23.286.166€ (CCEPC, 2005), which meant an average co-payment of 758€ per year. In real terms, considering an average annual fee of about 2000€, the benefiting families had to support more than 60% of the fees. The number of students benefiting from this scheme has been progressively being reduced, and in 2012 there were 394 schools, catering for 21219 students under simple support contracts (Azevedo, Santos, & Santos, 2014). The average per student co-payment was 783€, meaning that there was no updating to inflation, so the percentage supported by parents became higher.

5.5.1.3 Sponsorship Contracts

In the same law, the government legislated the rules and partnerships for Art and Specialist Schools. These agreements were known as Sponsorship Contracts; the idea was to establish partial or total payment of student fees to private schools with alternative curricula or methodology. The schools would receive finance never smaller than 50% of their working expenses²⁷⁰.

In 1978 only about 5000 students attended any variety of artistic learning at the primary or secondary level²⁷¹, and the parliament launched a document with the objective of enlarging this category of teaching both as a curricular or extra-curricular activity. Due to the specific kind of schools required for artistic learning, and to a less well-established demand, this variety of school took longer to emerge and remained a marginal path for students and their families. Nevertheless, artistic schools due to its different specific nature, that does not compete with regular public schools had always been without ideological opposition in its ePPP design. In 2008 there were 84 schools all over the country benefiting from a sponsorship agreement²⁷², and only six artistic schools state managed. It is evident by these numbers that arts education is an area where the state is not willing to invest directly, preferring to delegate in private initiative. At the time ePPPs catered for about 18.000 students who represent about 1% of the total, and some of these students were using these schools as extra-education to regular school. According to Fernandes et al. (2014, p. 177), there was no increase in the number of students attending arts integrated²⁷³ courses, the rise on courses in articulation with public schools²⁷⁴ grew to about 4000 in 2006. The remaining students are registered as extra-school learners.

By 2017 there were 150 schools. Still, the number of students did not increase much. Although this was a unique situation, its legislative evolution is coupled with the private school status;

²⁷⁰ Decree Law 53/80, 21 November

²⁷¹ <http://debates.parlamento.pt/catalogo/r3/dar/s2/01/04/077S1/1980-06-26?sft=true&pgs=1-15&org=PLC&plcdf=true#p6>

²⁷² <https://www.educare.pt/noticias/noticia/ver/?id=13550&langid=1>

²⁷³ Courses where the students attend the same school for artistic learning and the national curriculum.

²⁷⁴ Students attend artistic schools for the creative disciplines, and they attend some subjects at the regular school.

it has remained very marginal and very consensual in the theoretical plan. Yet, no considerable evolution in this area, and marginal discussion as well.

5.5.1.4 Conclusions

Back to the general discussion on ePPPs one can conclude that the three typologies of benefits made possible with legislation, and that materialised in subsidies, would help some private schools to enlarge their population, still within an insufficient scope. The prime controversy around ePPPs was centred on association contracts, as these were the ones susceptible to direct competition from the public schools.

From the graphic, it becomes clear that this policy was a sensible well-designed policy for its reduced objectives (Figure 5.8 and **Error! Reference source not found.**), and the problems were vague and narrow. On the other hand, the national mood was favourable, or at least dormant. All of this happened in the near absence of entrepreneurs, showing that several configurations can hold for the policy to be implemented.

The model shows that this policy had a convenient configuration to become implemented if I consider the narrow objectives and the small problem to solve – bankruptcy of few private schools.

Although entrepreneurs were not very strong, no entrepreneurs were fighting in the opposite direction, and they had direct access to decision makers. The school directors were part of the group who created the law. The policy was very incompletely designed but good enough for the needs, the absence of amounts to be paid was even a very useful detail, that enabled space for case by case negotiation.

In 1983 the government changed, following elections that gave a relative majority to the Socialist party (PS) who engaged in a parliamentary agreement with the Social Democratic Party (PSD). Mário Soares (PS) became prime minister, and the minister of education was José Augusto Seabra, a Social Democrat (PSD).

Table 5-1 Most relevant information on Association Contracts 1980

Policy identification	Decree-law 553/80 – That legislates the emergence of ePPPs including association contracts. Approved in 1980 and had no declared expectations, apart from a reference to supply/demand problems.
Policy origin and design	<p>Association contracts to be celebrated with the private school where a lack of supply could be proved. Students would attend these schools free of fees, and the state would transfer the costs on a per-student basis. Direct support to parents would allow some more impoverished parents to apply for a partial subsidy for paying fees.</p> <p>The policy was vague, and nothing is stated about amounts to be transferred nor the definition of lack of supply/ demand. Association contracts were to be negotiated on a case by case basis.</p> <p>This policy is directly imported from the association contracts that had been privately celebrated during the early 70s, still under the dictatorship.</p>
Window of opportunity opening	A new conservative government with an ideology more anchored on welcoming the participation of private companies.
Problems to be solved	<p>Officially the objective was to solve supply/demand unbalances</p> <p>The real problem that can be reconfirmed by the involvement of private school directors, was to prevent the bankruptcy of established private schools that were losing students.</p>
Ideology, government and opposition	The government was favourable to private enterprises. There was very little opposition in parliament, even from the left-wing parties. Parents, teachers and unions were focused on other different more prevalent problems.
Policy Entrepreneurs	The central policy entrepreneurs were private school directors, who constituted as an association to negotiate with the government.
Establishment	As a result, there was an increase in the volume of money transfers to the private sector, avoiding bankruptcy. There was no expression in solving offer problems, no new private schools opened, and the number of extra places available was limited.
Lessons learned	There were no clear lessons as no changes were made to the law in the years that followed, and the idea that ePPPs are only to solve demand/supply unbalances prevails to today. The idea of free choice for parents and free education for all have never picked.

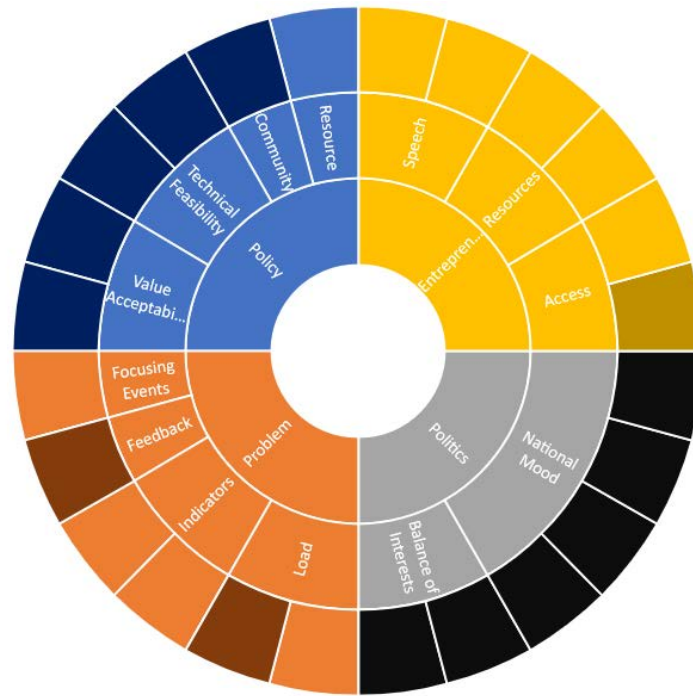


Figure 5.8 Visualization of the dimensions relative strength – Private School Status

Source: Author's design

$$0.8 \leq \langle ((0.3 + 0.4) * 1) + (0.2) \rangle / (\text{Open Window})$$

0.8 ≤ 0.9 – Inequation True – The possibility of establishment is favourable

During the campaign, education was not a central point for this government; the country was in the middle of a financial crisis. Thus, during the campaign, PS was concerned with corruption and security of the citizens, and education came about very lightly in speeches²⁷⁵ and manifestos²⁷⁶. No evidence was found connected to private education. The most imperative object in education was the creation of professional courses, stability to the schools and the presentation of a draft-law to establish the bases of Education. There was no agenda for public/private education discussions. The window of opportunity was shut during this period, nevertheless they did not discontinue what was already moving, and slightly tried to improve the success rate of association contracts. Continuity is the common course of policies that have a favourable configuration of approval. The policy is made of periods of stability followed by periods of turbulence, as advocated by the Punctuated Equilibrium Approach (True et al., 2007).

One of the most significant limitations for the non-opening of new private schools was the short-term association contracts, which initially were being set annually, with a renewal clause. This mode of contract was unstable for investors, who were reticent about engaging in new ventures. In

²⁷⁵ TV time for political propaganda was listened to at <https://www.youtube.com/watch?v=5eh0Q7apVzw>

²⁷⁶ 100 dias 100 políticas available at <http://casacomum.org/cc/visualizador?pasta=02616.004#!6>

December 1983, legislation²⁷⁷ was released that tried to overcome this limitation by determining that the new contracts, celebrated for the 1983/1984 school year would last for at least five years. In this same document the government clarified on how the schools under Association Contracts were to be financed, and it was ensured that the full cost of staff, current expenses and building conservation and maintenance would be entirely paid by the government, ensuring that parents had no fees to pay. As this was only an ordinance²⁷⁸, there was no need to have a broad approval; it is enough to be signed by one minister as it intends to regulate a detail.

As time went by there were no changes to the Association Contracts, Simple Support to families nor sponsorship contracts. Private education in ePPP contracts was sharing the educational panorama on the fringes of public school.

There is no available information to understand the growth of these contracts, but probably the numbers have remained remarkably constant. No key private investment in schools, but no relevant closures as well. Public schools grew during this period, and the network of schools became more robust and able to provide for the needs of a demand that had started to stabilise. In 1985 the total number of students peaked and remained stable for ten years, and after that the number of students in the system started to slowly decline²⁷⁹, showing a reduction of more than half a million students in 20 years (Figure 5.9).

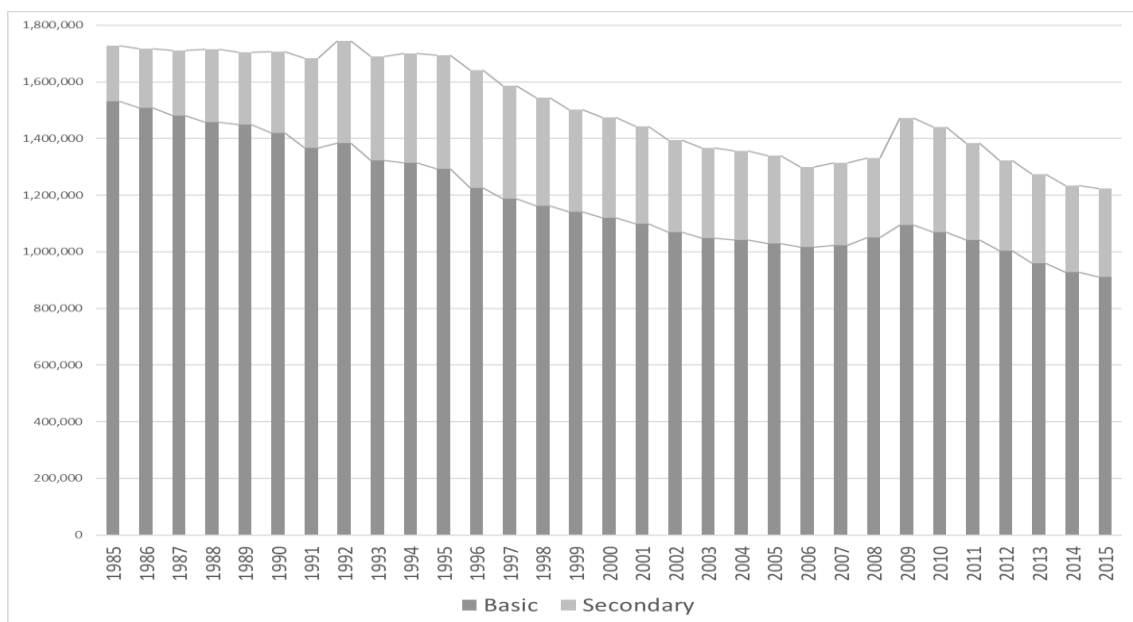


Figure 5.9 Number of students, Portugal 1985-2015

Source: Pordata

²⁷⁷ Portaria 1023/83 de 7 dezembro 1983

²⁷⁸ <https://www.direitosedeveres.pt/q/aceso-ao-direito-e-aos-tribunais/conhecer-e-garantir-o-direito/no-direito-portugues-qual-a-diferenca-entre-uma-lei-um-decretolei-e-uma-portaria>

²⁷⁹ There is a slight inversion in the years from 2007 to 2011 due to adult education efforts.

5.5.2 Private Schools part of public school net

In 1985 PSD is elected with Cavaco Silva being nominated as prime minister, where he remained for ten years. Mr Roberto Carneiro became education minister, and with a strong personality, he was determined to insert some structural changes in the sector. The Basic Law of education was approved in 1986, and the role of private schools as part of the education system was reinforced. Private education was explicitly considered an expression of the liberty of learning and teaching, and of the family right to orientate their children's education²⁸⁰. On the other hand, it also assured²⁸¹ that the state should create a system of schools capable of covering the entire needs of all the population. In the conflict of these two perspectives - on one side education as the prime responsibility of the state as provider and the other side the choice of parents – one can find the pillars for 30 years of discussions around ePPPs.

Following the approval of private education status, and the establishment of several ePPPs, particularly under Association Contracts, a period of several years without any convulsion followed.

In the mean years, the private schools tried to strengthen their position as a pressure group, through the private school association (AEPC). Several conferences about the role of private education were held, even if this was very much a closed group, always waiting for the legislative body to be changed.

Only in 1988, and after the approval of the education Basic Law in 1986, other issues found space to be considered in the education agenda.

In 1987 the ePPP discussion was centred at the university level, where the pressure for the opening of private universities was intense, and within the government there were several fractions, being that the minister of education was cautious with the opening of private universities following the sentence “one should not open a university as if it was a supermarket”²⁸².

The educational objectives stated at the electoral manifest by PSD pointed for solving the lack of supply, by building new schools and sports pavilions, including the needs posed by the compulsory education of 9 years, recently imposed by the Basic Law of education.

On the other hand, the vision of the minister of education was to give autonomy and accountability to schools; the focus was not on management property, but on giving more power to the hands of the schools²⁸³. “Diversity is a keystone for excellence”, the minister said. Privatisation or the creation of ePPPs in primary and secondary education is absent from the minister's discussion; withal he proceeds including private providers in the equation of a better education for all.

Technical/professional schools were also one of the concerns of Roberto Carneiro, and this was the typology which best-used ePPPs for developing, as will be analysed in the next chapter.

²⁸⁰ Basic Education Law, Chapter VIII, article 54

²⁸¹ Basic Education Law, Chapter V, article a

²⁸² Expresso n° 776, 12 setembro 1987 – author's translation

²⁸³ Expresso n. 789, 12 dezembro 1987

Following the recognition that the public system of education a Commission to Reform the Education System²⁸⁴ (CRSE) was created with the objective of creating a school that innovates and is creative. This commission created within the structures of the Ministry of Education was entirely independent, and its views did not have to mirror government opinions or political options²⁸⁵. It worked very much like a think tank and kept close relationships with Minho University, several studies were ordered to a group headed by Formosinho, who tried to influence school administration and management, acting at the time as a policy entrepreneur at the policy design level. Despite the efforts to create independent and informed knowledge, very little of the recommendations were mirrored in legislation, as can be understood by the parliamentary discussions analysed by Menitra (2009).

This commission prepared a new status of private education that would allow for a more diversified offer of education and a stronger intervention of the private sector. As Cotovio (2004) explains the referred commission produced a document to delineate the reform and one of the chapters was entirely dedicated to the private sector and ePPPs, where it is declared that the state could not constitute itself as a monopoly in education. The document points to private schools as a solution for the minister wish of a school with more decision power, lighter and faster on its decisions. In this document, it is stated that the association contracts would better last for at least five years and a better organisation of the school net, with respect for private education providers, as a part of the public net (CRSE, 1988). The Commission to the Reform of the Education System was probably the most active entrepreneur trying to give equal powers to private and public. Despite these efforts, the opportunity was not created, and very little moved on.

Still, decree-law 108/88 was published, influenced by the CRSE report, to inform that the state was to consider the local offer of private education, before building public infrastructures the hypothesis of celebrating ePPPs should be analysed as a manner of saving resources. Therefore, private schools became part of the public education net.

In 1986, the Commission²⁸⁶ had organised the first national meeting to understand education infrastructure needs; this document has also influenced the opening of the window for the legislation under study.

In 1988, the demand for schools was starting to stabilise, and new infrastructures were to be built only where no infrastructure was already implemented. The limits of influence area for each school were established at a circle of 4K. The idea was to guarantee to private providers that no public school would open too near, and therefore the students would remain in the private schools, and an ePPPs agreement could be renovated or newly established. A new window of opportunity was thus opened for the second round of ePPPs in education.

²⁸⁴ CRES – Comissão para a Reforma do Ensino Público

²⁸⁵ <http://debates.parlamento.pt/catalogo/r3/dar/01/05/01/059/1988-03-04?sft=true#p2053>

²⁸⁶ 1º Encontro Nacional sobre Planeamento Educativo

The problem was to solve the lack of confidence that private providers had in the change of the rules. Lack of trust was a profound obstacle to the emerging of new projects, or even to the enlargement of established schools. Uncertainty leads to lack of investment and conservative options (Jens, 2017). There was no evidence of any public discussion of this law; probably as it was a minor document to regulate the emergence of new schools, nobody bothered to discuss it. The unions were centred on the teacher's rights and career progression.

Later in that same year, and within the same environment, the government created a financial instrument to give some incentive for the opening and refurbishment of private schools²⁸⁷, by creating a credit line with a smaller, bonified interest. This credit line was valued in 20 000 000€²⁸⁸, private schools following ministerial approval could apply for this credit. This credit would only finance 70% of the total investment, and it could be used for building, refurbishment or equipment acquisition. Banks would manage the credit for their responsibility and could refuse or accept specific applications. Interest bonification was limited to the payment of 75% in the first two years and would slowly grow to 90% at the end of the loan, five years.

The set of these two laws is targeted at giving an incentive to private providers, opening the space for a new era in ePPPs. Nevertheless, no clear objectives are set by the legislator, nor could be found in parallel discourses or discussions.

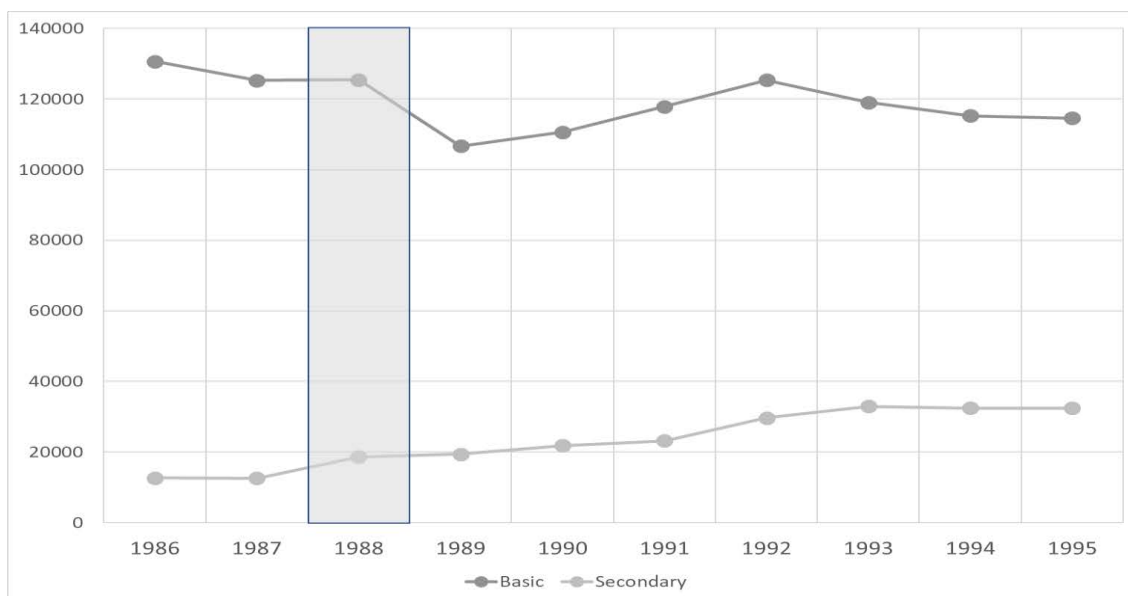


Figure 5.10 Number of Students attending private education. Portugal 1986-1995

Source- Pordata

Once again, this subject is absent from the consulted newspapers, being the mirror that these were not memorable events in the education policy, probably not relevant in the national mood.

²⁸⁷ Decree-law 344 /88

²⁸⁸ At the time still in Escudos: 4 000 000 000 \$00

The number of students attending private schools, part of which under the association agreements, did not suffer a significant change following the legislation on the school network and the availability of extra resources (bonified interest).

Figure 5.10 illustrates that in 1989 the number of students attending primary and low secondary private schools declined and only in 1992 it came back to previous levels. There was a mild increase in secondary education, though not enough to proclaim that these measures were a success in providing an incentive for more private education, under ePPP agreements.

In reality, not even the state bothered to implement the rule of the 4K radius, and in several locations of the country, public schools opened next to private schools, which were already working in an ePPP scheme. The planning of the net has always been abysmal until quite recently when a report (Cordeiro, 2011) was developed to reassess the need of Association Contracts in a phase of population reduction. As one can observe in the maps published in the report both private and public schools opened next to each other with total disrespect for the 4K rule established by law. About 50% of private schools with ePPPs were under the breach of this law, some in situations like the one illustrated as an example (Figure 5.11), where the purple school is the ePPP, the red circle marks the 4K radius legislated, and the green schools are a public offer.

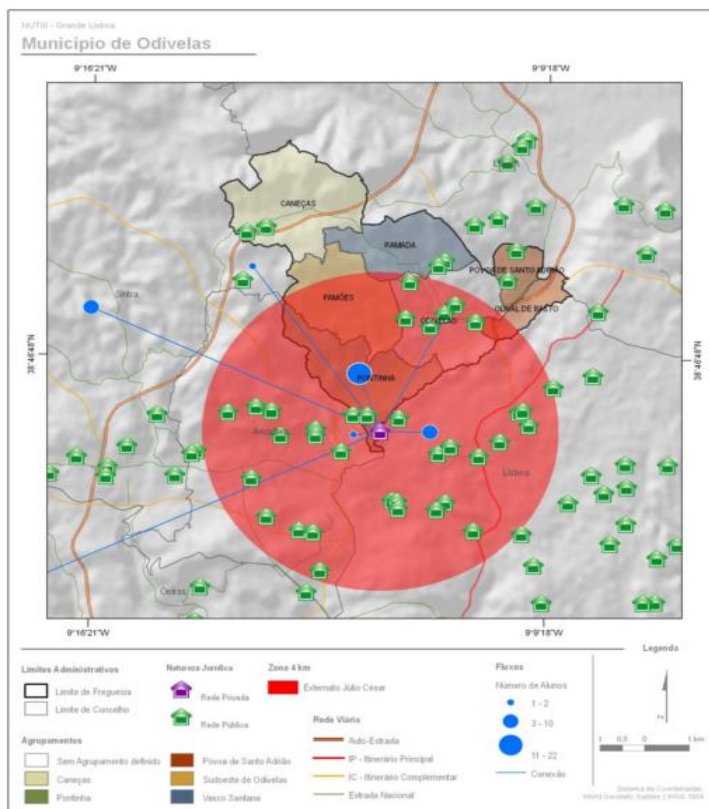


Figure 5.11 One of the many examples on the disrespect for 4K law to protect ePPPs

Source: Cordeiro (2011, p. 328)

Table 5-2 Most relevant information on Private Schools part of the Net

Policy identification	Decree-law 108/88 - That legislates private schools should be considered in the calculus of education needs, before building a new public school. Approved in 1988 and had no declared expectations, only to rationalise public investment. Decree-Law 344/88– the legislates bonified interest rates for investment in private education infrastructures.
Policy origin and design	Just a formal warranty that the state was giving to private schools, signalling that their investment would be safe, as the government would consider that before building another school. Instructions to banks and school leaders on the rules for applying for the bonified credit. The non-stated objective was to increase the presence of private schools.
Window of opportunity opening	A stable minister of education (conservative) and the need to give some follow up to what had been stated in the previous legislation. Space to act concerning private education
Problems to be solved	Instability of private school investment, highly dependent on the no alternative paid by state students Give some financial incentive to signal that private investment in education was welcome.
Ideology, government and opposition	The government was favourable to private enterprises. There was no visible opposition in parliament, even from the left-wing parties.
Policy Entrepreneurs	The central policy entrepreneurs were the Association of private schools (AEPC) and the Commission to the Reformulation of the Education System (CRSE) that was in charge of drawing guidelines to the interaction of private and public education providers ²⁸⁹ .
Establishment	As a result, there was a very marginal increase in the number of students attending private education in the years after approval, no choice for parents, and no valuable investment in private schools. There was a general disrespect of the rule that established 4Km in between ePPPs and public schools. This law might have been elaborated to favour the emergence and protection of specific schools, catering for a limited number of students.
Lessons learned	There were no significant lessons as no changes were made to the structure of

²⁸⁹ We could even argue that there were no entrepreneurs involved as this associations can be strictly seen as institutional groups of pressure. Nevertheless, I have opted to consider them as entrepreneurs because they were pressing near the government for a certain strand of policy to be adopted and legislated. I consider that pressure groups that do not have a direct seat at the negotiation table, such as unions or professional associations, can be treated as policy entrepreneurs. Organizations with a seat at the negotiation table are treated in the political dimension and their impact is accounted for in national mood. All other pressure groups, companies, think tanks, individuals or others who press in a certain direction come in the model as policy entrepreneurs.

the schools' network nor the availability of private providers to supplement state education.

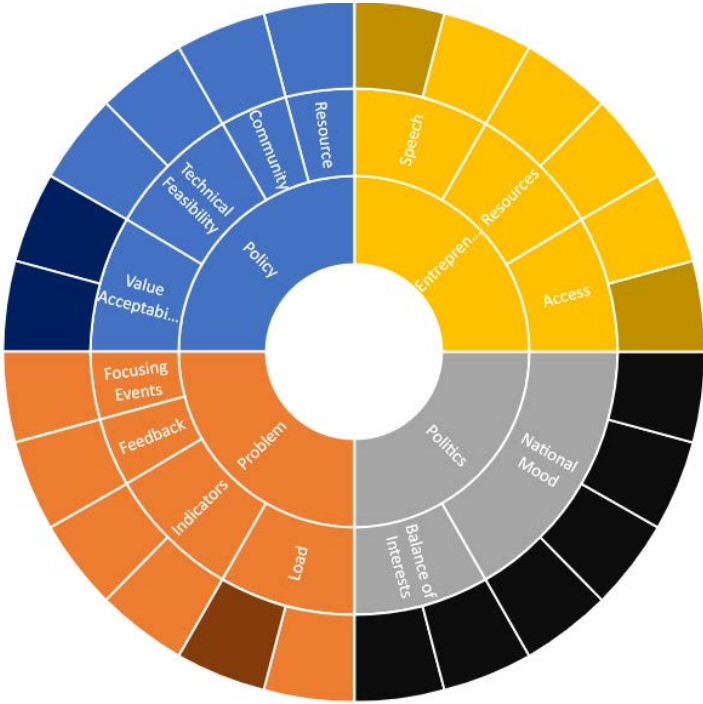


Figure 5.12 Dimensions relative strength – Private schools part of the public net

Source: Author's design

$$0.8 \leq \langle ((0.2 + 0.3) * 1) + (0.2) \rangle \text{ (Open Window)}$$

$$0.8 \leq 0.7 - \text{Inequation false - The policy has a chance of not being established}$$

The model shows (Figure 5.12) that this policy did not have the conditions for being well succeeded as it had weak entrepreneurs, some of the affected parts were not fully aware or motivated for investment; the investment benefits were reduced and imperfectly distributed over time. On the other hand, the problems were restricted to a minority of individuals and the way the policy was defined was unclear and not targeted at the solution. Another critical issue is that this policy would imply a substantial negotiation over the school net, where private and state school administrators would have mutual trust and negotiate overall the number and school location. This would imply a change in the system, for which the disperse intermediate structures were not prepared.

This law constitutes one extra example of inefficient legislation effort, which finds no fertile ground to grow. Private education did not gain further trust to be able to grow, and the amounts provided as incentive were too small compared to the global investment required to open a new

school. In 1988 the interest rate in Portugal was around 12%²⁹⁰, meaning that the schools would still pay 9% in the first two years and a growing amount until year 5, where the payment was to reach 10.8%; therefore, the incentive for private school investment was not an stimulating deal.

Apart from a minority of education companies willing to open on the shadow of ACs, which might have benefited from this legislation due to proximity with the government, the law did not reach the ground nor create real benefits to enlarge the number of ePPPs. With some exceptions mostly in the centre of the country, in the area of Coimbra / Leiria / Ourém driven by one of the companies that were to create an education group – GPS (Box 5-1). Which as time went by got involved in corruption scandals, undermining the image of private providers as partners for education.

Box 5-1 GPS the biggest group of ePPPs

In 1987, the owner of the group, António Calvete, opens his first school in his hometown, Louriçal, Instituto D. João V²⁹¹, which now offers from year 6 to secondary education, including professional courses, it has always been paid by the Ministry of Education, and still is under one of the ePPP agreements available. The school opened with 320 students and now has about 800²⁹². There is no school within the 4 kilometres radius established in the law (Cordeiro, 2011, p. 283)

The emergence of this group may have benefited from this law and some security of students in the long term. In a meeting in 2004 with the secretary of state of Education, it was said by one of the group's managers "The group is available to build four schools in Mafra and Caldas da Rainha, as far as the state is available for guaranteeing the financing of these schools, through Association Contracts"²⁹³. In exchange for the guarantee, "GPS assured management places for the policy decision makers, in exchange of 300.000 €, to be developed when convenient"²⁴⁴ can be read at the accusation memo, now in court. The managers of the group were tightly linked to both PSD and PS, including the founder who was a PS deputy to the National Assembly and belonged to the education commission. Since 2012, the group and its managers have been involved in accusations of fraud, trust abuse and bribery, with crimes reporting to 2004. The judicial process is still awaiting judgement.

The brand GPS has, meanwhile, disappeared from the schools, and it is not possible to find a site of this corporation.

²⁹⁰ Eurostat, day to day rates at <http://ec.europa.eu/eurostat/data/database> (seen on the 08 December 2017)

²⁹¹ <https://www.dn.pt/portugal/interior/dono-de-colegios-apoiados-foi-da-comissao-de-educacao-1775408.html>

²⁹² <http://www.idjv.pt/Escola/Hist%C3%B3rico/tabid/111/Default.aspx>

²⁹³ <https://www.dn.pt/portugal/interior/gps-ofereceu-cargos-no-grupo-a-troco-de-financiamento-do-estado---acusacao-9211067.html>

5.5.3 Education Free for All

In January 1990, decree-law 35/90²⁹⁴ that stated compulsory education was to be free for all, is approved, in the ministers' council and later promulgated by the President. No discussion was needed in the National Assembly unless the president sent it back.

The idea of the document was to create a legal framework that would facilitate the universal attending of nine years of compulsory education, by every child, no matter the status of the educational institution. The first and most central line of the decree law states "during compulsory schooling years, learning is free", meaning total exception of fees paid by parents, the only kind of co-payment could be related to extra-school activities promoted by the schools and developed outside the regular schedule.

The law applied to public, cooperative, and private schools. By creating free education for all the objective was to solve the problem of early school leavers, lack of learning success, inequality for children with special needs, inequality for children who lived far from schools or whose parents could not afford food and materials.

It does not say any word about choice or the role of private schools in education, as an alternative. Although this diploma could have been the opening of the door to total freedom of choice, the way it was built, and the problems it wanted to solve are only mildly connected to private education. The real objective of this diploma was to help integrate children with special education needs, who at the time were extremely relegated to a no education situation (da Costa & Rodrigues, 1999).

The state would finance on top of fees, milk for primary education, meals served in a school canteen, transport for children who lived in places without school facilities, housing facilities for children whose families could not provide during the school period, school insurance, books and learning materials.

The costs of children attending private schools are specifically referred to in article 26: the amount payable to private schools would be made based on costs incurred if the child were in public education. Execution to private schools would be phased and dependent on money availability (art. 28). This last article opened space for the diploma to not affect private education, not its capacity to attract more children.

To pay for these measures the money would come from: State Education Budget; specific income from social-security; specific income from municipalities and also from EU funds and other international organisations concerned with inequality in education.

This diploma constitutes a no policy for the object of this study, as it was not targeted at enlarging the capability of private education, and it was never read as such an instrument. No extra money was made available for the target, as explicitly stated.

²⁹⁴ <https://dre.tretas.org/dre/4481/decreto-lei-35-90-de-25-de-janeiro>

In 1994, the government released a dispatch with the payment rules for Association Contracts²⁹⁵.

The extended centre-right government of Mr Cavaco Silva did not bring any changes related to ePPPs in this strand, even if there were imperative moves in professional education (see the following section). During António Guterres the only activity surrounding this strand was related to rules of payment to Association Contracts²⁹⁶. This new diploma stated that the financial support would cover the full costs of teachers, payment to the pedagogical director, payment to a psychologist, payment of staff according to the percentage of students under the association contract from 35% to 50% of the cost with teaching staff. All these payments were only acceptable when the students had to be placed in private schools due to saturation of the public systems. The government also launches a template that is thought to make the financial relationship between the state and the schools lighter. The amount paid to schools was the only matter that mattered to private schools already working, as its increase would bring the extra margin to the schools. An interesting note is that the head of the GPS group was, by this time, a deputy member of the education commission. He was not very interested in pressing for more private competition. Instead, the concerns were focused on more money for the incumbent operators.

Following the election of a centre-right government in 2002, a coalition between PSD and CDS, led by Mr Durão Barroso a new window of opportunity for change opened. In the electoral manifesto,²⁹⁷ the now new government had proposed to give the incentive to free choice and citizen participation in education. One of the highlights is given to a better balance between public and private education, regarding policy and financing.

In October 2002, the prime minister stepped up to the national assembly to present the general lines of the new Education Basic Law, a priority to the government²⁹⁸. He sustained this idea based on the need to improve education in Portugal, shaken by the recent international comparisons. At the end of 2001, the first PISA results had been released placing Portugal at a shallow level. At the time Portugal scored 454 in Maths, which threw Portugal to the last places of the OECD table (GAVE, 2001).

The Prime Minister's idea was that all the new directions stated on the law were to be implemented by 2010. The objectives were:

- (i) Enlarge compulsory education to 12 years;
- (ii) Enlarge continuous education;
- (iii) Prepare students to deal with new challenges.

²⁹⁵ Despacho [74/ME/94](#)

²⁹⁶ Despacho 256-A/ME/96, de 11 de January

²⁹⁷ PSD (2002) Compromisso de Mudança, programa eleitoral

²⁹⁸ Público, 10 October 2002, <https://www.publico.pt/2002/10/10/politica/noticia/durao-apresenta-nova-lei-de-bases-da-educacao-188439>

The main change was to restructure teaching in 6 + 6 division (primary education six years, secondary education another six years) instead of the structure of 4+2+3+3 (4 years primary; 2 years of transition called the second cycle; 3 years of low secondary and three years of high secondary). Nothing was said about school management nor the private school integration in the network.

In 2003, a proposal for a new fundamental education law was taken to parliament, and one of the contents was related with enlarging family choice, and the state would assume more contracts with private schools, to finance family choice. This law was approved by the parliament but received the veto from the president. Therefore, this case is different from all the other cases studied as it did not get the chance to be implemented or refused during the implementation phase.

The law was a revision of the Education Basic Law, with the objective of re-structuring the administrative organisation of schools, so to clarify the confusion of autonomies and dependencies, centralism and decentralism. The accumulation of small changes during the years had created management gaps and holes in the system.

This was a vast law, with many disperse objectives, and engulfing a generalist goal of all education policies – to improve learning and give an adequate education. On the way, the law advocated tighter cooperation between private and public systems, and the right of choice, paid by the state of any school that integrates the complete network.

The proposal was transformed in a decree (Decree n. 184/IX), and it was approved on 20 May 2004, published²⁹⁹ on 29 June 2004. Only the parties that supported the government voted favourably, in the case the right wing CDS and the centre-right PSD, and under harsh criticism from the opposition, including Protestants attending the public galleries, which got noisy to the point of expulsion. Following its approval both teachers' unions (FENPROF and FNE) publicly emphasised their opposition, asking the community to keep fighting against it³⁰⁰.

The reason the president, Jorge Sampaio, did not approve this law is related to the sudden closure of the opportunity window, as the government steps d immediately after publication. The veto is classified as political, and the president argues that the government in charge was no more in power. Therefore the political actors supporting the actual Basis Law were weak, and there could be some constitutional issues surrounding the management of public schools. In the president's opinion, such a fundamental issue could not be managed in a period of instability and change, arguing that to present the new non-elected government with "a consummated fact in a very decisive domain such as the school structure system" would "not be prim".

Despite the secondary arguments, the main and most relevant had to do with the falling of the government and the closing of a window of opportunities. The president also argued that the Education Basic Law is to last several years, resisting the regular democratic changes in government.

²⁹⁹ <http://debates.parlamento.pt/catalogo/r3/dar/s2a/09/02/070/2004-06-29/2897?pgs=2880-2897&org=PLC&plcdf=true>

³⁰⁰ LUSA, 21 Maio 2004, 20:08 <https://www.publico.pt/2004/05/21/portugal/noticia/fne-e-fenprof-unanimas-nas-criticas-a-nova-lei-de-bases-da-educacao-1194498>

He takes the opportunity of government swap as a moment to send the law back to parliament for a more solid discussion³⁰¹, leading to a broader agreement, supported by more parties than just the government of the day supporters. The presidential veto was applauded by the teachers' unions with a prominent member of FENPROF, Mário Nogueira, focusing his reasons on the fact that trying to put private and public schools in the same path was anti-constitutional, as the state had to support a public education network of schools³⁰². Opposition parties, who had voted against the law, were also pleased with the presidential decision, based on the same arguments, the government incapability to reach broader consensus for a structural law.

Nevertheless, had the president approved the law it seems to our model that about ePPPS the conditions were not set for a change or the generalisation of ePPPs in compulsory non-tertiary education.

At the time of approval, the law had been preceded by a discussion involving the unions, political parties and the society as a whole. In July 2003, when the first legislative draft was taken to the parliament, the discussion erupted. The Unions³⁰³ expressed their disapproval towards private schools being treated in the same manner as the public schools, fearing that such policy would open the doors to favouring³⁰⁴. This was one of the main arguments exposed to the president, as a persuasion mechanism against this law.

During the discussion period, some voices raised against the lack of structural changes implicit in the law and the usage of such a law as a short-term political agenda³⁰⁵. Another criticism focused on the lack of time for discussion, as the government gave only one month before approval³⁰⁶, impeding the participation of all the society by this imposition, despite the presidential recommendation for a broad consensus. On the other hand, the parliament created a special commission to travel around the country and discuss the Basic Law with teachers and students. The commission was on tour³⁰⁷ and would present the results of this public discussion at a seminar with

³⁰¹ LUSA, 15 July de 2004, 11:19 <https://www.publico.pt/2004/07/15/politica/noticia/jorge-sampaio-veta-lei-de-bases-da-educacao-1199118>

³⁰² LUSA e Público, 15 July 2004, 16:08 <https://www.publico.pt/2004/07/15/politica/noticia/sindicatos-e-oposicao-aplaudem-veto-de-sampaio-a-lei-de-bases-da-educacao-1199136>

³⁰³ In Portugal teachers unions, specially Fenprof, have a very strong negotiation power, they can even be seen as veto points, specially in issues regarding teacher's rights such as pay, retirement conditions, evaluation, and career. In other subjects their ideas are generally heard nevertheless their effective power is not so relevant (M. Tavares, 2014).

³⁰⁴ LUSA, 9 July 2003 <https://www.publico.pt/2003/07/09/portugal/noticia/fenprof-quer-amplo-e-demorado-debate-sobre-lei-de-bases-da-educacao-1156372>

³⁰⁵ Público, 9 October 2003, Guilherme Valente <https://www.publico.pt/2003/10/09/jornal/o-eterno-retorno-dos-mesmos-206265>

³⁰⁶ Público, 12 July 2003, 00:00, Santana Castilho, <https://www.publico.pt/2003/07/12/jornal/o-estado-da-educacao-203339>

³⁰⁷ LUSA, 7 July 2003, <https://www.publico.pt/2003/07/07/portugal/noticia/lei-de-bases-da-educacao-motiva-audicoes-por-todo-o-pais-1156011>

teachers, directors, and other national and international specialists. In the end, it took almost one year from the initial proposal approved by the ministers until the voting in parliament.

The general workers union, CGTP, expressed its shock with the manner private sector was brought into the equation, in parity with public schools. This opinion was expressed in multi-actor debate³⁰⁸, where the government defended the relevance of bringing the quality of private education hand in hand with the public sector, underlying that there is no novelty in this proposal and that it has been around since the 1980s. The left parties said they would refuse any advantage given to private schools. The debate surrounding the idea of ePPPs was in the centre of this discussion.

Other voices raised in favour of stronger collaboration between the state and private education³⁰⁹, especially schools linked to the church, which constitutes the majority of private schools. In a congress, organised by the Catholic private schools, attended by the education minister David Justino as a speaker, D. José Policarpo³¹⁰ pledged for equality of treatment, focusing on the survival of Catholic schools depending on the partnerships with the state. Although the minister did not make any promises, he opened the door for the closer participation of the church in the building of the law, at the same time he also declared that more cooperation would imply more rules, more control, and fewer parents “cheating” the system.

During the negotiation period, there was the focus on the need to bring the socialist party (PS) to agree with the new law, which was not possible, due to changes in school management³¹¹. The new law stipulated school managers did not have to be teachers, they could be found outside the school, and eventually not even chosen by the teachers, besides the law was broad in this subject. The other issue that was also cause of concern was the extension of the school network to private schools, which had been already done by previous diplomas, namely decree-law 108/88.

During the period of law discussion, and because the idea towards Association Contracts was to integrate schools in the net and discipline the school contracts, in October 2003 Despach 411/ 2003 was signed³¹². It was a revision of the values paid to schools with contract association, mainly to update the rules set in 1996 (Despach 256 AIME/96). The objective of this diploma was to clarify and bring equality and transparency to the amounts paid by the state to private schools. The legislation included a formula of the calculus of the expenses payable which integrated the teacher’s salary based on the number of classes created under the agreement; one psychologist; expenses of support staff and

³⁰⁸ LUSA, 7 November 2003, 17:15, <https://www.publico.pt/2003/11/07/portugal/noticia/cgtp-lei-de-bases-da-educacao-choca-com-definicao-de-escola-publica-1174469>

³⁰⁹ LUSA, 15 November 2003, 17:35 <https://www.publico.pt/2003/11/15/portugal/noticia/d-jose-policarpo-quer-colaboracao-entre-escola-catolica-e-estado-democratico-1175591>

³¹⁰ President of the Portuguese Episcopal Conference

³¹¹ Publico, 13 May 2004, <https://www.publico.pt/2004/05/13/portugal/noticia/lei-de-bases-da-educacao-vai-ser-aprovada-so-com-os-votos-da-maioria-1193664>

³¹² <https://dre.tretas.org/dre/166851/despacho-19411-2003-de-11-de-outubro>

also expenses with the canteen, depending on the number of children. This legislation followed negotiations with the private school association (AEEP) and some opposition made by private schools who thought the measure could not be applied immediately, as the school year had already started³¹³. The new regulation meant a reduction in the available payment for schools, on average 3200€ per student, which was already considered insufficient by the president of AEEP, Rodrigo Queiroz e Melo. The revision of the law created some friction between private schools and the ministry of education, reducing the will of private schools to support and believe the government, in its inclination to equally treat public and private schools. Despite the criticism, and as this was the sort of law that can be unilaterally imposed, it became valid for the school year 2003/2004, i.e. immediately.

At the same time, while the opposition and unions were criticising the government for the potential privileges to private schools, the government announced that some of the 90 schools would lose the ePPP status, as the government was trying to organise the school network and had concluded that some schools exist in overlapping with public schools. On the other hand, some new contracts would be established with schools located in different areas of the country where the number of children had increased, and public schools were no longer enough for demand³¹⁴.

Given the unfavourable scenario, the presidential veto was expectable, even if the government had not resigned, as Mr Durão Barroso accepted the leadership of the EU Council.

On the margins of this law, and while re-structuring the schools in ePPP, the government endeavoured to increase the direct subsidy to the families, who plan to place their children in private education. Parents could apply for a subsidy; however, this would only guarantee a small share of the fee, that is only available to people with meagre income. The Minister prepared to revise the amounts, and eventually move the money from contracts with the schools to contracts with the families³¹⁵.

According to our model, even if the government had not resigned, the policy was expected to fail and at the implementation stage.

The variables that are weighing against the policy, as the parliament approved it, are very weak favourable entrepreneurs, who were investing in the change. Apart from the government itself, and a shy pledge by the Catholic schools, no other person or institution stepped forward to support the measure. On the other side, the opposition was loud and earnestly against the policy creating a very big unbalance. The policy was also vaguely defined besides being conceptually ambitious, creating space for speculation and fire from the oppositions.

³¹³ Público, 6 de setembro de 2003, <https://www.publico.pt/2003/09/06/portugal/noticia/governo-quer-reduzir-orcamento-dos-contratos-com-escolas-particulares-1164717>

³¹⁴ Público, 27 May 2004, <https://www.publico.pt/2004/05/27/portugal/noticia/ministerio-da-educacao-diz-que-lei-de-bases-protege-colegios-1194936>

³¹⁵ Público, 27 May 2004, <https://www.publico.pt/2004/05/27/portugal/noticia/ministerio-da-educacao-diz-que-lei-de-bases-protege-colegios-1194936>

Had the government remained in power all policy would have to be renegotiated and therefore, even if a second life had been given to it, inevitably a very different document would have emerged.

The model predicted that this policy had no configuration to be implemented (Figure 5.13), even if the government would have stayed in power. It was an effort out of context that led to a fragile legislative scenario. The fact that opposition was against, together with the lack of entrepreneurs and a general national mood that was not favourable to this sort of policies would have probably impeded the legislation towards ePPPs to move ahead.

Following this setback that happened in 2004, the country starts a period of a socialist government that was very near Tony Blair’s ideas. The government headed by Socrates was prone to public-private partnerships in general, except in education, where they were seriously supportive of public education as a provider. Not much concern was given to ePPPs, and the most applicable move in partnerships was at the primary school level, as agreements were established with private providers for the quick placing of extra school activities teachers, which will be seen in detail ahead. Regarding education the electoral programme of 2005 focus on English for primary school children and technology access for students and schools. Later, while government primary schools suffered a substantial reform, English and other activities arrived at primary schools, but nothing was done towards clarifying, reducing or increasing the ePPPs policies. There was a slight growth in the number of schools with association contracts that in 2009 was extensible to 102 schools³¹⁶.

Table 5-3 Most relevant information on Education Free for All

Policy identification	Decree-Law n. 184/IX, approved May 2004- A new fundamental law of education that legislates, among others, the establishment of a single school network that contemplates public and private schools, is that the state would pay for both according to family choice. Approved in 2004 and being a general law, it does not contemplate any specific objective.
Policy origin and design	The idea of choice was popular in the election manifesto, and the party in government had already publicised that private and public schools would be treated equally in the calculus of some needed places per region. On the other hand, parents would be allowed to choose, and a form of “voucher” was to be developed.
Window of opportunity opening	Change in government. Negative results for Portuguese education recently released by the first PISA showing that education needed a move.
Problems to be solved	Right to choose by parents, improving the global quality of the system with the help of private schools. Clarification in the relations between state and private schools

³¹⁶ http://www.dgae.mec.pt/?wpfb_dl=21273

Ideology, government and opposition	The government was favourable to private enterprises, and free choice. The opposition was not pleased with this idea and was determined to impede that private and public were treated equally. For the opposition, this meant a threat to the financing of public education.
Policy Entrepreneurs	There were no principal policy advocates, apart from the government. The only voice raising in favour of private/ public equality came from private Catholic schools, the private schools' association (AEEP) was suspicious of the government intentions.
Establishment	The law was not implemented, as the following approval it was vetoed by the president, and the government resigned.
Lessons learned	No point in trying to impose a fundamental law without a broad consensus.

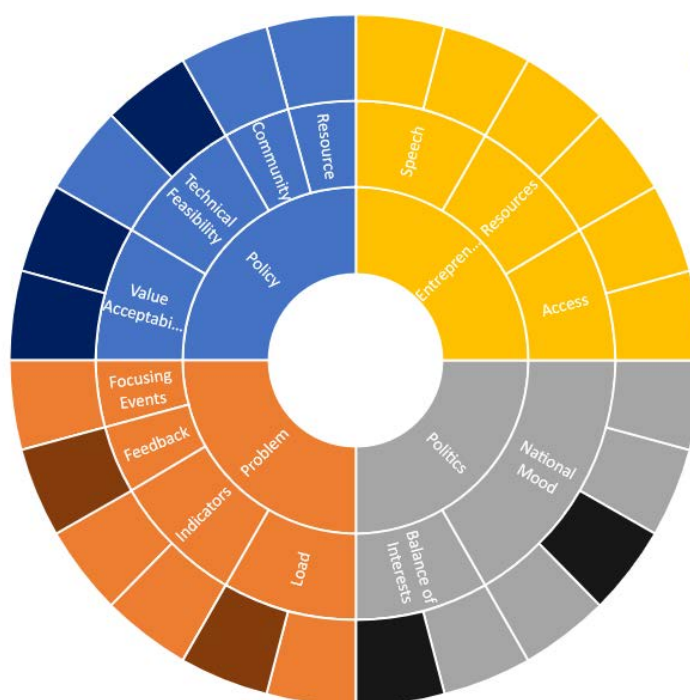


Figure 5.13 Visualization of the dimensions relative strength – Education Free for All

Source: Author's design

$$1 \leq \langle ((0.4+0.3) * 0.4) + (0.1) \rangle \text{ (Open Window)}$$

$1 \leq 0.38$ – Inequation False The possibility of policy *establishment* was very low

As the financial crisis emerged, news about problems in the private sector starts to emerge, with schools complaining about parents who do not pay or need to renegotiate fees³¹⁷. The issues of choice, education cost and reduction in tax benefits were back. The association of private schools attempts to create some noise to get visibility around the issue claiming that the state finances 44% of the students who attend private schools, either through association contracts (94 schools in 2010, i.e. 53000 students)³¹⁸ or direct support contracts.

The Ministry of Education started some negotiations with the private association to introduce changes in the contracts. The association wanted more support in the direct support contracts and insisted on the idea that private schools were cheaper than state education.

Meanwhile, a new pressure group had been formed with the mission to develop the argumentation on education freedom – Forum para a Liberdade de Educação (FLE). This group constituted by non-politicians, headed by banker Fernando Adão da Fonseca, were starting to organise meetings and publish studies to promote the discussion on who had the right to teach. It worked as an embryo think tank, pledged that education ought to be free for all, no matter who owns the school, and the essential responsibilities belong to the parents. Thus they must have the right to choose. This Association was created in 2002, and they had the Minister of Education, David Justino, talking in their first public session³¹⁹. Despite the constitution and the occasional article published in newspapers^{320, 321} they never managed to have a prominent role as policy entrepreneurs and have failed to persuade the government and to change the focus of ePPPs from supply gap providers to a free choice option.

In 2008, there was a sudden rise of the public discussion about free choice, how ePPPs could become an alternative for better education³²². This discussion was brought by FLE trying to give an impulse anchored on American policy where Barak Obama had nominated Duncan as education secretary and was ready to do experiments with education. The international example was also discussed by journalists³²³ who brought the case of Sweden to the public knowledge. The case of England was also explored, and the focus of the promoters was very much on the fact that the governments moving towards ePPPs were all social democratic/socialist trend. There was some pressure on PM Socrates to move in the same direction as Blair, Obama or Reinfeldt. All in all, in the

³¹⁷ Público, 2 de March de 2010, 9:16 <https://www.publico.pt/2010/03/02/portugal/noticia/estado-financia-44-por-cento-dos-alunos-do-particular-1425074>

³¹⁸ <https://www.publico.pt/2010/12/12/portugal/noticia/escolas-particulares-querem-saber-de-vez-qual-o-ensino-mais-barato-1470615>

³¹⁹ Público, 10 November 2002, <https://www.publico.pt/2002/11/10/portugal/noticia/forum-para-a-liberdade-de-educacao-promove-primeira-sessao-publica-195363>

³²⁰ <https://www.publico.pt/2004/10/01/jornal/regresso-as-aulas-e-liberdade-de-educacao-193536>

³²¹ <https://www.publico.pt/2008/10/16/jornal/liberdade-concorrencia-e-regulacao-o-caso-do-ensino-280011>

³²² <https://www.publico.pt/2008/12/22/jornal/o-que-socrates-pode-aprender-com-obama-em-materia--de-educacao-288946>

³²³ <https://www.publico.pt/2008/05/17/jornal/na-suecia-os-pais-recebem-um-voucher--para-a-educacao-dos-filhos-261437>

second government of Socrates, who won the elections in 2009 with a simple majority the story was about to change, the debt and need to reduce the budget took over every economic area, and education was not an exception.

In November 2010, during the negotiations of the new year's budget ePPPs were back to the news. The government was preparing to cut on ePPPs about 70 M€ in payments to private schools from pre-school to secondary education³²⁴, and this came as a surprise to the main players – the private schools – as negotiations were being held. The government had decided to re-evaluate every contract and decide which were to be kept.

As the Decree-law 108/88 which had legislated towards the inclusion of private education in the calculus of the number of schools needed was not respected, the successive governments kept on building schools to answer all sorts of political pressures. The result was a need to clear the number of places on offer, and therefore eliminate excessive payments to private schools³²⁵.

In 2010, a revision of the private school's status was proposed and approved by the parliament. Decree-Law 138-C/2010³²⁶ was the fourth revision of the original status published in 1980. This approval followed approval in the minister's council in 4th December, catapulting a series of interventions and opposition episodes from private schools, parents, and respective associations³²⁷. The right-wing party, CDS-PP, still managed to insert a change in the period of the contracts, as the initial proposal was for annual contracts that did not guarantee the cycle continuity. This change proposal was presented to the assembly and was approved with the favourable votes of the right-wing parties (CDS and PSD), and oddly with the abstention of extreme left parties (CDU and BE).

Cutting on partnerships was an evident target to show efforts for controlling expense. The decree-law opened the door for contract re-negotiation and a new clarification on amounts, linking the values to the number of students and classes. The document was launched in a moment of economic crisis when it was necessary to cut state expenses.

The main changes were lined to pluriannual contracts without automatic renewing, and with payment amounts established annually. A guarantee that students who had started a cycle in a private school under the agreement would be allowed to keep the same scheme until the end of the cycle. The values paid would be per class, having the cost of public education as a reference. The document kept the idea of ePPPs acceptable only when there were not enough public schools in the area, following the compromise of the state to annually present a study on regional school needs.

³²⁴ <https://www.publico.pt/2010/11/05/portugal/noticia/ministerio-vai-cortar-70-milhoes-nos-apoios-aos-alunos-do-privado-1464468>

³²⁵ <https://www.publico.pt/2010/12/12/portugal/noticia/escolas-particulares-querem-saber-de-vez-qual-o-ensino-mais-barato-1470615>

³²⁶ <https://dre.tretas.org/dre/281307/decreto-lei-138-C-2010-de-28-de-dezembro>

³²⁷ <https://www.publico.pt/2010/11/16/portugal/noticia/ministerio-nao-reage-a-recomendacao-de-cavaco-para-mais-transparencia-na-relacao-com-col...>

Payment amounts and contract rules were defined in Rule 1324-A/2010 (29 Dec. 2010)³²⁸. The value to be paid was established in 80.080€ per class, and there was a minimum of 20 students per group. The new payment was to be in line with the amount paid to professional schools. The average of the previous amounts was 110.000€ per class. Thus this new payment would imply a cut of more than 30% to every school, and some contracts would simply not be re-negotiated.

The launching of this law tossed the fear of a general closure of private schools, who could not remain open without the state support, as they were built to substitute public education and not based on market payment capability. Many schools were inserted in deprived areas, where parents could not afford the private fee. The main line of defence was that even if there were places available at the public systems, private schools were now to fulfil the right of parent choice and ought not to face closure after having provided a fundamental service as public substitutes. This line of argument was reinforced with the idea that the announced savings were a false argument, once the students would also cost money to the state. Thus the savings would be just marginal. There was no agreement on the per-student costs in public vs private education³²⁹. The association of the private schools engaged in negotiations with the minister to arrive at a value that would be equal to the state's 2750€ per student, which would signify 90000 per class³³⁰. Some other actors like Joaquim³³¹ Azevedo, the promoter of technical school partnerships also came out against the measure, arguing that this was not to cut costs but an ideological attack on the private sector³³². The president, Mr Cavaco Silva, made a speech where he positioned himself against this law and urging the parliament to re-think. The president said that he was in favour of free choice and that this attitude would promote instability.

The centre-right opposition, PSD, criticised the measure, which was being taken when the school year had already started³³³. Catholic schools also joined their voice and felt this was an act of discrimination against the church¹³. As the schools with ePPP were feeling threatened so were the teachers fearing for their jobs. About 10.000 teaching jobs were, in the limit at risk, the private school teachers' association (APEPCCA) launched a petition to send to the national assembly trying to call attention to their problem³³⁴. Parents were also active in their manifestations including parades and

³²⁸ <https://dre.tretas.org/dre/281342/portaria-1324-A-2010-de-29-de-dezembro>

³²⁹ <https://www.publico.pt/2010/12/12/portugal/noticia/escolas-particulares-querem-saber-de-vez-qual-o-ensino-mais-barato-1470615>

³³⁰ <https://www.publico.pt/2010/12/15/portugal/noticia/governo-disposto-a-negociar-financiamento-ao-ensino-particular-1471094>

³³¹ <https://www.publico.pt/2010/12/02/portugal/noticia/cds-quer-travar-fim-dos-contratos-estatais-com-colegios-1469054>

³³² <https://www.publico.pt/2010/12/08/jornal/deve-o-estado-financiar-o-ensino-privado-20784604>

³³³ <https://www.publico.pt/2010/11/11/portugal/noticia/ministra-da-educacao-apresenta-um-orcamento-de-contencao-1465612>

³³⁴ <https://www.publico.pt/2010/11/24/portugal/noticia/professores-dos-colegios-preocupados-com-desemprego-1467896>

dressing black in places where the minister was known to be visiting^{335, 336}. Local municipalities were also against the cuts and were supporting the local private schools, joining their voices to the general outrage of school closure possibility³³⁷. CONFAP (the parent's association) did also assume a position against the document, asking for its suspension³³⁸.

On the support of the law, there were some autonomous commentators, such as Santana Castilho¹⁴, who argued in favour of public schools and the exclusive role of ePPPs as an emergency supplier. This is the line of reasoning also adopted by the minister of education, Isabel Alçada³³⁹.

Curiously the extreme left parties were absent on this discussion, even allowing for a better agreement in favour of pluriannual contracts. The focus was on attacking the president who assumed an energetic and proactive role in this process and had always remained silent when it comes to defending the public schools, was asserted by a communist deputy³⁴⁰. The same deputy said that they were against the first diploma, because of no belief in sudden changes, as public education was favoured. No social disturbance should be introduced in the communities for this issue.

As a consequence of this law, an extensive study for the re-organisation of the school park, including the decision of how many ePPPs were to lose classes, was ordered to Rochette Cordeiro from Universidade de Coimbra. In this study, it was concluded that the 91 schools that had a contract were very unevenly distributed towards the country, 46% in the centre, with a particular highlight to Coimbra district with about 10% of the total. Regarding students, the study identified a total of 53000 students (Rochette et al., 2011). This study suggested a reduction in the number of classes, and only rarely the total abolition of the contract. In the following school year, ten ePPPs were not renewed bringing to 81 the number of schools with such an agreement and a reduction of students to about 49000. All the noise was converted in 4000 fewer students, and the amount paid per student was reduced to 80.000€³⁴¹.

As this measure had a compulsory intuit, it falls into the categories of measures that can be unilaterally imposed, as the government renewal and payment. The model under assessment is not fit to this form of decisions. Concentration is on measures that establishment depends on the field actors.

³³⁵ <https://www.publico.pt/2010/12/08/portugal/noticia/isabel-alcada-nega-que-governo-queira-encerrar-escolas-do-sector-particular-e-cooperativo-14...>

³³⁶ <https://www.publico.pt/2010/12/16/jornal/mais-de-2000-pessoas-manifestaramse--pela-continuidade-do-externato-de-arruda-20839107>

³³⁷ <https://www.publico.pt/2010/12/16/jornal/mais-de-2000-pessoas-manifestaramse--pela-continuidade-do-externato-de-arruda-20839107>

³³⁸ <https://www.publico.pt/2010/12/02/portugal/noticia/cds-quer-travar-fim-dos-contratos-estatais-com-colegios-1469054>

³³⁹ <https://www.publico.pt/2010/11/12/portugal/noticia/isabel-alcada-garante-no-parlamento-que-cortes-nao-chegam-a-accao-social-escolar-1465723>

³⁴⁰ <https://www.publico.pt/2010/12/27/portugal/noticia/pcp-critica-dualidade-de-posturas-de-cavaco-quanto-a-educacao-1472676>

³⁴¹ Direção-Geral de Estatísticas da Educação e Ciência, Estatísticas da Educação

There was not much that could be done, once the government decides, very much like when there is a decision to increase a tax or reduce payment.

5.5.4 New Private School Status

Still, as the PS government had to resign for lack of parliamentary support and new elections were held, PSD won and formed a coalition government with CDS, the Catholic right. The issue of ePPPs was soon back on the agenda, with a new status of ePPPs, trying to revert the idea that these schools can only exist in a scenario of lack of demand. In the Electoral Program PSD had stated:

initiatives to promote liberty of choice will be developed, independently of the schools being public or private³⁴²(...) A legal framework will be established which will allow alternative management models of schools (...) where new partnerships with the social or private sector can be explored with the objective of putting into practice the liberty of choice principle. (PSD, 2011, p. 195).

ePPPS became an ideological field, where right and left were willing to change as the winds turned.

The economic scenario is of financial and economic crisis, with an intervention from TROIKA, meaning a period of severe public spending contention. Despite this scenario, the window of opportunities opened towards revising the status of private schools and detaching ePPPs from their additional role, trying to implement what had been an electoral promise.

In 2012, the assembly approved a new law 33/2012 to update the private school status to guarantee the introduction of a European Directive concerned with legal permission for private schools to open and operate. No changes are made concerning the role of the private schools or their relation to the state.

The image of ePPPs, following the discussions of the previous government, had been degrading, and the idea that most of this colleges meant feeding private interest³⁴³, and duplicating education costs in specific areas had spread.

In December 2012, a new case emerged and was diffusely talked about, on how one of the education groups – GPS – was being fraudulent with public money, using the money for private spending while keeping the school investment to a minimum. Several ex-teachers stepped forward talking about fear, an excess of work and lack of conditions. One of the main TVs launched a report, and the image of the managers and politicians from both PS and PSD were stained³⁴⁴. The national mood was not favourable towards the management and usage of public money in a sensitive issue such as education. GPS group was the er of more than 20 schools 13 of each worked as ePPP. This group

³⁴² Author's translation

³⁴³ The GPS court case has also fired the discussion of private providers being dishonest in the management of ePPPs.

³⁴⁴ <https://www.youtube.com/watch?v=em1VaJKzaCk>

had a long history of court cases and miss usage of funds. They also had several inspections following teachers' complaints³⁴⁵.

Following a period of discussion with private school association (AEEP) and unions in education, on the 4th of November 2013, a new Decree law was approved (n. 152/ 2013) to substitute the original legislation on the private school status (decree-law 530/80). The objective was to recognise learning and teaching freedom, including the parent's right to choose a school. The state had the responsibility to financially support families in this choice. Private schools were also to be granted more autonomy – resources and curricular management, and the state will step back to a regulatory and fiscal status. Finally, a revision of the amounts paid per class was also in the legislative objective.

Regarding parent choice, once again and similar to the law approved many years early (Decree-Law n. 35/90) the idea of free education for all is stated, but subject to budget constraints and to be achieved in a progressive manner (article 6.2 – transitory measures).

The objective was to entitle freedom of choice to families who wished to register their children in private education, especially families with less economic resources. The government also wanted to promote quality in the education system, according to competition principles (article 10.4). Results obtained by the students ought to be analysed before the finishing of any ePPP. There is no reference to private education as supplementary, meant to cover supply shortage.

The scope contracts contemplated is the same, including association and simple family support.

The dissonant part was later uncovered, when the government revised the values to be paid to schools with association contract, and this value was lowered, leaving private schools and free choice promoters puzzled.

In March 2013³⁴⁶ a petition by right-wing supporters arrived at the parliament to revise the law that reduced payments to private schools. This petition is signed by Fernando Adão da Fonseca, a banker who has embraced private school choice as his social cause.

In July the government announces a further reduction in payment per class, which was accepted without any opposition from schools, who prefer some cuts to the closure of contracts. The payment is reduced to about 80.000, the value that had been approved by the previous government for the years after the transitory period, the negotiations to keep the payment around 85000 € had survived for two extra years, due to negotiations between the centre-right government and AEEP.

From August 2013 the relations between private and public schools are back in the media, following the preparations and negotiations for a new status, giving body to the electoral promise of free choice for families independently of the private or public status of the school³⁴⁷.

³⁴⁵ <https://www.dn.pt/portugal/interior/dono-de-colegios-apoiados-foi-da-comissao-de-educacao-1775408.html>

³⁴⁶ <https://www.publico.pt/2013/03/04/sociedade/noticia/peticao-a-favor-da-familia-do-casamento-e-do-ensino-particular-entregue-amanha-no-parlam...>

The main discussion³⁴⁸ surrounded the idea of vouchers that was vaguely touched in the law draft, where no specification of execution mode or cost was specified.

Critical actors immediately popped out, including the previous minister of education ML Rodrigues, who gathered OECD recommendations to argue against this category of measures³⁴⁹, backed up by other education commentators who also supported their views in the experience of other countries. OECD said that choice is eminent in between different pedagogical paths and not when the choice distinction was made based on the school ownership (OECD, 2017b).

Teacher's union FENPROF was also quick in placing itself against this idea, claiming this was a step to close public education. Another teacher's union (SPGL) threatened to prosecute the state for inadequate usage of public money if any student would be paid to attend a private school if he had a place at a public school³⁵⁰, this position arrives as a reaction to the number of classes being negotiated "under the covers" for association contracts.

On the other hand, parents positioned on the favourable side, while simultaneously claiming for more autonomy for public schools to allow for fair competition. FLE, a think tank promoting free choice, and FFMS published studies and articles promoting the advantages of free choice and trying to untangle this decision from its ideological context³⁵¹. These promoters were also arguing by the example of other countries and showing that the creation of ePPPs obeys to clear rules that come with public service. Curiously the example of Sweden is again used with a different perspective.

The association of the private schools, AEEP, has a calmer reaction and states that there is no news in this area, as simple contracts, money to support more impoverished families who want to send their children to private schools, exists since 1980, although with vague legislation and never fully implemented. The same source underlines the idea that this is no more than an update of values, using as reference the real cost of a student attending a public school. Another change is that these contracts could be extensible to all students, and not only the children from poorer households, and 'all' is the word that leads to the idea of universal vouchers – money that follows the student.

Following the approval in ministers' council of the diploma, unions pledged the parliament to call the diploma for discussion, and they also consider that the president had to ask for its

³⁴⁷ PSD (2011) "Está na Hora de mudar" (p. 195). Electoral manifesto

³⁴⁸ <https://www.publico.pt/2013/08/08/sociedade/noticia/governo-abre-a-porta-ao-chequeensino-no-basico-e-secundario-1602491>

³⁴⁹ <https://www.publico.pt/2013/08/08/sociedade/noticia/afinal-o-que-se-pretende-com-o-chequeensino-pais-e-especialistas-levantam-duvidas-1602594>

³⁵⁰ <https://www.publico.pt/2013/08/20/sociedade/noticia/sindicato-quer-processar-ministerio-da-educacao-por-mau-uso-de-dinheiro-publico-em-escol...>

³⁵¹ <https://www.publico.pt/2013/08/25/jornal/a-liberdade-de-educacao-e-os-inimigos-da-liberdade-26998074>

constitutionality³⁵². A parents' association (CNIPE) claimed that this diploma is only to protect private schools, who are on the verge of collapse following the crisis and the reduction in the number of students, as parents do not have money. The socialist (PS), communist (PCP) and left block (BE) parties had an adverse reaction to the diploma declaring that they were voting against when the decree-law was voted at the Assembly. Socialists are against choice, as the number of private schools is insufficient, so there would be no choice for most students. Still, in the PS scope the European Deputy, António Correia Campos, assumed a strong position against vouchers, showing how this instrument is the first step to the birth of an unequal society, where poorer students are always in the margins of a second-class public system, accusing the government of a covered move, and of lying to the people³⁵³.

Communist go back to the constitution, and state that the new status is against the fundamental law, arguing that this is another form of political clientelism, an idea supported by BE.

Curiously the public-school directors had a very calm reaction to the diploma, stating that there are no sudden changes and that a diploma cannot impose this sort of policies, they need to be digested and received by several education actors, which is not likely to happen soon³⁵⁴

On the support side, Family Confederation (CNAF) was very pleased with this document and urged for its immediate approval from the president. They were optimistic towards competition between private and public sector, believing that they would both win³⁵⁵.

The minister of education left it very clear; he supported choice and the end of public schools administered by the state because the family was to be regarded as the first responsible for education. The state promotes autonomy and decentralisation. Families decide what is better for their children. The document was supported by AEEP, who states that this can be a new start for the private sector³⁵⁶, in contempt of being prudent enough to know that following the legislation some specific regulation is needed, and there is no establishment without clear rules, and in this case, money to implement. The minister said that the goal achievement would be gradual and based on pilot projects before becoming universal³⁵⁷.

In the 2014 budget, the volume of transfers to the private schools was to remain constant, signalling no establishment of the goals forecasted in the document.

³⁵² <https://www.publico.pt/2013/09/05/sociedade/noticia/fenprof-diz-que-novo-estatuto-do-ensino-privado-e-ilegitimo-e-ilegal-1605033>

³⁵³ <https://www.publico.pt/2013/09/09/jornal/o-sorrasteiro-chequeensino-27044777>

³⁵⁴ <https://www.publico.pt/2013/09/12/jornal/ano-novo-educacao-nova-27076684>

³⁵⁵ <https://www.publico.pt/2013/09/07/sociedade/noticia/confederacao-das-associacoes-de-familias-aplaude-chequeensino-1605186>

³⁵⁶ <https://www.publico.pt/2013/09/05/sociedade/noticia/fenprof-diz-que-novo-estatuto-do-ensino-privado-e-ilegitimo-e-ilegal-1605033>

³⁵⁷ <https://www.publico.pt/2013/09/07/sociedade/noticia/confederacao-das-associacoes-de-familias-aplaude-chequeensino-1605186>

By the end of October, the government decided that vouchers would move on as an experiment, this was announced in a document entitled “Guidelines to State Reform”. In the same document, the government announced new association contracts linked to fighting learning difficulties”. More autonomy to public schools was also a line because the government wants more competition and more responsibility, so that parents can choose³⁵⁸. The government also intended to create the concept of independent schools, miming the English Converter Academy Schools, that was no more than public schools managed by teachers, as a concession. This measure was one of the biggest surprises of the above-referred document, as it had not been discussed so far. The education budget for 2015 included about 2 million Euros extra for supporting school choice, which would reach 600 to 1000 students³⁵⁹. It had nothing to do with the voucher but just with the re-enforcing the measures to support families with economic difficulties, and the increase was related to a forecast of a rising in the number of families affected by the crisis who would be under the condition to apply for the subsidy.

Following the presentation for development plans the communist party classified the plan as unacceptable, as precious public money was about to be spent to feed private business. BE was more radical proposing that all contracts were to be immediately stopped and kept only if strictly necessary to make education available³⁶⁰. All the attention was placed on the private schools, and no attention was given to the plan to privatise the management of public schools in a scheme similar to converter Academy schools.

Despite the discussion, the fears and hopes, in May 2014 the minister announced that there would be no changes towards vouchers or more association contracts at least before the following elections³⁶¹. No new regulation was produced until the end of the period under study. The news on the amounts to be paid as family support were the same as legislated in 2009.

In June, it becomes public that the government will finance 64 classes less under the Association Contract, and the reason is the general reduction of population. Thus the argument on demand/supply is back on the decision table. This reduction was negotiated with AEEP with the objective of reducing 5M euros³⁶². Following this agreement, FENPROF was still asking for further cuts, and organised a petition signed by teachers, parents and members of the community showing that

³⁵⁸ <https://www.publico.pt/2013/10/30/sociedade/noticia/implementacao-do-chequeensino-tera-experienciapiloto-1610838>

³⁵⁹ <https://www.publico.pt/2013/11/13/jornal/crato-da-mais-dinheiro-as-privadas-mas-nao-fala-no-chequeensino-27393523>

³⁶⁰ <https://www.publico.pt/2013/11/05/sociedade/noticia/pcp-vai-pedir-apreciacao-parlamentar-do-novo-estatuto-do-ensino-particular-e-cooperativo-1...>

³⁶¹ <https://www.publico.pt/2014/05/06/sociedade/noticia/relacao-com-os-privados-foi-polemica-que-ficou-a-meio-1634715>

³⁶² <https://www.publico.pt/2014/06/09/sociedade/noticia/governo-pretende-financiar-menos-64-turmas-em-colegios-1639334>

there were still areas of the country, like Leiria, where private schools were receiving subsidies for creating unnecessary classes, bringing the discussion back to the supply/demand issue³⁶³.

Being a right-wing government was far from enough to implement changes in the public-private relations in education. While on the one hand, the government was legislating for more ePPPs, on the other hand, was cutting the amounts available and reducing the number of students benefiting from Association Contracts. The government's idea was to implement free choice based on a voucher-style of the scheme, despite the constraints imposed by the crisis. The ideas were launched, but ideas are not enough.

The configuration was not achieved, the policies were never clarified and above all the national mood and the inheritance from the past created unsurpassable obstacles. The lack of entrepreneurs and independent working groups publicising and supporting the solution were also a weak point of this legislation move. Too much noise, for no consequence.

Naturally, the policy was deemed to be unsuccessful as the arrangement was far from stable (Figure 5.14). First, the policy was quite complicated as it implied a profound restructuring of the management of schools and it was never designed with costs and benefits, an extension of access, nor the general application and implementation process. No objectives were set. The opposition was against which outweighed some emergent entrepreneurs who started to publish information and were trying to re-position the argument. The problems to be solved were also diffused and unclear, and nobody knew how many people would welcome such a category of measures. The government did not gather a national mood that would help the implementation, and finally, in times of crisis the opportunity for such acute changes are probably wrongly timed and obey to an artificial window of opportunity unilaterally imposed by the government.

In 2015 the spread of ePPPs under the Association contracts had remained stable, with about 90 schools benefiting from this scheme and still based on the idea of supply-demand balance, where the private providers are welcome only when and where the state is unable to provide. As the population is reducing and better studies on the school network are made available, this kind of contract is due to disappear soon.

³⁶³ <https://www.publico.pt/2014/06/23/sociedade/noticia/fenprof-entrega-peticoes-em-defesa-da-escola-publica-no-parlamento-1660169>

Table 5-4 Most relevant information on New Status of Private Schools

Policy identification	Decree-law 152/ 2013, approved November 2013 – a new private school status that intended to re-frame the reasons for ePPPs, breaking with the demand/supply tradition, inserting the idea of parent choice and competition between private and public schools. No stated objectives
Policy origin and design	The idea is anchored in previous legislation, namely the law that determined the freedom of education (Decree-Law n 35/90). It is also inspired by the policies taken in Sweden and the UK. Introduction of voucher idea, where the money would follow the student. No rigorous design just the intention to detach from demand/supply role of ePPPs.
Window of opportunity opening	Electoral promise and a conservative parliament. Opposition to the previous revision and an ideology pro-private initiative.
Problems to be solved	Freedom of choice and better quality in education. Prevent the closure of specified private schools.
Ideology, government and opposition	The government was centre right prone to private initiative in a country where most sectors had either been privatised, or a concession had been given to private companies. They also wanted to mark ideology and change what had been proposed by the previous government. Despite the economic crisis, there was the idea of free choice and that education was a family issue before being public. The opposition was naturally fiercely against, enlarging the scope of the law to scenarios that were not in the law. OECD had recently said that vouchers might not enhance equity, which was a strong argument against. Unions were very concerned with the consequences on public schools.
Policy Entrepreneurs	Policy entrepreneurs were AEEP and FLE small pressure groups, they were not active in implementation nor invested in changing the argument to appeal to other social strata. Few studies were published, and, comparison with international countries was made. Parents and communities attached to ePPPs were also noisy, and the idea of choice was also popular with parent's associations.
Establishment	The law was never regulated, and nothing happened. The government came back to the offer/demand logic by closing some classes in some ePPPs, and the voucher system was never even tried as a pilot. The amounts contemplated for the old scheme of family support were kept.
Lessons learned	It is a mined field that became a central battle to show how right wing and left wing are different. Probably brought the flame for the next government to act more coercively in closing ePPPs.

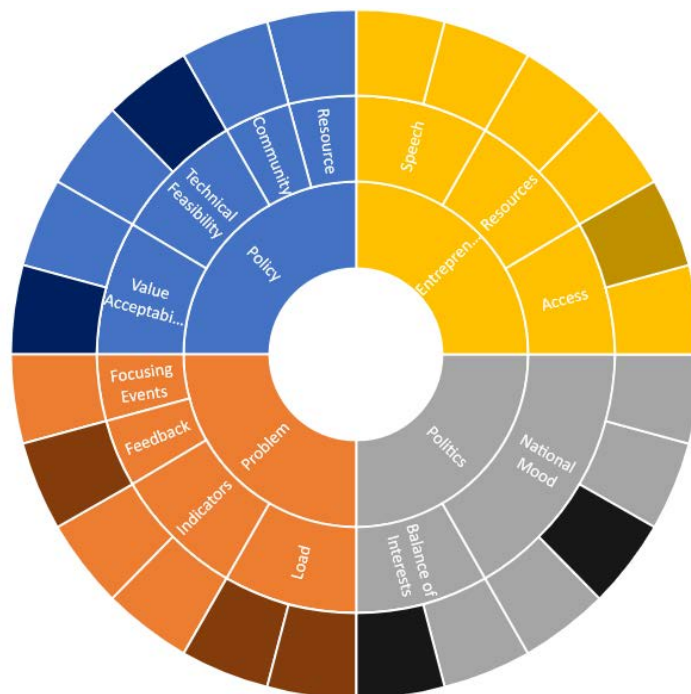


Figure 5.14 Visualization of the dimensions relative strength – New Private School Status

Source: Author's design

$$0.8 \leq \left(\frac{((0.3+0.4) * 0.4) + (0.1)}{(Open Window)} \right)$$

0.8 ≤ 0.38 – Inequation False – high chance of non- establishment

5.5.5 Conclusion on Association and Simple Contracts

In Portugal, there was quite a busy legislative action behind what did never expand from limited numbers in education. The role of ePPPs was always supplementary, and the numbers show an evident stagnation and reduction, despite the political speech and even legislation moving differently.

In 2015/16 the new left-wing government rushed into a revision of the need for Association Contracts, out of which the number of schools and classes benefiting from this agreement have been reduced sharply, in 2017/2018, only 32 schools were entitled to start new classes for low or high secondary education³⁶⁴.

Regarding simple contracts, the reality is similar, with just a small share of students benefiting from it, as values remain very symbolic and do not benefit the capacity of choice.

Analysing the evolution of the streams, one can observe that at the problem level (Figure 5.15) the initial argument was the need to solve supply problems; nonetheless the bankruptcy of private schools was also present. Only in 2004 the idea of choice and quality appears in discourse associated to measures of ePPP, while the bankruptcy problems were still present all over the path, as education can hardly be private without government support. The insertion of choice and quality arguments were

³⁶⁴ http://www.dgae.mec.pt/?wpfb_dl=22976

an attempt to escape the demand/supply unbalances argument, undeterred by practice that tends to fall back into this basilar idea.

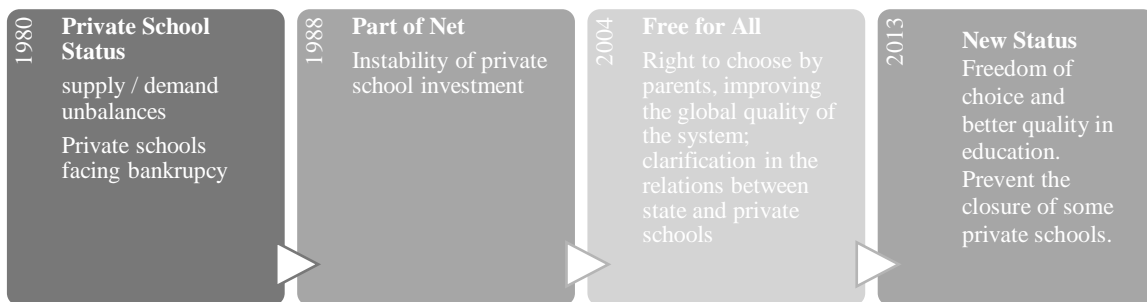


Figure 5.15 Problem Evolution in Association and Simple Contracts

Source: Author's design

Policy design has been overlooked in every moment, legislation is only to state ideas, and details were to be established in additional ruling documents (Figure 5.16). Except for the first policy that legislated a negotiation on a case by case contract, and the interest benefits for investment, all the other moments suffered from the moving from ideas into the feasibility, cost analysis and creation of policy networks. Ideas count, though they are probably just the beginning and not an end in itself.

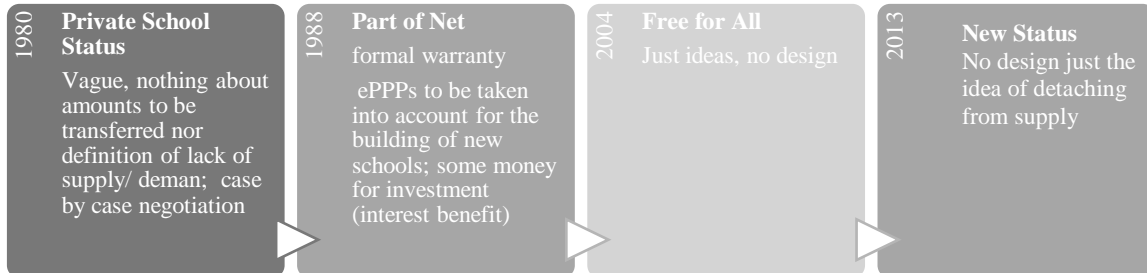


Figure 5.16 Policy Evolution in Association and Simple Contracts

Source: Author's design

At the level of politics and national mood (Figure 5.17), there is a definite change in opposition attitude when the policy conception moves from solving small practical issues to becoming more ideological. Opposition emerges in 2004 from a dormant state, treating this issue as a marginal an irrelevant subject, to a position that is fiercely against the financing of private schools, mirroring the idea that in Portugal the widest gap between centre-left and centre-right is the attitude towards a public-private relationship.

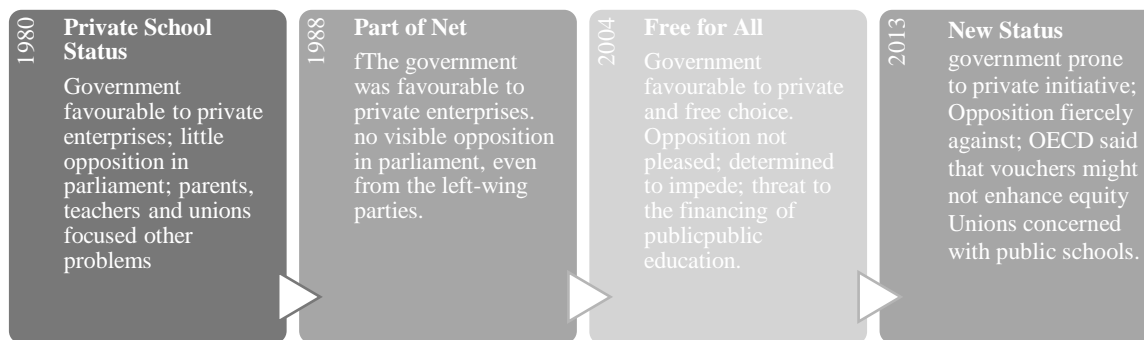


Figure 5.17 Politics and National Mood Evolution in Association and Simple Contracts

Source: Author's design

Finally, entrepreneurs are very much absent from this fight (Figure 5.18). With the emergence of only some shy movements, very linked to the church or right-wing movements, who have, so far, been unable to persuade different areas of national mood and social pressure groups. They stick to the arguments of free choice and better quality of private, which are not likely to penetrate in a broader national mood, so necessary for the successful establishment of intentions, especially ideas with a sturdy political manipulation content³⁶⁵.

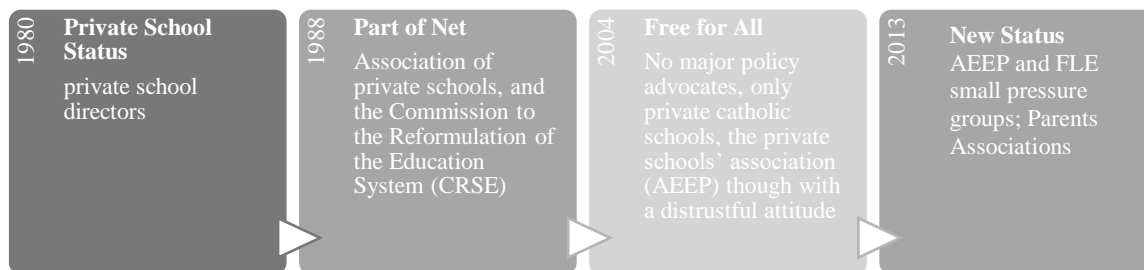


Figure 5.18 Policy Entrepreneurs Evolution in Association and Simple Contracts

Source: Author's design

5.6 PROFESSIONAL SCHOOLS

In parallel, professional education at secondary level was being incremented and relaunched, following a period of almost total disappearance, as the new democratic governments wanted to cut with the past and were determined to implement a unified curriculum. Technology courses were linked to social segregation or second-class education.

In 1987, the electoral programme of PSD, the party that became government, had stated that professional training would be one of the goals for the new government (PSD, 1987, p. 57) “links to

³⁶⁵ <https://www.theatlantic.com/science/archive/2017/02/the-simple-psychological-trick-to-political-persuasion/515181/>

the job market through the development of technical learning, professional education and polytechnic schools in close connection to productive sectors”³⁶⁶.

The Minister of Education, in a lengthy interview to weekly newspaper *Expresso*³⁶⁷, explains that there was not to be a unified education path towards high secondary education, and the government was determined to correct that mistake. Thus, some lines of technical education were to be quickly launched, and the students would be able to opt from year 9. The offer should be diversified, working in symbiosis with companies. The minister assumed that the schools could not forecast nor adapt to moving labour market needs. Therefore, the plan for this education path was not anchored on the existent system. It implies public support of smaller local and entrepreneurial initiatives, to create schools emerging from private initiative, supported by the state.

The ideas for the professional path were anchored in models used in Germany, Austria and Luxembourg (Azevedo, 2014), and it was a revival of issues that had been in the political agenda since 1983 when a trial had been launched of professional courses integrated into secondary schools³⁶⁸. As they were set in an experimental context, they did not gain dimension, even though this model had grown from 225 students in 1983/84 to 17 500 in 1988/89 (Azevedo, 2014, p. 418) when a detailed evaluation was elaborated³⁶⁹.

Several entrepreneurs and different political parties had supported the idea at the level of initial qualification and adult training. Portugal had inherited a situation of inadequate education levels, which compromised the country’s capacity to compete in the European Market.

During the dictatorship, some technical schools existed but were discontinued after democracy as they were attached to “second” class citizens. The excuse to reopen the need for this variety of education emerged as the window of opportunity opened with the integration of Portugal in the European Economic Community (EEC) which happened in 1986. With this new status, the Community approved substantial subsidies to invest in Portugal for education and training. At the international level UNESCO (1988), had recommended the implementation of technical paths as a manner of integrating young people in the labour market, but also for a higher development of the individual as part of the productive society.

The commission for Restructuring the Educational System has also recommended the creation of a technological path, arguing that this kind of school was to keep the educational philosophy above the economic logic. Joaquim Azevedo was also a vital policy entrepreneur, with his research and active personal involvement in the creation, design, implementation, and evaluation of this specific policy. At the time he was a technician for the regional educational planning and was also a member

³⁶⁶ Author’s translation

³⁶⁷ *Expresso* n. 789 12 December 1987

³⁶⁸ Despacho 194-A /1983, 21 October

³⁶⁹ “Avaliação da experiência do Ensino Técnico- Profissional em Portugal”, 12 volumes, published by Ministério da Educação under the coordination of Joaquim Azevedo, Porto (1987-1988)

of the Commission for the Restructuring of the Educational System. Describing the process and speaking in the first person, Azevedo (2014, p. 423) explains how several local actors got involved in the policy drawing: were heard and their dreams and fears inserted in the policy design. From councils to entrepreneurs to unions (including the communist party filiated union CGTP) were part of the process from the embryonic stage.

Bagão Félix, at the time the Secretary of State for Employment and Training was supporting this idea, as can be inferred from his declaration on professional schools “a good manner of bringing education nearer production”³⁷⁰. The Minister of education, Roberto Carneiro, was also a promoter of professional schools and established the objective of at least one-third of the students who finished low secondary education would benefit from pursuing a professional path³⁷¹

At the national level the mood was also favourable to this policy, as a national inquiry to students revealed that in 1989, 24 to 30% of the students who wanted to stay in school would like to follow a technical path (Azevedo, 1992). This information is crucial to understand that the launching of this path would be received with demand.

On the side of the problems that Professional Schools would help to solve was the excessive failure in traditional education, with no alternative of proceeding studies. These students were inevitably pushed out of education, contributing to the enormous level of early school leaving, at the time near 50 %. The second level of the problem was to contribute to reducing the lack of professional competencies that led to poor service quality in most areas, satisfying the need pointed out by several companies.

Professional Schools emerged as a public-private partnership, with professional schools being built from scratch to fulfil this gap. In 1989 a partnership between two ministries – Education and Labour – legislated how these schools would become possible, through the publication of Decree-Law n. 26/89, 21 January. These schools are created as public service, entirely paid by the state, and managed by private entities, most of them as cooperation between local municipalities, local companies and other local institutions. Each school would establish a contract/programme with the state and involve every partner. The schools could result from the transformation of previous infrastructures or built from scratch. The promoters of these schools could be public, private or regional, and the courses offered by each school would be articulated with other offers and with the local entrepreneurial reality.

The referred law defined that the schools would be under private management, despite keeping public service status. They would benefit from administrative, financial, and pedagogic autonomy.

The objective of each school had to incorporate:

³⁷⁰ A Capital.-.1988-05-14

³⁷¹ 3 - Expresso.-.1988-06-10

- (i) Prepare young students for adult life,
- (ii) Strengthen the relations between education and employment;
- (iii) Prepare human resources in a perspective of economic development of the country,
- (iv) Prepare students in a manner that they could opt for integrating work life or prosecute studies, as the diploma was equivalent to the 12Th grade of regular secondary education.

These schools would have as revenue several sources including eventual fees paid by students and subsidies given by the state, as well as funds from the EEC. A credit line with bonified interest was explicitly created for these schools in 1990, through Decree Law 32 / 90 de 24 January. The total amount of 30 000 000 € for equipment, in 1991 a correction was added. Thus this credit could also be extended to infrastructure investment³⁷². The banks would provide a loan of up to 75% of the required investment and the remaining 25% needed to be financed by the promoters. The loan had a maximum payment deadline of five years, and bonification was 40% of interest in the two first years, reducing gradually to 25% in the last year.

The emergence of Professional Schools implied that partners, private and municipalities, would be available to compromise with investments in money, know-how and energy (Carneiro, 2004), and the reality showed that this capital was available at the time and in an immediate manner. GETAP coordinated the investment on Professional Schools; a department created within the ministry of education, that assumed the coordination of an integrated network of professional schools, informing on supply and demand imbalances, authorising, and recognising courses and managing the application process for PRODEP I funds. Joaquim Azevedo was the director.

Although communitarian funds would provide a big investment chunk, the private initiative also had some investment on their side, and some entrepreneurs were interested in investing³⁷³, the government guaranteed that Patronage Law would protect investment in schools³⁷⁴. To clarify doubts and create an extra incentive for investors the government launched a magazine “Escolas Profissionais”.

In the first year, private companies and their associations were very enthusiastic being the promoters of about 60 schools in the first two years (Figure 5.19). Other unspecified associations were also very active in the process. Municipalities and public administration also headed a fair share of projects. Although, the initiative started with much energy, soon the enthusiasm started to fade away, and by 1993 the number of new openings was approaching inactivity levels. Naturally, the number of students grew in line with the opening of new schools, from nearly inexistent in 1988 to about 24.000 in 1993, which marks the year of enthusiasm turn around.

³⁷² Decree law 243/91, 6 July

³⁷³ Expresso.-.1988-10-01

³⁷⁴ O Jornal.-.1988-10-21

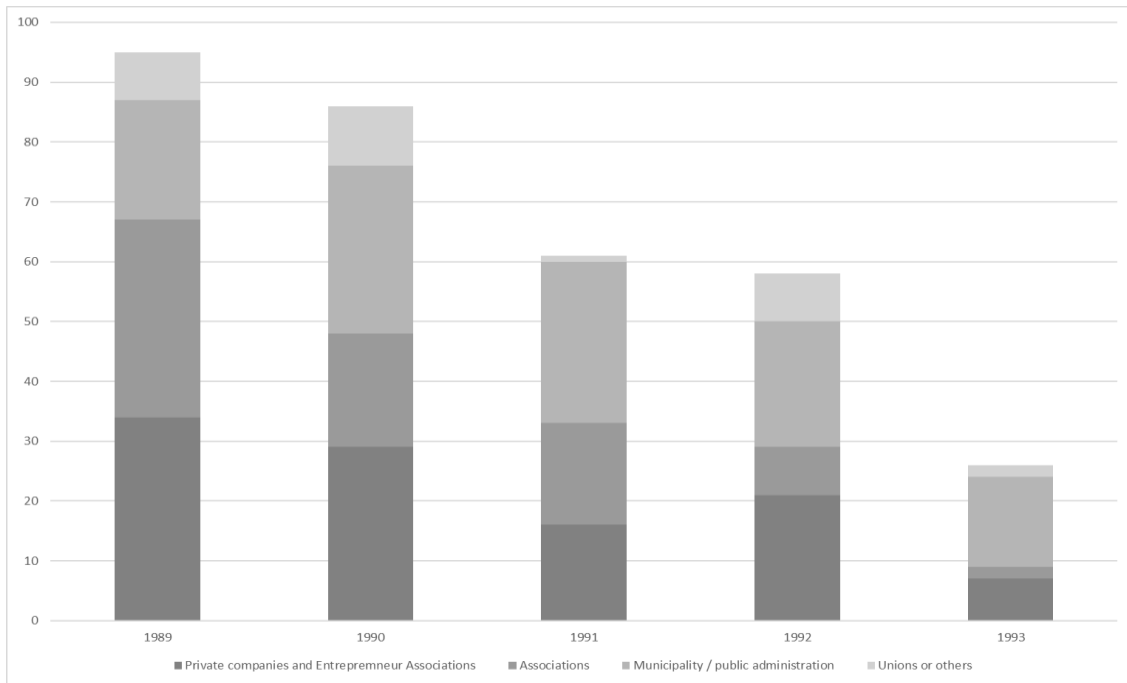


Figure 5.19 Number of Professional by the typology of promoter

Source: Azevedo (2014, p.422)

As reported by the newspaper *Expresso*, promoters of schools were diversified, as the project had higher demand than expected. Among the promoters varied names can be found, such as Câmara Municipal de Oeiras, Sonae, Fundação Ricardo Espírito Santo³⁷⁵ or UGT³⁷⁶.

As said earlier, EEC had made some funds available for the investment in education, part of it to professional education. During the period from 1989 to 1993 the programme PRODEP I was directed at equipment investment. This investment was visible by the immediate creation of 50 new Professional Schools, which grew to 218 schools by 1993, absorbing 36,8% of the total number of students attending secondary education (Vilela, 2014). This nature of schools opened in every region of the country (Figure 5.20), including islands, ensuring a regional coverage that could constitute an alternative to regular secondary education in most districts.

Through PRODEP I, professional schools benefited from a global investment of about 450.000.000 €, plus the private investment resulting from partnerships (Table 5-5).

³⁷⁵ *Expresso*.-.1988-12-10

³⁷⁶ *O Jornal*.-.1989-12-08

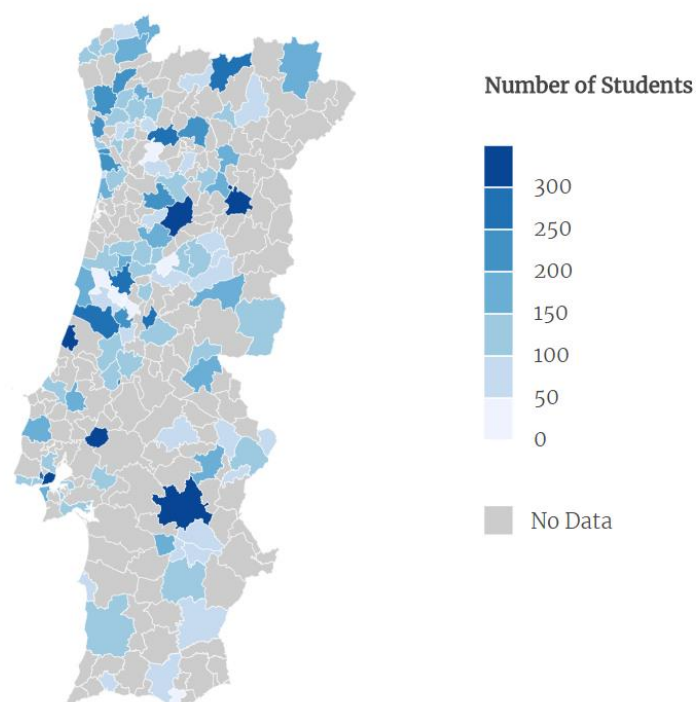


Figure 5.20 Number of students in Professional ePPPs per Municipality, Portugal 2000

Table 5-5 PRODEP I - investment in professional education

Sub-Program	PRODEP I	FEDER	FSE	PUBLIC INVESTMENT	TOTAL
Mod 2.1	Equipment for Professional Schools	27.438.373€		45.317.784€	72.756.157€
Mod 2.2	Training for Professional Schools		161.071.816€	223.621.572€	384.693.388€

* These amounts include rooms for regular education

Source: Vilela (2014, p. 617)

The investment was for equipment and training, infrastructure was not contemplated in PRODEP I, and the new schools opened in spaces that were made available by municipalities, associations, or other promoters. In general, there was no investment in new buildings. Professional schools tend to be small, on average they cater to less than 150 students (Azevedo, 2014, p. 427), attracting about 65 new students per year.

In 1991, private professional schools created an association, ANESPO, which mission is to support Professional Schools, promote partnerships with investors and employers, develop a positive image towards these schools. They launched a supplement in *Expresso*³⁷⁷ where the objective to the

³⁷⁷ *Expresso*-.1991-07-13.-.0976.-.ANESPO - Dossiê Associação Nacional de Escolas Profissionais p. 1 à 48

year 2000 was made manifest, and the idea is for these schools to become autonomous from the EU funds.

In 1992, a congress on professional education, where professional schools had a relevant role, was organised in Lisbon by GETAP and NERLIS³⁷⁸. This seminar was motivated by the first year of graduation for students who inaugurated professional schools. At the end of three years, there were 134 schools, with 13.000 students, these schools were spread all over the country and offers 17 areas of training. The objectives for the following school year was to open another 20 schools and get to 20000 students. The seminar was targeted at companies to get awareness of the new qualified labour supply.

The model shows that this policy had favourable conditions for being well succeeded as it had quite strong entrepreneurs the involved parts were fully aware and motivated for investment, the investment benefits seemed bright for the entrepreneurs, who did not feel alone in the process as EEC funds and investment strategy supported them.

Table 5-6 Most relevant information on Professional Schools

Policy identification	Decree-Law n. 26/89, 21 January - That legislates professional Schools, of a private initiative financed by the state and European funds. No declared expectations, only to open a new path of teaching/learning. Decree-Law 32 / 90 de 24 January the legislates bonified interest rates for investment in equipment and later infrastructures of this category of schools.
Policy origin and design	The policy was inspired in German models of professional education and drawn to be promoted and managed by local operators, that could be municipalities, private companies, associations, foundations or others. The idea was to give autonomy to these schools, so they could adapt and supply for local and temporary needs. The state, using funds from PRODEP would finance the cost of the students and participate in the partial funding of equipment and staff training. The courses would entitle the students to a diploma equivalent to the secondary education, and the door for further studies was to remain open. The manner of teaching was modular and with practical and theoretical components.
Window of opportunity opening	The recommendation from several international organisations (OECD, UNESCO, EEC) and the availability of specific funds for qualification – PRODEP I.
Problems to be solved	Two classes of problems, on the one hand, a very high early school leavers number, about 50% of students. Inadequate training for the labour market needs
Ideology, government, opposition and national mood	The government was favourable to private enterprises. There was no visible opposition in parliament, even from the left-wing parties. Even the Unions took an active part in this process, with some of them having a share on professional schools.
Policy Entrepreneurs	The chief policy entrepreneur was Mr Joaquim Azevedo, who at the time was an

³⁷⁸ Expresso.-.1992-06-13.-.1024

	academic temporarily servicing the ministry of education and who ruled the cabinet for the establishment of Professional Schools. The Commission for Educational Reform was also favourable to this solution. Locally there were entrepreneurs within the private and associative movement as well as in the municipalities. The network of entrepreneurs was vast and enthusiastic.
Establishment	As a result, there was an immediate opening of schools all over the country, 218 schools in 1993 with about 24000 students, representing 36,8% of students in secondary education.
Lessons learned	There was a real need for an alternative to traditional secondary education, and when all the conditions achieve a favourable configuration, there is room for action, though success is a short-term and fragile reality. Despite the success, the opening of new schools and capacity of attracting more students reduced from 1994, still the schools that had opened continue. Identifying the reason for this partial turn back is a challenge, for understanding policy decision.

On the side of the problems, there was a precise definition, but no unchallenging resolution. The problems affected an ample share of students, and transversal to several social strata and different areas of the countries. The policy was challenging as it had not been applied previously, in the country in this model, and previous experiences with professional education were ideologically linked to the dictatorship, with first and second quality education. Nevertheless, it was inspired in an international model seen as well succeeded (Figure 5.21). There was an ideological bias against professional education. It also involved significant investment both from the public and private sources as people were aware of the needs and the importance of a collective role in this process, the benefits of the investment were not fully understood nor quantifiable. This is a sound example of an ambitious policy, where the dimensions got together at the moment of approval to make it succeed.

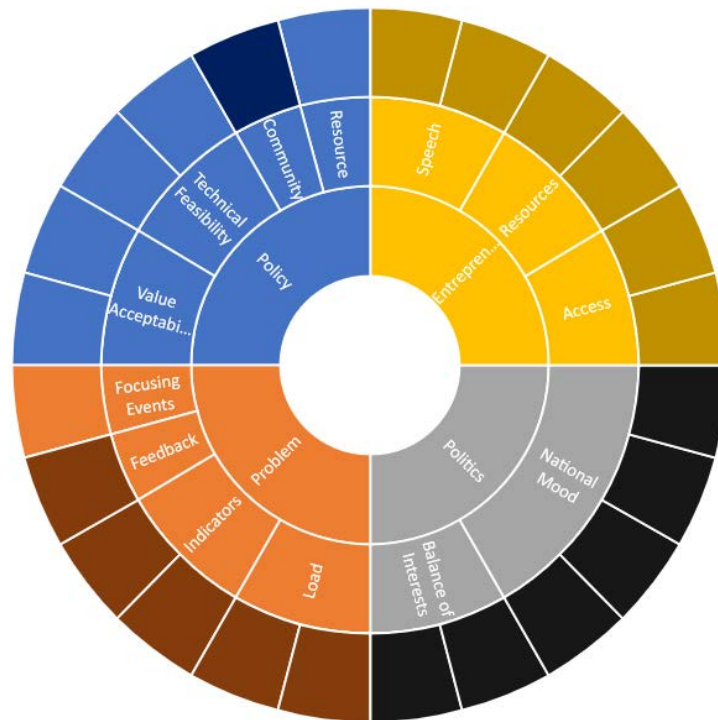


Figure 5.21 Visualization of the dimensions relative strength – Professional School

Source: Author's design

$$0.4 \leq \{((0.5+0.3) *1) +(0.2) \} / (\text{Open Window})$$

0.4 ≤ 1.0 – Inequation True – The possibility of establishment is high

Entrepreneurs were powerful, and within the education policy, this is one of the moments when there was a better-organised force pushing for a particular policy to be approved and implemented, showing that the role of the entrepreneurs is crucial to transforming an unlikely policy in a well-succeeded reality.

Finally, all this took place within a favourable ideological frame, both in the national government as well as in the international moment of European novelty and funds.

In 1993 a new law to establish the creation, legal status, financing and general conditions of professional schools was approved (Decree-law 70/93, de 10 de March). This diploma established that the legal status of this schools was of Public Utility, under private management. These schools had administrative, financial, scientific, pedagogic and functional autonomy. The schools were considered as part of regular education with the mission of approaching schools to companies and job market. The ministry of education approved the schools which project would be entitled to public finance that would be discriminated against in a case per case bases. The school's financing had to be guaranteed by the promoters, EU funds, fees paid by the students, services or sales, interest and any other receipts that can be justified under the regular work of the institution. The students would be granted scholarships to pay for living costs. It also established that students must have finished year 9 and that

access to university would also be guaranteed for students who opted for this path at the secondary level.

This law was very consensual and was the formalisation of the regular practices. No talks or discussions can be found in the media regarding this diploma; perhaps one can conclude that the absence of discussion may mean general agreement towards the law.

The success of this model would not remain long, as “PRODEP I” came to an end, and a financing/cash flow crisis installed, with schools facing closure³⁷⁹. The plan for this schools was that they would be able to keep working after 1999, at the end of the Delors Plan. The year of 1994 is characterised by heavy delays in the transference of funds, and the schools were faced with no cash flow to provide for the delays – this crisis triggered the question: how will the schools survive after 1999?

In October 1994, with a new government and a new minister of education, Manuela Ferreira Leite, and after a school year when the funds did not arrive in time, many promoters, tired of injecting money, face the hypothesis of closure³⁸⁰. The blame is put on the government that does not pay the schools despite having received the money from Brussels. By the end of 1994 professional schools suspend lecturing as a protest to payment delays³⁸¹. The problems with payments are the end of the enthusiasm and mark the thriving for the survival of the ones that were already working. In 1995 the same problem persisted, and it seems to be just because of a too bureaucratic process³⁸².

In 1996, with a new government, this time centre left, the new education minister, Marçal Grilo, declared that there was a need to consolidate the professional schools, and did not exclude the possibility of closing some, after assuming that the state would pay all the debts³⁸³. A study on the problems of professional schools was ordered, and the conclusion was that these schools were entirely dependent on the state subsidies, being that private promoters were not available to invest or participate in expenses³⁸⁴. The report concludes that this variety of education is costly and does not guarantee a job to every student, the numbers point that for every two students only one has a job one year after conclusion. Another problem was the grey status of this schools which were neither public nor private. The report recommends that no new schools were allowed and there ought to be an evaluation on a school by school basis, leading to the eventual closure of some and the attribution of private status to the remaining, with the corresponding revision of financing terms. There was a focus on the legal status of professional schools, which were created as an experience and needed a stronger

³⁷⁹ Visao.-.1994-08-25

³⁸⁰ Expresso.-.1994-10-15

³⁸¹ A Capital.-.1994-11-17

³⁸² Expresso.-.1995-10-07

³⁸³ A Capital.-.1996-01-24

³⁸⁴ Expresso.-.1996-04-20

legal frame³⁸⁵. Another comprehensive line of action was to guarantee how professional schools would be financed after 1999 when the European funds were due to be reduced. In 1997, the ministry stated that the financing of these worthy schools would be made through municipalities specific funds or the state budget, giving a clear sign that these schools were not to be abandoned³⁸⁶. Towards the end of 1997³⁸⁷, the decision was to give the status of private schools to professional schools to avoid double financing, which the previous status of association without profit aims could allow. Another critical point of being private was related to the responsibility of managers in case of bankruptcy, what was not possible in the previous status.

The new diploma established that the schools, despite success, would only be financed in the courses considered critical and not provided by a public institution, the payment would be made by course and not by the student as the state wants to prevent the opening of worthless courses. Simultaneously, the schools had the necessary autonomy to create other courses (private) that could bring different sources of income to finance their structure. The state created a share of the budget to pay for this schools, so there would be no more payment delays, the objective was to solidify the existing schools and not increase the number of students/schools in the short term. The new rules were published in Decree-Law 4/98 on January 8³⁸⁸.

Most professional schools were against the diploma, as the financing would cease being automatic, but subject to the approval on a course by course base, with financing guaranteed only in the short term. In the opinion of the schools, this would naturally increase financial instability³⁸⁹. Another problem was the regular payment to every school, despite the real costs of each course. The argument is that professional education can have very different costs, due to its practical component. Another strand of opposition was related to the detail defined in the diploma towards the management structure of this schools that are private, but the government wants to impose their organisation.

Despite criticism, very few courses were interrupted, and most remained financed by the state, through the budget and municipalities financing. Only very few new courses were approved within the private professional schools, and the number of schools remained constant, at around 200 schools.

From 2008 there is a growth in the number of students who attend these schools, still the number of schools did not change. The growth from 2008 is probably a collateral effect of the expansion of technical and professional teaching that suffered an incentive from 2008 associated with public secondary education.

³⁸⁵ A Capital.-.1997-01-27

³⁸⁶ A Capital.-.1997-03-19.-.9103

³⁸⁷ A Capital.-.1997-10-09.-.9307

³⁸⁸ <https://dre.tretas.org/dre/89297/decreto-lei-4-98-de-8-de-janeiro>

³⁸⁹.Jornal de Letras.-.1998-03-25

Numbers from 2011 point to slight growth in the number of schools, 43 new schools opened in 2012, and the number of students grew to about 45.000 students registered in private professional schools (Figure 5.22).

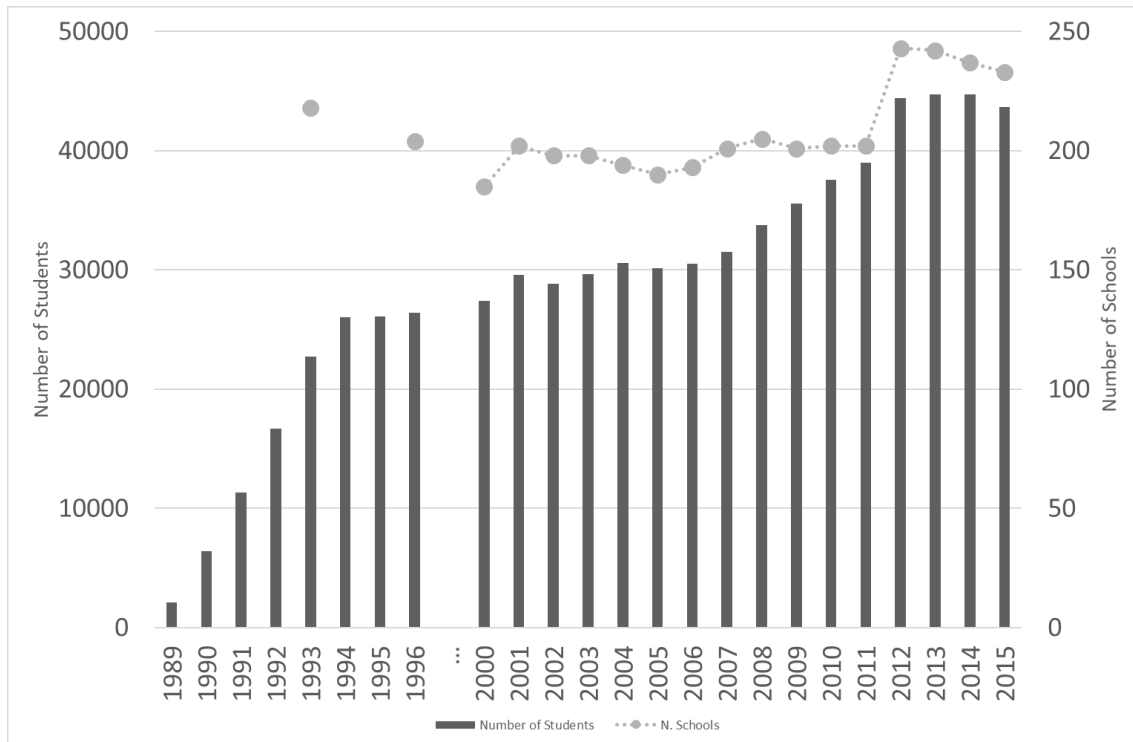


Figure 5.22 Number of schools and students registered in private professional education

Source: A Capital.-1997-10-09.-.9307 (until 1996); <http://www.dgeec.mec.pt/np4/248/>

The law suffered updates in 2006 (Decree-law 54/2006, de 15 de March) which did not introduce any change to the right of public service and public financing. This diploma was related with qualifications of teachers and staff; again in 2012 (Decree-law 150/2012, de 12 de July) which was also not concerned with the subject of this research, just enlarged the promoters to EU partners, which affected the number of new promoters. In 2014 the law suffered a new update (decree law 92/2014, de 20 June) that did not introduce any visible change in what had been previously expressed about the role of private professional schools and the entitlement to ePPP mode of working. The schools would still be able to apply for financing from the state, based on the course and through the establishment of a contract celebrated on a school by school criteria. The most visible change was the creation of a new course for students who did not finish low secondary and pursue two-year vocational training. The discussion surrounded the level of certification of this new qualification and whether it would attach a second-class degree to professional schools. The reality is that very few of these students registered in private schools, which received about 300 students who were still trying to finish year 9.

5.7 PRIVATE TEACHERS FOR AFTER SCHOOL CLASSES

One of the main characteristics of a public school is the way teachers are placed. In Portugal, this has been one of the few characteristics which separate PPPs (Association Contracts) from public schools. Of course, there is also the question of initial investment and management. Unions and teachers, in general, have never accepted a direct contract of teachers by the schools, as the national ranking of teachers and the placement through a public contest is seen as an instrument of fairness, impeding corruption and privilege. Therefore, the opening to direct contracting in partnership with companies, or in some instances by direct agreement with the teacher, represents a central move towards the acceptance of ePPPs.

In a country that has fought hard to avoid the entrance of private operators in education as ePPPs, one interesting aspect is the manner how private providers came in as teachers. Once again to make a policy feasible, as the public sector is slow to adapt. Teachers were hired, without a public contract, to supply after school classes in primary schools in English. Sports, Computers, Music, Arts and other occasional subjects. This style of after-school activities was mainly managed by municipalities, parents' associations or directly by the school under autonomy status.

In 2005, during the socialist government, one of the main options for education was to restructure primary schools, which had remained unchanged since Veiga Simão Reform, back in the 1960s, as a result primary education is marked by profound asymmetries at the socioeconomic level and also at regional level (M. L. Rodrigues, 2010). There were 1800 schools with less than 10 students; classes were only from 8:00 am to 1:00 pm what was inadequate for working mothers; there were no canteens in many schools and the opportunity for children to engage in extra enriching activity was limited to schools where parents could get organised and pay for extra time.

There was in the society a discussion about primary education, with parents (CONFAP) and teachers' unions (FENPROF and FNFSP) getting together to produce a document where they proposed the reorganisation of primary education, in 2004.

This was not a new idea; it had been tried before in several moments. In 1989 decree law n° 286/89 had already made legal the introduction of a second language at primary level, and later in 1996,³⁹⁰ there was the will of making it operational, but without success for lack of measure feasibility. In 2001, through decree-law 6/2001 primary education was to consider the supply of extra-school activities, in a facultative mode. The extra-school activities were already a reality in some schools, taught by teachers from low secondary who would fill their timetables with some extra hours to younger children (Flores, 2017a). In February 2005 an international report had also been published, showing that Portugal was one of the European Countries where a second language was introduced at a later stage (Eurydice, 2005).

³⁹⁰ despacho n° 60 /SEEI/ 1996

The idea of full-time school³⁹¹, as the policy became known, was a promise at the electoral socialist programme, where equality of opportunities centred on primary education was stated and presented during the campaign. The socialists won the election in 2005 with an absolute majority and the minister of Education, Maria de Lurdes Rodrigues, was determined to change primary education and the government is quick on getting it moving. In the law proposal N. 30/X³⁹², where the government options were taken to the National Assembly, it was clear that English at primary education was to become universal (p.37) with a clear objective of 100% establishment for third and fourth year students by 2009. In the year 2005/06, the objective was to offer English in 2000 schools³⁹³ involving 50.000 students immediately, representing 25% of the schools.

To adapt the hours of primary schools to family needs was also in the plan, and it was supposed to be operative in every school by 2009 (p.40). About 450.000 students were to be affected by these measures

The government stepped up into office in March 2005, in May the minister said the measure was to be implemented in the coming school year and in June two ministerial dispatches³⁹⁴ are published.

The reactions to the English enlargement were globally positive with parents and unions⁵. The unions were particularly pleased as the measure would enlarge the creation of jobs for teachers, as initially it was planned that English and other after-school activities would be taught by teachers from the 2nd cycle, public servants³⁹⁵. The Unions were not favourable to the introduction of English as an extra-school optional activity and claimed for its integration as regular curricular activity taught by regular teachers, who are placed following the public teacher's contest³⁹⁶.

The English Teachers Association (APPI) was very favourable to this measure, though concerned with the training of teachers for this specific age group, they called for the urgent definition of primary school English teacher profile³⁹⁷. The minister defined that only people with specific training in English for primary school or an international certificate by Cambridge (ALTE) would be

³⁹¹ Escola a Tempo Inteiro

³⁹²

<http://app.parlamento.pt/webutils/docs/doc.pdf?path=6148523063446f764c3246795a5868774d546f334e7a67774c336470626d6c7561574e7059585270646d467a4c316776644756346447397a4c33427762444d774c5667755a47396a&fich=ppl30-X.doc&Inline=true>

³⁹³ <https://www.publico.pt/2005/03/30/portugal/noticia/confederacao-de-pais-considera-essencial-alargar-ingles-no-1%C2%BA-ciclo-a-todas-as-escol...>

³⁹⁴ Dispatch n. 14 757/05 (English teaching) and 16 795/05 (enlarged schedule)

³⁹⁵ <https://www.publico.pt/2005/03/28/portugal/noticia/duas-mil-escolas-do-1%C2%BA-ciclo-com-ingles-no-proximo-ano-lectivo-1219269>

³⁹⁶ <https://www.publico.pt/2005/08/04/jornal/sindicato-quer-que-ingles-para-alunos-mais-novos-seja-integrado-nas-componentes-curriculares-33401>

³⁹⁷ <https://www.publico.pt/2005/04/22/portugal/noticia/professores-de-ingles-pedem-definicao-do-perfil-do-docente-que-ira-leccionar-no-1%C2%BA-ci...>

entitled to the job. APPI was also invited to publish broad teaching lines and recommendations on the early learning objectives⁹.

In July, as the idea of teachers from the 2nd cycle teaching the 1st cycle in a non-compulsory extra school activity became hard to implement immediately, the decision was thrown to the municipalities, parents' association and language private schools that were invited to present projects, and for that the government made 100 Euros per student available to pay for extra school activities.

There were no clear advocates of the establishment through private hiring; it seems to be an idea that emerges, without discussion, as a quick solution for implementation. The minister launches a challenge with one month of answering period, and it is well received by local communities, who are supporting the idea of extra-school teaching and not so much the way it is going to be done. No entrepreneurs are supporting this form of implementation, except for APPI.

The answer surpassed all expectations, and in September 2005³⁹⁸ there were more than 93% of schools with projects approved for extra-school activities, namely English classes. 7000 schools were to offer English classes to 183.000 students. The government had made a reserve of 20 million Euros for this programme. Therefore money was not a limitation for quick expansion.

For such a quick answer there was the need to mobilise local private providers, creating space for the best informed to benefit from the way this process had been launched. In Lisbon, a consultant of the council managed to win the contract for 25% of the schools³⁹⁹

If on one side teaching English at primary schools was a very popular measure, and the local structures were ready to answer to the challenge the ePPP mode of placing teachers, was not consensual. By October 2015, when the private teachers started arriving at schools, the Association of fully graduated English Teachers (ASPL) considered unacceptable that teachers from private schools were being assigned this work when there were thousands of fully graduated teachers unemployed⁴⁰⁰. On top of this, foreign teachers who did not even speak Portuguese were allowed to teach at primary level. At the same time, FENPROF turns efforts to inspection and ask for clarification on illegalities in the choice of teachers. FNE talks about a teacher's strike to protest labour insecurity and the new mode of teacher selection.

As time went by and the opposition started to realise the mode of private penetration in the system, speeches against the organisation of extra activities started to emerge on the left parties – PCP and BE – centred on lowering the quality, paying miserable salaries to teachers who have no working

³⁹⁸ <https://www.publico.pt/2005/09/08/jornal/quase-90-por-cento-dos-alunos-do-1%C2%BA-ciclo-vaio-ter-aulas-de-ingles-37897>

³⁹⁹ <https://www.publico.pt/2005/09/23/portugal/noticia/assessora-camararia-fica-com-um-quarto-das-aulas-de-ingles-das-escolas-de-lisboa-1233611>

⁴⁰⁰ <https://www.publico.pt/2005/10/15/jornal/estrangeiros-podem-dar-ingles-no-1%C2%BA-ciclo-44011>

contracts. The government kept the line of argument that extra-school is not school, and getting local teachers is a way of profiting from local dynamics⁴⁰¹.

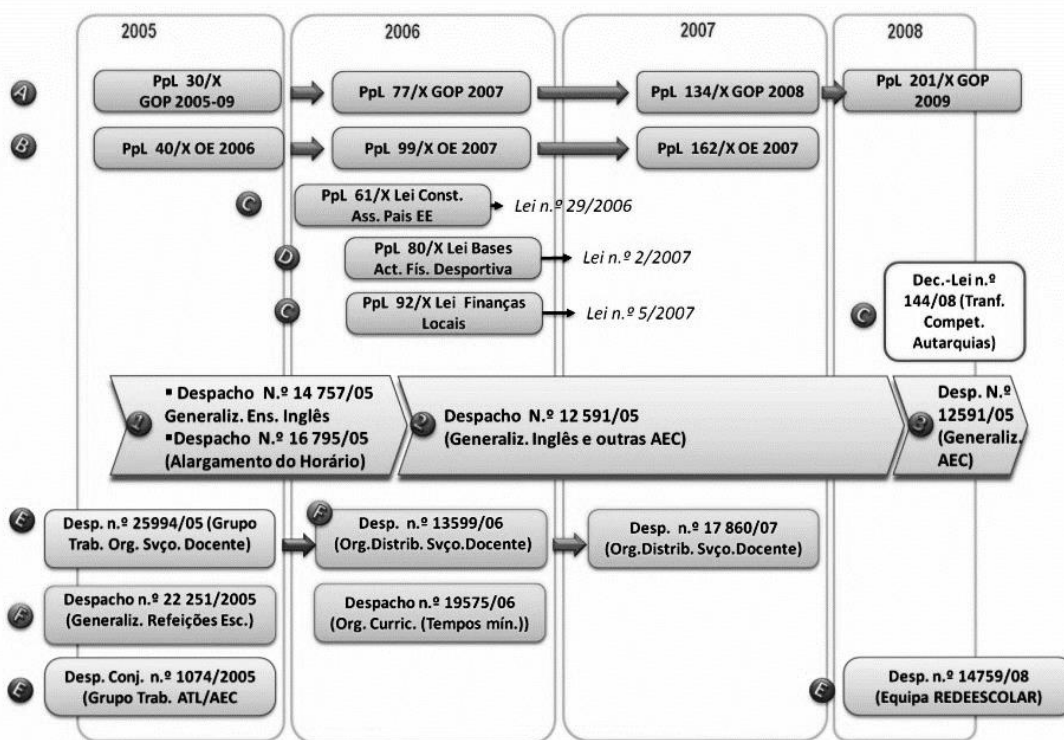


Figure 5.23 Legislative activity surrounding teaching of extra- school activities

Source: Pires (2012)

There was a bustling legislative activity surrounding the full-time primary school (Figure 5.23) and the teaching of extra-school activities. There are no laws that needed approval at the national assembly, nor presidential approval. All the rules emerged through ministerial dispatches, which are faster to implement and avoid public discussion and the emergence of oppositions. That is one of the reasons to justify why opposition towards teacher hiring emerged only after the programme was running.

As the government changed, full-time education at the primary level was preserved, because it was a measure of transversal popularity, very much irreversible. Nevertheless, the extension of teaching English was altered to compulsory for the 3rd and 4th year, and the teacher's hiring became standard, i.e. teachers are placed through the regular public system⁴⁰². Curiously there is still a very big share of ePPPs that have survived the change in the law.

⁴⁰¹ <https://www.publico.pt/2006/06/07/portugal/noticia/fenprof-critica-privatizacao-do-ensino-no-primeiro-ciclo-1260183>

⁴⁰² <https://www.publico.pt/2014/09/02/sociedade/noticia/mec-prepara-lancamento-da-disciplina-de-ingles-no-1-ciclo-para-2015-1668446>

Despite the weak entrepreneurs favouring the acceptance of private providers as teachers, the national mood towards the quick implementation of the policy made it possible to implement in the short term (Figure 5.24). The fact that the policy was apparently designed regarding costs and the availability of money, even if it was somewhat costly, made it possible. It was also essential to consider that this was not a new policy and that previous governments had made legislation, its success relied on modes of implementation. Finally, the problem that this policy tried to solve was to adapt school hours to family needs which were solvable by providing extra activities, as far as it would not imply more working hour of regular teachers.

Table 5-7 Most relevant information on Private Teachers for After School Classes

Policy identification	Dispatch n. 14 757/ 2005 and subsequent (see figure 1) published in May 2005 and determining that English classes and other after-school classes would be available for primary school children and that this classes could be taught by teachers contracted directly through the approval of a project. The initial expectation was to offer these activities in 25% of the schools.
Policy origin and design	The idea is anchored previous legislation, several academic studies and a publication by Eurydice that states Portugal as a late starter of a second language. The model for allowing teaching to be done by external teachers derived from a need of quick response to guarantee fast implementation
Window of opportunity opening	Electoral promise and no need to legislate so this could be fast with no time for opposing arguments
Problems to be solved	Keep children in school for a more extended period and make public school more adequate, contributing to an improvement of learning
Ideology, government and opposition	The government was centre left theoretically not very prone to private initiative. The Minister of education was one of the defendants of public school and sees this move not as privatisation of education but as a manner of integrating local dynamics and making public school a better, more modern choice for parents.
Policy Entrepreneurs	Policy entrepreneurs, in defending the possibility of private institutions to teach inside public schools was APPI, private schools, municipalities and parent association who saw a strand for profit and quick implementation.
Establishment	Immediate establishment was a success, with an enormous answer from private companies, parent associations and municipalities. 95% of schools were offering after-school activities in school year 2005/06, surpassing the 25% set by the minister. Opposition to this manner of recruiting came later by left-wing opposition, unions, and teachers' associations.
Lessons learned	ePPP manner of solving supply shortage managed to be implemented in the short term but reversed when the government changed.

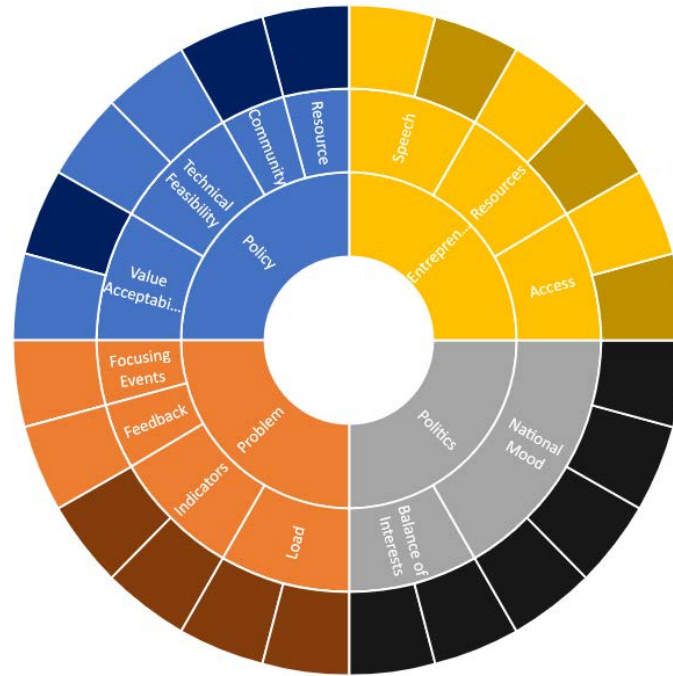


Figure 5.24 Visualization of the dimensions relative strength – Private Teachers

Source: Author's design

$$0.6 \leq \{((0.4+0.4) * 1) + (0.2)\} \text{ (Open Window)}$$

0.6 ≤ 1 – Inequation true – the possibility of policy establishment is favourable

As the private provider strategy presented itself as a resource for quick implementation, it was later contested by oppositions.

5.8 CONCLUSION ON PORTUGAL

Strand one - association contracts, support to parents and sponsorship contracts – was the principal legislative target during the period considered. There were five moments when this policy came into agenda and discussion, and only once during a socialist government with the objective of restricting a policy that had never grown much (see chapter 5.5).

The legislation period started with a centre-right government, and every move which intended to enlarge the scope of this ePPPs was taken under PSD or right-wing coalition governments; still, they were not enough to make ePPPs a reality.

There was only a moment of success, the first one in 1980 when the real problem to solve was confined to a small number of people and not directly related to solving any education problem, but solely to avoid bankruptcy of a small number of private schools.

This policy was legislated in a moment when attention was not focused on this problem, and the policy did not require serious investment nor significant changes in what was already implemented. The national mood was not unfavourable as people, including teachers, unions and

parents were mostly indifferent to this move. The politics stream was supportive of this solution. The configuration was undoubtedly achieved by the absence of opposition, the presence of few weak entrepreneurs who were interested in saving their businesses and the fact that the policy was not very ambitious or wanting to cut with the past.

The other two policies, which were both well succeeded had more merit in the conception, especially the professional schools that managed to resist political change and economic crisis and resist as ePPPs, even in a scenario that professional education was massively expanded into public school. Public entrepreneurs were quite influential for the first time in this class of policy, headed by just one person, Joaquim Azevedo, who has managed to support this cause since the beginning, not allowing space for inversions. The presence of an active entrepreneur proved essential for this policy implementation. The establishment of these ePPPs was considered a problematic policy even if targeted at a very well-defined problem with a reasonably broad scope. The political scenario was favourable and the way the policy was designed, presented and framed contributed for a very favourable national mood, where actors from different ideological spectrum were willing to collaborate. Naturally, the window of opportunity was also wide open as EU made money available for education and essentially professional courses. At the moment of approval, dimensions had achieved a favourable configuration, showing that even arduous policies are possible if the other dimensions compensate.

Finally, ePPPs for the hiring of teachers is a policy that was very well received by parents and schools, while not so well by oppositions. The way it was designed was fast and directed at a particular problem affecting 80% of primary school children. The hiring of teachers privately, through the establishment of ePPPs, was the manner for immediate implementation, going around the natural resistance of teachers in the public system. Theoretically, ideology in power should not be very welcoming of the creation of ePPPs, as it was a socialist government and the minister was a strong supporter of the public school. For the first time in Portugal, the argument for the creation of ePPPs was not based on supply, nor on free choice, but on using the local community's skills and knowledge. Using ePPPs to strengthen public education, very much in line with the English arguments during Blair's time.

There were not many entrepreneurs, but they were not absent especially the association of English teachers (APPI) who saw an opportunity for the creation of jobs and for gaining power in designing and determining teacher profile. While this policy was well succeeded at the beginning and for a few years, the ePPPs was due to be destroyed as opposition realised what was going on. Curiously it was a right-wing government that created the legal frame to return the teaching of extra school activities into the hands of regular teachers, hired by the government, yet this attempt failed.

Analysing each dimension, it becomes clear that favourable politics were a necessary condition for policy success, as when oppositions become defeating, and there are active movements against within the institutional setting, the odds are against success. On the other hand, only within a

very favourable national mood it was possible to achieve success, leading to the conclusion that a special attention is due to national mood, as no policy facing even if a slight contestation had any chance of being implemented, especially when there is no tradition of strong entrepreneurs (Table 5-8). Finally, the idea that challenging solutions have no chances of implementation does not prove to be true. Under the correct conditions, even the most demanding designs (as was the case in professional schools) have a chance of implementation. In the same logic reasonably straightforward policies, which are just a continuation of previous measures are due to fail if the remaining conditions are not right, as was the case of the revision of private school status (2010).

The education problems targeted were moderately defined and seemed to have no determinant power. Finally, the strength of an entrepreneur is essential, not only for immediate success but also to avoid reversibility of policies.

Table 5-8 Indexes per stream per policy, Portugal 1980-2015

	Entrepreneur	Problem	Policy	Politics	National mood	Status
Private Schools Status - 1980	0.8	0.3	0.4	0.2	1	Success
Private schools integrated in public education	0.8	0.3	0.2	0.2	1	Fail
Education Free for all	1	0.4	0.3	0.1	0.4	Fail
New Private Status	0.8	0.4	0.3	0.1	0.4	Fail
Professional schools	0.4	0.5	0.3	0.2	1	Success
Private Teachers	0.6	0.4	0.4	0.2	1	Success

There is apparently a lack of efficiency in legislating policies when they are not ready to be implemented; politicians have the responsibility to be aware of the dimension's configuration as a fundamental key for success. In the absence of entrepreneurs, who are willing to learn with mistakes and improve policy design for the next round, there is no point in even trying.

All the policies that failed were approved with very weak or absent entrepreneurs within a hostile national mood (Figure 5.25). There is only one policy that failed (Private Schools integrated into Public Education) in the context of a favourable national mood. There is a trend for a more favourable national mood in the presence of stronger entrepreneurs, as this is a mingled relationship.

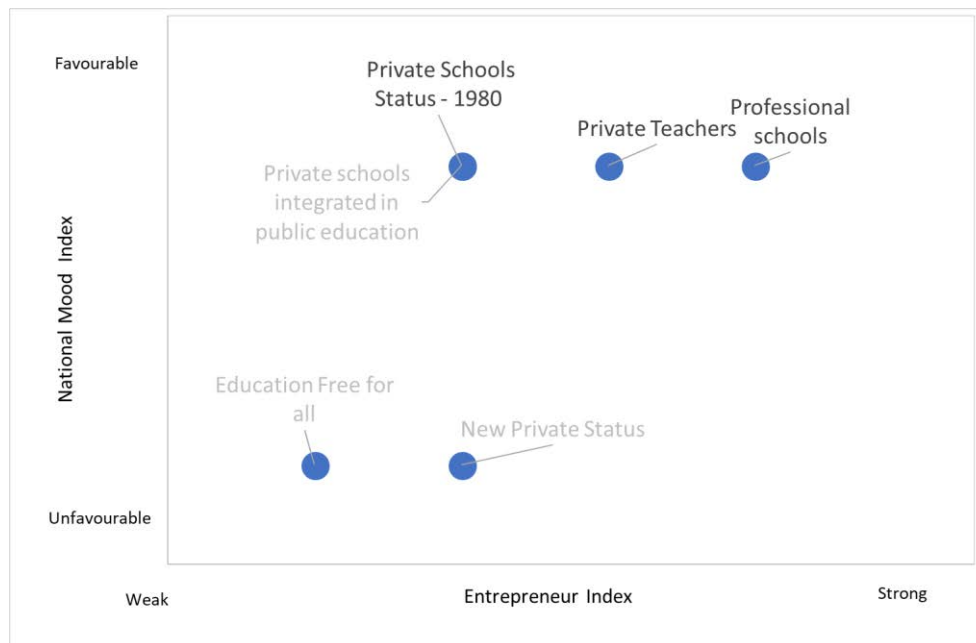


Figure 5.25 Mapping Entrepreneurs and National Mood. Portugal (name in grey policies that failed)

Source: Author's design

One last conclusion is linked to the argument in favour of ePPPs that is very much stuck on acceptability only if these partnerships are to overcome lack of supply from the state. This is the case of Association contracts – geographical lack of schools; Sponsorship and Professional schools – lack of competence to engage in these offers. The only exception to this speech was in relation to hiring teachers that the argument was to get the best from the local providers to create a stronger public school. Arguments such as choice, management efficiency or even quality from private providers have never been able to trace their path in the Portuguese political scenario.

6 COMPARISON, DISCUSSION AND CONCLUSION

“Don't raise your voice, improve your argument.”

Desmond Tutu

6.1 SYNOPSIS

Policy Strands	Different paths between countries, even if with some coincidence in the strands. The main difference is on the concept that in England public schools were to be given for private management, while still paid by the state, while in Portugal private schools and public schools become separate, and the ePPPs are a resource to overcome supply problems.
The variables in the model	The window of opportunity seems to open in the political context, following a change in the government and the emergency to change education. Policy feasibility and community are the most critical characteristics of policy design. Solving problems and proving that policies can improve education is not necessary; still, problems are central for the policies to gain credibility. The national mood has a crucial role, and especially at the implementation level, a negative mood can boycott any policy. In England, negative moods seem to have a stronger impact. The presence of entrepreneurs is also relevant, especially when they manage to intervene at the discourse level. The concept of right configuration was achieved in every policy but one. Policies that failed were not ripe enough at legislation moment.
Hypothesis Conclusion	The need for a <i>favourable configuration</i> among the four dimensions considered was confirmed. When <i>Political parties</i> align in similar ideas, the possibility of policy establishment is higher. This seems to be necessary though not sufficient condition. <i>Feasible policies</i> – policies that are not new and represent a small change in what exists have a higher possibility of implementation. <i>Problems</i> are not the fulcra point, they are essential for policy credibility, but evidence of the solution is irrelevant, even when the policy is re-approached in a second attempt. <i>Policy Entrepreneurs</i> have a rule – when a policy is supported by medium to strong entrepreneurs it has a higher possibility of success, and policies that fail will re-emerge in the presence of people who press for their pet solutions. <i>Legislation inefficiency</i> can be predicted and mitigated – the model, following a qualitative revision of all the variables, proved to be a worth predictor of ePPPs establishment possibility.

6.2 THE ADOPTED LAWS: SIMILARITIES AND DIVERGENCE

As exposed in the empirical chapters there are three different strands of ePPPs:

- (i) The state pays private providers to take students;
- (ii) Partnerships for the supplying of professional or artistic education;
- (iii) Partnerships for management or teaching. In both countries, there was legislation adoption on the three different paths which have undergone several legislative moments.

In this first conclusion, the similarities and differences between the legislative efforts are analysed. Some similarities were found on the first two strands, while on the latter there is no similarity between legislation intention.

6.2.1 Strand 1 – the state pays private providers to take students

Strand one is when private providers are called into action to take students paid by the state, this sort of agreement implies placing students at schools that are operated by private providers. The state “buys” some places, individual or classes, eventually the whole school.

As can be seen in Table 6-1 there were three essential moments in each country. In England the policies were:

- (i) Assisted Scheme Places where the state would participate in the payment of private schools to merit students from disadvantaged backgrounds;
- (ii) Grant Maintained Schools which were schools created in partnerships with private initiative and paid by the state; and
- (iii) Free Schools which are schools with a distinctive approach to education created in partnership.

In Portugal, there was no such diversity, in the 1980s there was the adoption of:

- (i) Direct Support to Parents, which was a scheme to partially support students from disadvantaged backgrounds who wanted to attend private education and
- (ii) Association Contracts where full classes would be acquired from private providers. In Portugal, there was intermediate legislation, mainly amendments to previous directions, which attempted at enlarging the scope of both previous policies, but with minor consequences. The. In 2013 there was the adoption of legislation that envisaged the enlargement of Association Contracts to every student – New Private School Status.

Table 6-1 Most relevant legislation moves on State paying private schools to take students

Date	ENGLAND	Date	PORTUGAL
1980	Assisted Scheme Places	1980	Direct Support for Parents (Private Status)
1988	Grant Maintained Schools	1980	Association Contracts (Private Status)
2010	Free Schools	2013	New Private School Status

6.2.1.1 Assisted Scheme Places (England) vs Direct Support to Parents (Portugal)

In ASP independent (private) schools would need to sign an agreement with the minister of education, and schools were to spread around the country. The concern with geographical equality is stronger in the English legislation. The number of places available was also in the scope of the agreement. The English schools assisted places were explicitly targeted at selected students, who had merit grades and belonged to a deprived social class. The subsidy could cover the full fee depending on parent’s income.

In Portugal there is no relation to merit, merely to low income parents, as the subsidy would only be partial and according to family tax report. Schools would also need to establish an agreement with the state and publicise the subsidy.

The laws are quite similar (Table 6-2), the most significant difference was the hypothesis of total pay in England, while in Portugal it would always be partial, about 1/3 of the school fee for the most deprived children. The Portuguese law had only to do with choice, while the English law was also concerned with selection and the belief that private education would make the most of intelligent students from deprived families.

Table 6-2 Fundamental comparisons between ASP(England) and DSP (Portugal)

Assisted Scheme Places (ASP)	Direct Support for Parents (DSP)
<p>(a) participating schools remit fees that would otherwise be chargeable in respect of pupils selected for assisted places under the scheme; and</p> <p>(b) the Secretary of State reimburses the schools for the fees that are remitted.</p>	<p>(a) These contracts have the objective of allowing special conditions of access to private schools;</p> <p>(b) Each contract will stipulate the available subsidy amount per student and the fee reduction that schools have to obey;</p> <p>(c) Schools that have this sort of agreement have to publicise it and establish the fees in line with what was agreed with the state.</p>

6.2.1.2 Grant Maintained Schools vs Association Contracts

GMS legislation is very long and detailed as it involved the passage of schools from public to private hands. The idea was to turn public schools into private initiative (involving the transfer of property and staff) and then pay for its operation. The attendance of pupils would be entirely free. The main difference is that in Portugal the idea was to use available space in private schools that were already there, in England the idea was to transform public-managed schools into private control. The philosophy behind these policies was inherently different (Table 6-3), whereas the way of working was somewhat similar- with the state covering 100% of student’s fees, and with the schools acting as public provision of education. It is clear that in England the move intended to represent a giant leap, while in Portugal it was just a small complementary fraction of public education. Behind the English

policy was the ideology that private managers are more efficient and had the intention to empty Local Education Areas. In Portugal, the hidden objective was to save some private schools from bankruptcy, as these schools had smaller demand following the 1974 change of political system.

Table 6-3 Fundamental comparisons between GMS(England) and AC (Portugal)

Grant Maintained Schools (GMS)	Association Contracts (AC)
Any school, with more than 300 pupils, can apply to become grant-maintained as far as it is governed by an independent body with parents, foundation members, teachers.	(a) Annual contracts will be celebrated with private schools placed in areas with a lack of public provision;
Schools needed to change status following a ballot of parents	(b) the objective is to allow students to attend school in the same conditions as in public education, i.e. free of any charge;
Transfer of property and staff to the new board	(c) Free places can be granted only to part of the school capacity;
The state would pay annual grants to the governing body by 100% of pupil cost.	(d) The state pays a subsidy to the schools that equals the student cost at a public school; the amount was annually decided;
The status applies to the whole school	(e) Schools with this agreement must publicise it;
The schools cannot select students apart from the general set priority rules;	(f) Schools are not entitled to choose their students and had to follow the public-school rules

6.2.1.3 Free Schools vs New Status

Free Schools in England were an extension of the education partnership movement and were not legislated on their. It was just the denomination given to schools that emerged from private initiative, to open new schools, priority given to areas where school provision was under strain or in problematic neighbourhoods. The objective was the opening of education to individuals in the same condition as public or academy schools. The state would pay for it all, assuming the education investment globally, including infrastructure (Table 6-4).

The Portuguese law despite being very similar in conferring the freedom to teach and learn, as a manner of welcoming new private initiative is not as generous and does not provide any financial packet to support the idea. The amount of money is limited by availability, and there are no guarantees given to private investors that the state would take places based on demand. It is more of an ideological manifesto than a law for creating new ePPPs. In any case, the initial investment in private schools would not be supported by public funds; the government was only intending to pay for attendance.

Table 6-4 Fundamental comparisons between FS (England) and NPSS (Portugal)

Free schools (FS)	New private school status (NPSS)
It is not regulated in the law, just implicit	The state recognises teaching and learning freedom
A school that is created from scratch is a free school, granting that the state pays for it regarding initial cost and student attendance	The state should provide to support families in their education choices
It is privately managed and has curricular and management autonomy, following plans approval	The state had the responsibility to guarantee access to private education in the same condition as public education
Aims at diversifying education paths and providing targeted education for all	The same category of contracts was to be held but without restrictions, but parent choice, the lack of demand clauses were erased from the law

6.2.2 Strand 2 – The state creates ePPPs for technical/professional paths

Professional education is an area of potential partnerships between public and private providers as the nature of this path of learning is more connected with labour markets. The employers are called to clarify needs, and even to teach their modus of working. The practical component of professional courses calls for a close link with industry. Therefore the opportunity for investment in partnership emerges, sometimes even within the companies as they welcome employees that are ready to work and provide a return.

As shown in Table 6-5 the professional schools ‘concept was legislated and transformed in England more often than in Portugal. During the eighties, the law design revealed more convoluted for implementation than in Portugal, therefore the need to return as a feedback mechanism to re-legislate and re-engage on establishment process, as described in the chapter on England.

Table 6-5 Most relevant legislation moves on professional ePPPs

Date	ENGLAND	Date	PORTUGAL
1987	City Technology Colleges	1989	Professional Schools
1993	Technology Colleges		
2000	Specialist Schools		

Technology Colleges (England) and Professional Schools (Portugal) had many common aspects such as the fact of being established in partnership, under private management and autonomy towards curriculum and management (Table 6-6). In Portugal, they were dependent on EU subsidies, while in England the state was willing to co-invest. The English case sets a clear minimum period for agreement, while in Portugal investment is riskier in the sense that there are no guarantees of long-term cooperation, agreement tends to be annual. In England, this model was restricted to urban areas, while in Portugal dissipation towards the country was welcome. The initial fund's provision was not

very clear in the Portuguese legislation, while in England the proportion was 20% on the private investor.

Table 6-6 Fundamental comparisons between CTC and SS (England) and PS (Portugal)

City Technology Colleges (CTC)	Professional School (PS)
Legislated in the Education Reform Act 1988. The government would establish partnerships with any person willing to create an independent school with a particular focus on technology or arts. These schools had to be situated in urban areas Provide education for different ability students between 11-19 Payments would be made to this schools to cover fees and by agreement part of the initial investment at a 20:80 minimum proportion Agreement established for a minimum of seven years Management by the promoter, with curricular and management autonomy	Legislated in Decree-law 26/89 – 21 January Schools would be established within private law framework in partnerships Professional schools are autonomous in pedagogy, and management Partnerships with private institutions were to be established The schools could be free to the students who have completed year 9 Financing was to be achieved from multi sources: promoters; EU; and state budget
Specialist Schools (SS)	
Education Regulations 2000 No need to create new schools; conversion of specified public schools in specialist Private management and just a small financial investment from promoters (£50.000) Free for the students to attend	

The remaining policies in England are adjustments that insert feedback mechanisms to make the model implementable as developed in Chapter 4.6. In Portugal, the Professional Schools thrived in the first moment, and they were not under the legislator’s pen again, at least in the public-private partnership model. The second moment of professional education expansion happened within the public secondary education, and private providers were not implicated in these courses.

6.2.3 Strand 3 – Consigning management or teaching

In this strand, there are hardly any similarities. In Portugal, the idea of consigning schools to private providers has always been away from agendas, despite the global trends of policy contamination that

became more common since the 90s (Barroso, 2003), and as a consequence of the OECD effect (Verger & Vanderkaaij, 2015). Policy contamination results from the adoption of similar policies in different social-economic and historical context, in a uniformisation move. While there are some references to school choice, and to the crescent role of private education within the national education scenario, there is no reference to consignment strategies in any political programme, which can be considered as the departing point of government agendas. In Portugal, no serious discussion has ever been developed on the schools and the community, with the establishment of policies that could bring the community to rule the schools, teacher’s professionalism and citizen participation for the building of a “common good” (J Barroso, 2003). The ideological discussion is still the ground for school administration: either the state or the “private”. Left-wing tends to repudiate the private, and right wing does not have enough social support to argue for the “virtues” of private. Private is always linked to economic groups managing for profit and consequently disinvesting in quality.

The only close consigning move was related to private companies that created ePPPs for the teaching of extra school content, such as foreign languages, arts or sports.

On the opposite spectrum, the handing in of management and teacher hiring to private providers was the winning solution in England on the path to establishing ePPPs. Getting schools out of the direct state control, and giving them to local private providers, especially with a connection to big companies or at least donators.

It is in this strand that parallels are virtually impossible (Table 6-7).

Table 6-7 -Most relevant legislation moves on consignment of management or teaching

Date	ENGLAND	Date	PORTUGAL
2000	City Academies		
2009	Academies		
2010	Converter Academy Schools		
2000	Management Contract Out	2005	Private teachers in extra school activities

Both Academies and later Converter Academies had to do with the handing out of school management and responsibility to the hands of private. In Portugal, no such move has ever been seriously referred to in political speeches. A state school belongs to the state, has very little autonomy and obeys to the rules of teacher placing and follows the national curriculum. The idea that schools could be handed into private providers does not even seem plausible, so far, in Portugal.

In this strand, the comparison is just coincidence as the underlying policies are different in its essence. In Portugal, when the idea of a full-time school was placed in the agenda and the state would be too slow to answer there was the only move towards privatisation of some elements of the public school. Once again as a quick fix to supply vulnerability. Private providers appear, once again, as happened in association contracts, as supplementary to the state, and not as the choice or quality

option. For the first time, some arguments were supporting the idea that local resources would be welcome to improve the quality of public education

6.3 ESTABLISHMENT PROCESS – COUNTRY COMPARISON

In both countries, there was a political will of parties in power to recognise private education as an essential player in education and to allow students and their families to search for and choose the best education possible.

While in England ePPP became transversal to the education paths considered, in Portugal only in professional education a consensus was reached.

In England policy entrepreneurs were increasingly active, starting with a single man trying to push his ideas, Sir Cyril Taylor, but growing into think tanks, private companies and later philanthropies. Change of argumentation and adaptation of problems and policy design were possible due to a regiment of people working and believing on a solution. In Portugal, the only policy which has a proper entrepreneur was the Professional Schools, where Joaquim Azevedo has been the leading defender and able to develop this path of education, both as a promoter of ePPP and later as a promoter inside state schools⁴⁰³.

One of the reasons that may justify the emergence of policy entrepreneurs in England, compared to a relative absence in Portugal, is the fact that lobbying is a legal activity in England, with a significant growth since the 1990s (Parvin, 2007), which coincides with the emergence of think tanks and other pressure groups (see Figure 4.8). As lobby became more professional and organised the influence over policymakers increases: “lobbying organisations across different sectors are occupying an increasingly central role not only in the development of policy, but also in its delivery” (Parvin, 2007, p. 4). The legal environment that favours this activity has influenced the capacity of entrepreneurs to design policy, understand the weak and strong aspects, re-design the policy and attempt for a second or third trial. The adoption and establishment of ePPPs have not been immune to this trend.

On the other hand, in Portugal lobbying is not regulated, originating situations where it is fostered by unclear direct influence. Companies, lawyers, individuals or associations exercise their pressure benefiting from internal communication networks, which are not transparent. Indeed, it may constitute a crime punishable by “influence peddling” legislation. Corrado (2014) has identified some sectors that have been under greater pressure; nevertheless, education has not been identified as a focal target for pressure groups, who are chiefly active during the legislation process and do not ‘keep guard’ during implementation. The unclear situation towards the legality of this sort of activity is per

⁴⁰³ From 2006 there is a second phase of professional education this time centred on secondary schools, publicly ed (Azevedo, 2004)

se an obstacle for the development of policy entrepreneurs. The analysis developed for the Portuguese process displayed weak, or even dubious, policy entrepreneurs.

Other differences emerge from the analysis of the dataset created from the answers to the fundamental questions that test the model. As policies that were approved within an environment of an open window of opportunity are under research, it becomes clear that in both countries the window opened in the political stream, typically following an election or the recent arrival of a secretary of education. The same for the speed of approval, in every instance the period of approval was fast, not allowing the opening cause to fade away. Finally, only in Portugal, there was a sudden close that automatically threw a policy to the non-implementation state, as the president vetoed it, following the resignation of the Prime Minister, Durão Barroso. This was the policy that legislated the equal status of private and public schools, which, according to the model, did not have the favourable configuration to lead to the establishment of new ePPPs.

6.3.1 Policy Design

Recovering the idea that a good policy (Cairney & Jones, 2016) should contemplate: value acceptability, technical feasibility, resource adequacy and network integration/community (Figure 6.1). Policies that are implemented tend to score higher on this dimension (Table 6-8). Policies that were not implemented scored an average of 1.83 in the checklist, while implemented policies scored an average of 3.7.

Table 6-8 Average of the contents in policy dimension (scale 0-6)

	Overall	England	Portugal
Implemented	3.7	4	3
Non-Implemented	1.83	1.3	2.3

Thus, a policy that has a rational design has a higher chance of establishment (World Bank, 2018). Nevertheless, it is not so in every case, in Portugal and England, there was one policy with a challenging design, professional schools and technology colleges that perform as exceptions, showing that design is crucial though not always necessary.

Analysing each of the components without considering the countries (Table 6-9), one can conclude that the most common aspect of implementation is awareness of the people involved (Bressers & Kuks, 2000). Out of the implemented policies, 90% had this characteristic and out of the policies that were not implemented none had this characteristic. One could risk concluding that when a policy is being designed having the early involvement of the policy network seems fundamental for implementation success and when this is not considered at an early stage the possibilities of establishment seem dimmer.

Another eminent aspect that seems to increase the possibility of non-implementation is a well-balanced cost/benefit (Munich & Psacharopoulos, 2014), more than the cost per se. Out of the non-implemented policies, none had this equilibrium well worked. Therefore, policymakers had the onus to pay attention to the benefits from a proffered investment, over the global dimension of the cost.

All the other aspects are involved in mixed results, without a clear or predominant role in the result.

The second level of interpretation is centred on country specificities.

In England, policy design is quite relevant for implementation, the average impact of the components in established policies is 4, and for the non-implemented policies, the average sum is 1.3. In Portugal, the strength of the policy design is less relevant and more diverse with '3' as the average of established policies and 2.3 as the average for non-established.

Analysing the configuration per content within the policy stream, considering country differences (Table 6-9 and Figure 6.1), One of the immediate perceptions is that in Portugal policy design tends to be less developed than in England. In England, the most frequent characteristic within policies that were implemented is previous experience with a similar policy and awareness from all the actors involved. In Portugal, only the latter is relevant.

Table 6-9 Percentage of Policies established and not established per positive classification – Policies

	Policies implemented			Policies not implemented		
	Overall	England	Portugal	Overall	England	Portugal
A similar policy in the past	70%	86%	33%	66%	66%	66%
A small change in the system	40%	42%	33%	16%	33%	0%
Small investment public budget	50%	57%	33%	33%	0%	66%
No private investment	50%	57%	66%	63%	33%	100%
The cost / benefit balanced	60%	71%	33%	0%	0%	0%
People awareness	90%	86%	100%	0%	0%	0%

On the side of non-implemented policies in England this condition associated with 'vast investments from public budget', 'cost/benefit not well balanced' and 'lack of awareness from the local actors'. In Portugal association with non-implementation goes to 'big changes in the system' on the top of the last two, in a similar trend to England.

As a conclusion to policy design, if one wants to maximise the possibility of policy implementation success, the first concern has to be with the network and making sure that people who are supposed to implement are aware of their responsibilities and not against the whole idea.

Smaller changes also show a pattern for success (Moran, Rein, & Goodin, 2006). The amount of public investment required is not an issue, contradicting the political discourse of lack of money, more than the investment effort what is focal is to poise cost with the benefit (Ko, 2006).

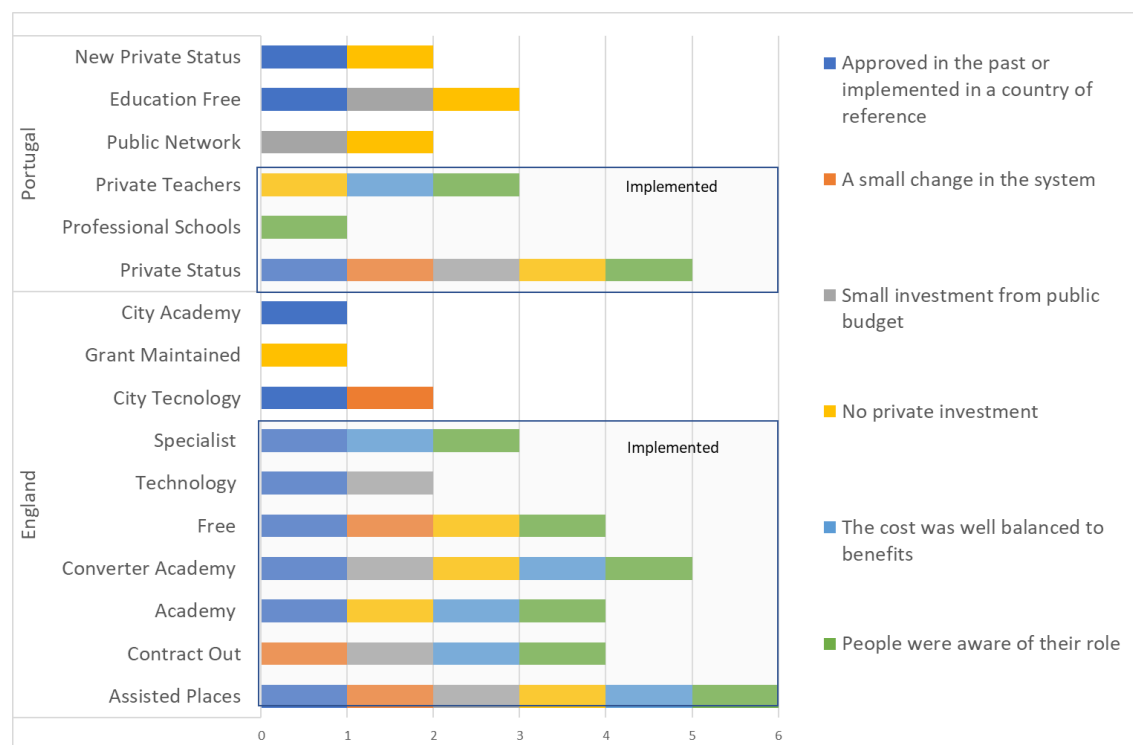


Figure 6.1 Configuration towards policy dimension

Source: Author's design

6.3.2 Problem Assessment

The problem index tends to be very stable, there was no such thing as a well-defined problem, and most policies target more than one problem in both countries (Table 6-10). In education the objective is to improve qualification, adapt to the market, give more opportunities for all, and in the particular case of ePPPs one can add parent choice, private providers do it better, among other arguments (Stephen J. Ball & Junemann, 2011). Overall the average importance of problems (Figure 6.2) for established policies was quite low, nevertheless successfully implemented policies, on average, required a higher index (2.8) than non-implemented (1.83). Still, in Portugal, there is a more significant focus on the problem identification than in England, and the average score of the problem dimension in Portugal was 3.66 compared with just 2.14 in England. In Portugal, the importance of

problems (M. D. L. Rodrigues, 2012) seems to be more relevant than policy design for increasing establishment chances.

Table 6-10 Average of the contents in problem dimension (scale 0-6)

	Overall	England	Portugal
Implemented	2.8	2.14	3.66
Non-Implemented	1.83	1	2.66

On the one hand, it is remarkable to observe that only one problem had its origin traceable to a sudden event (Table 6-11), which was the publishing of a report on poor results by entire LEAs. On the other hand, most of the problems emerge as a load, placed on the agenda by someone directly involved in presenting a solution. Often education problems are trying to anticipate the needs that will be placed to society in 20 years; therefore they result mostly from loading of thinkers and diverse practitioners (L. Bell & Stevenson, 2006). The existence of studies to support the problem is relevant, and out of the policies that failed none was anchored in a problem well sustained. Another observation suggests that a problem that is extended to larger shares of the population has a higher possibility of implementation.

Table 6-11 Percentage of Policies implemented and not implemented per positive classification - Problems

	Policies implemented			Policies not implemented		
	Overall	England	Portugal	Overall	England	Portugal
There was evidence on the problem – reports, studies	50%	43%	66%	0%	0%	0%
More than 25% of the targeted population was affected	30%	29%	66%	0%	0%	0%
The problem had an origin in a sudden event	6%	14%	0%	0%	0%	0%
The problem became clear because of a previous policy	40%	43%	66%	33%	0%	100%
The problem was brought to the public eye by someone with interest in the cause	90%	86%	100%	100%	100%	100%
The problem affected several socio-economic strata	40%	29%	66%	17%	0%	66%

The most constant feature of problems is the scope being enlarged to several economic and social strata, and problems that emerged as a feedback mechanism to previous policies, granting that these characteristics are not necessary nor sufficient.

In England, as the load is not a variable – every problem emerges as a load, the two most essential characteristics of problems associated with the successful establishment to ePPPs are evidence and feedback on a problem that emerged because of a previous policy, which fits the pattern of ePPPs in England being built over many years. In Portugal, all the contents have the same relative importance, whereas the scope of reach to several socio-economic strata does not affect implementation, as this feature is present in successfully implemented and not implemented alike.

As a general conclusion, Portugal seems to place more effort on defining problems than England, where policies that are barely attached to any identified problem can be still implemented – Free Schools, Academy Schools and Technology Colleges.

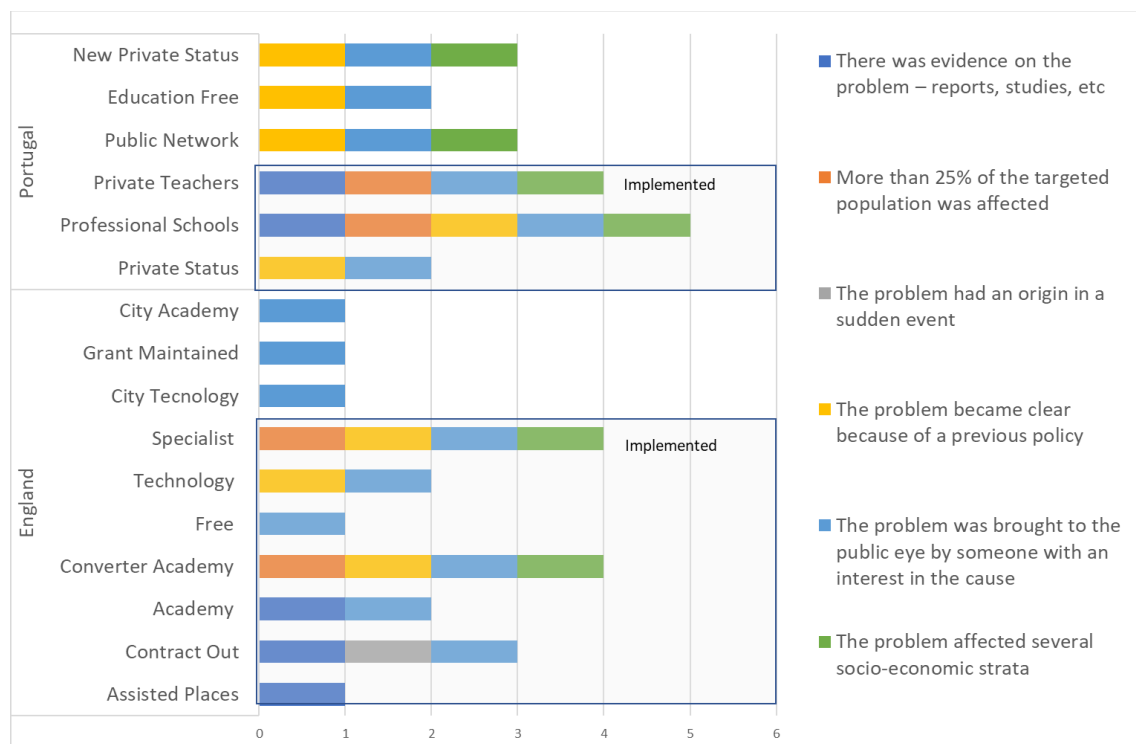


Figure 6.2 Configuration Towards Problem Dimension

Source: Author's design

6.3.3 Politics' Stakeholders

Politics are a fundamental and highly valued pillar on the configuration of a policy for its implementation possibility. The overall average (Table 6-12) among successfully established policies it scores very high, 5.5 in a scale that goes to 6, in Portugal it reaches 6, as all the completed policies studied were under a very favourable ideology in power, within a non-opposition environment and

facing at least national mood indifference. Generally, there is a high score, and even for non-implemented policies, the political environment has an overall average of 3.16, showing that politics and ideas need to reach a high congruence level at legislation adoption. Political stability and convergence are beneficial for policy completion and the relation of private companies with the state (Jens, 2017). A favourable national mood, when unions, parents and school actors are favourable, or at least not opponent, is also very relevant for implementation and even for adoption (van Gestel et al., 2018).

Table 6-12 Average of the contents in politics dimension (scale 0-6)

	Overall	England	Portugal
Implemented	5.5	5.28	6
Non-Implemented	3.16	3	3.33

In England, there was one policy approved with the opposition in the parliament, and it proved to be a temporary policy, that was discontinued when the government changed (Assisted Places). Some other policies were established despite opposition from unions and professional associations (Figure 6.3). In every other situation, the opposition is never against when one considers implemented policies. In the non-implemented policies, the opposition is mostly in contradiction. Yet, in Portugal, the opposition was favourable to private schools being part of Public Network, and it still was not implemented. In the policies under study, the government in power has always been in favour, so this subdimension acts as a constant in the cases studied. Still, in other circumstances, it is possible that some policies are approved by the parliament or through a referendum against the desire of the government in power. Such was the case of Brexit in England which following a referendum the position not supported by Mr Cameron’s government won, so it was imposed on the government the negotiation of the UK ceasing its EU membership⁴⁰⁴. At a political level, in 2018 in Portugal the national parliament voted for the government to open a new contest for teachers⁴⁰⁵ following considerations on eventual illegal procedures that had happened in the previous year, this policy was also adopted without the government in power approval. Nothing like this happened during the ePPPs from 1980 to 2015.

National mood, which weights the reaction of unions, professional associations, opinion makers and the general social opposition is an essential strand to be considered in any policy, in both countries. In the model, national mood was handled as a moderator variable, with the power to boycott the establishment altogether, despite the rest of the dimensions (Table 6-13). Most policies that were

⁴⁰⁴ <https://www.theguardian.com/politics/2016/jun/24/britain-votes-for-brexit-eu-referendum-david-cameron>

⁴⁰⁵ <https://www.publico.pt/2018/04/06/sociedade/noticia/parlamento-obriga-governo-a-abrir-novo-concurso-para-professores-1809401>

not implemented are associated with a weak national mood, in opposition to policies that were implemented.

Table 6-13 Percentage of Policies implemented and not implemented per positive classification - Politics

	Policies implemented			Policies not implemented		
	Overall	England	Portugal	Overall	England	Portugal
The government ideology was favourable for the policy	100%	100%	100%	100%	100%	100%
Most of the opposition agreed or abstained	90%	86%	100%	33%	33%	33%
Unions and professional associations were favourable or abstained	70%	57%	100%	33%	33%	33%
People affected by the policy agreed with the solution	90%	86%	100%	66%	33%	100%
The policy commentators and opinion makers had a discreet or favourable intervention	100%	100%	100%	33%	33%	33%
Society, in general, was not against	100%	100%	100%	33%	33%	33%

The importance of commentators and opinion of the society in general as a building block for a confluent national mood can also be highlighted.

Still, national mood and institutional equilibrium are not sufficient clauses, albeit they present as necessary. There are two policies one in Portugal and another in England that have not been implemented despite a wholly favourable (or at least indifferent) national mood and institutional setting – Public Network (Portugal) and City Academy (England).

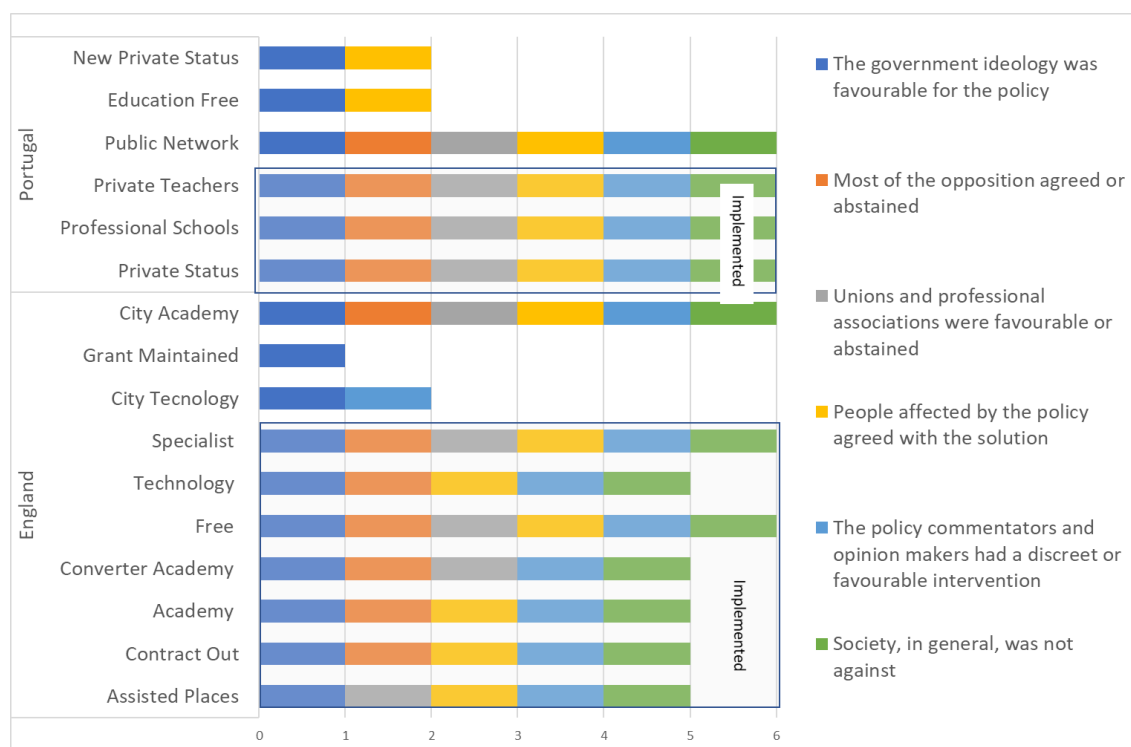


Figure 6.3 Configuration Towards Political Dimension

Source: Author's design

6.3.4 Entrepreneur Context

The role of entrepreneurs is another critical dimension, with a particular relevance on the learning process of policies that are not implemented and for adapting the communication, which in turn can transform national mood (Exley, 2014).

Overall entrepreneurs' weight on policies that were implemented (3.5) was higher than in policies that were not implemented (2) (Table 6-14). In England entrepreneurs are much stronger than in Portugal, mainly in policies that are not implemented, showing a capacity to come back with a further attempt. Entrepreneur involvement might be a reflection of the different status of the lobbying activity in the countries considered.

Table 6-14 Average of the contents in entrepreneurs' dimension (scale 0-6)

	Overall	England	Portugal
Implemented	3.5	3.85	3.33
Non-Implemented	2	3.33	0.66

Most policies that go through legislation adoption are supported by entrepreneurs who have access to decision makers, only one policy in Portugal did not show the presence of entrepreneurs with ease of access. In England, the investment made by entrepreneurs is evident as most policies have

people who are willing to invest money, time or resources. The same does not happen in Portugal where most policies move without real support outside the government or institutional setting; only Professional Schools benefited from a strong entrepreneur network (

Table 6-15).

In England, the involvement of entrepreneurs in framing the speech is also more evident, which is probably a result of the investment and development of studies and knowledge. Concerning the influence of international organisations (IO) as entrepreneurs, they are absent from England, which was expectable as England tends to be a role model and very self-confident to be a follower. In Portugal I would expect more influence from IO as the politicians tend to look for support for their policies abroad, maybe to compensate for the lack of internal support. Still, international organisations were pressuring only for Professional Schools, without any trace of manifestation for the remaining policies. Such an observation weakens the hypothesis established by the Global Policy Ideas which advocates for the growing influence of institutions such as OECD in policy drawing, adoption and implementation (Lingard & Sellar, 2013).

Finally, the relevance of a favourable alignment between entrepreneurs (Figure 6.4) is also to be considered. On the one hand, people who favour a particular policy and on the other hand people who are against and press for different solutions (Weber, 2016). Among the non-implemented policies, favourable entrepreneurs could never outweigh more hostile groups, matching the ideas advanced in Advocacy Coalition Theory (Weible et al., 2011).

Table 6-15 Percentage of Policies implemented and not implemented per positive classification – Entrepreneurs

	Policies implemented			Policies not implemented		
	Overall	England	Portugal	Overall	England	Portugal
Entrepreneurs had ease of access to decision makers	100%	100%	100%	83%	100%	66%
Entrepreneurs had ease of access to the media	50%	57%	33%	33%	66%	0%
International organisations or partner countries were promoting the policy	20%	0%	66%	0%	0%	0%
Entrepreneurs invested resources (time, money or knowledge)	70%	86%	33%	50%	100%	0%
Entrepreneurs were involved in framing the speech to improve	60%	71%	33%	33%	66%	0%

policy acceptance						
Favourable entrepreneurs were more active than opposing entrepreneurs	50%	43%	66%	0%	0%	0%

Regarding strategy, in most approved policies favourable entrepreneurs were trying to influence argument and to outrun opposing entrepreneurs (Beblavý & Veselvolvá, 2012; Béland, Howlett, & Kuan, 2016). There are a couple of policies that were implemented despite an unfavourable alignment between entrepreneurs, or more concretely their incapability to influence speech.

In England, there is the need for entrepreneurs who are stronger, in part because the presence of policy entrepreneurs became the rule for policy-making (Harris & Lock, 1996). There was only one policy that was implemented in the presence of weaker entrepreneurs, as this was the final stride on a policy that had gained strong support over the board. The disappearance of entrepreneurs from a particular cause can also be a sign of policy implementation (Lindquist & Wanna, 2015), as entrepreneurs tend to move on to defend different affairs, or solely because their ambitions were satisfied, thus leave the scene.

In Portugal, where entrepreneurs are generally milder and less active in spending resources and trying to influence opinion makers, there were still two moments when they were the keystone for a policy to become a reality.

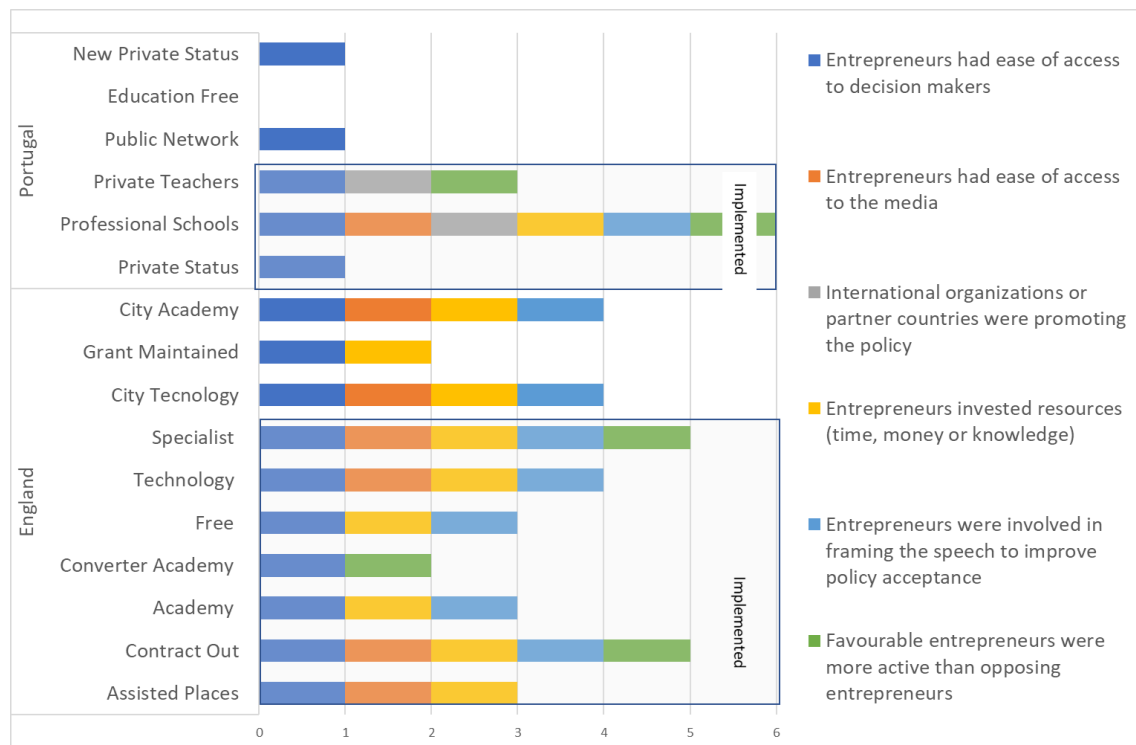


Figure 6.4 Configuration Towards Entrepreneurs Dimensions

Source: Author's design

6.3.5 England / Portugal overall process

The model proposed in this research claims that a policy needs to have achieved a favourable configuration between the dimensions of legislation adoption to increase the chances of being successfully implemented.

Although legislation adoption is an essential step in creating the conditions for a specific policy to thrive, it is not a sufficient element for implementation.

The process that enabled both countries to get to this point was analysed with the description of the several policies adopted as an attempt to enlarge the number of ePPPs in both countries. The idea was to understand how the configuration in between dimensions is fundamental for the effective implementation of ideas and intentions (Figure 6.5).

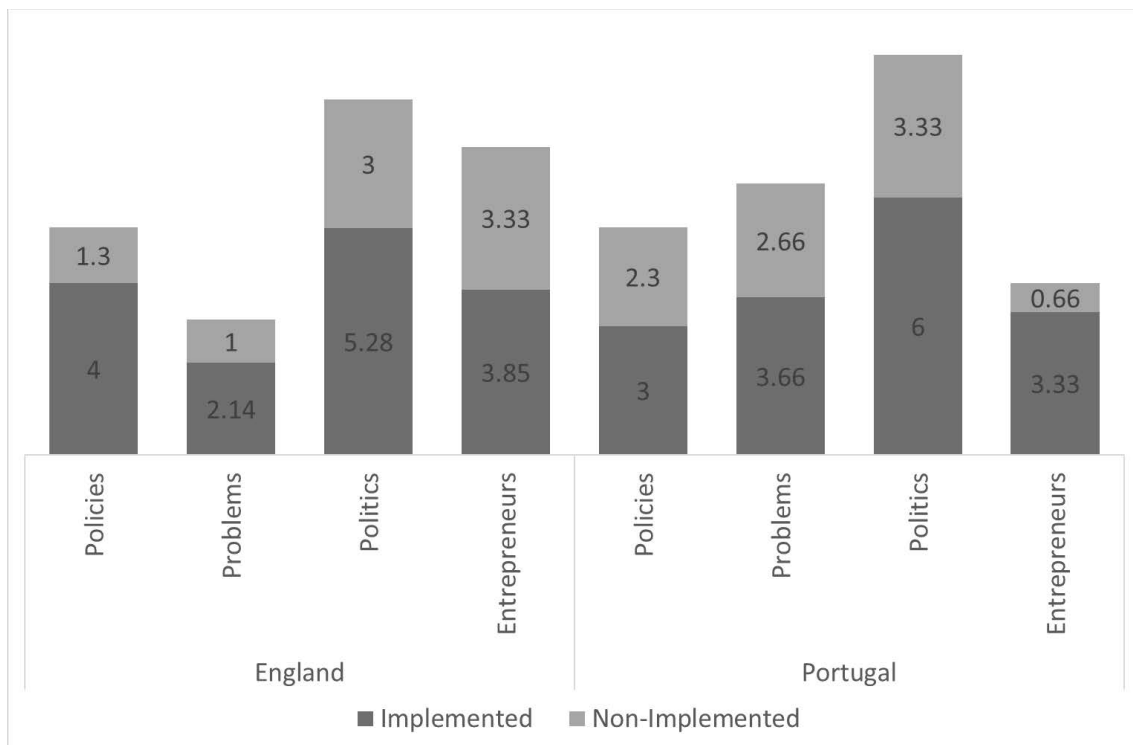


Figure 6.5 Average scores per dimension and achievement status

Source: Author's design

The result measured as the growth of the number of schools establishing ePPP agreement is very different between countries, even if some policies can be reckoned as similar. Still, they were supported by very different entrepreneurs, received by several actors in different moods and re-tried after failure by incorporating (or not) lessons learned.

The main differences between England and Portugal are:

1. The strength of entrepreneurs, who in England are stable even in policies that are not implemented. The existence of stronger may link to the fact that in England policies come

back into the legislative process with a pruned design a different argument. In Portugal, as entrepreneurs tend to be more absent, the correction of policy is likely to be infrequent.

2. The problem dimension as in Portugal the focus is more on the problem than on the policy, while in England the idea that problems are supplementary to policy seems a stronger argument, with a dimmer propensity for precisely defining a problem.
3. The policy design achieved in England for implemented policies is substantially more favourable than the design for non-implemented. In Portugal, the design is generally weaker, and the difference between implemented and non-implemented policy design is not very evident.
4. The politics need to be favourable for establishment of ePPP agreements in both countries, and policymakers would better be attentive when trying to legislate over policies that are not well received by institutions and society. Going against national mood implies very robust design in the reminiscent dimensions, as national mood has the power to block policies that seem to unite every condition to succeed.

The model proposes that by answering checkpoints about each dimension it is possible to quantify the hardness/ripeness of all the dimensions, so together they move through the window of opportunity. When the dimensions have the right ripeness against each other, not absolute ripeness, the possibility of the establishment is higher.

A favourable design is achieved when:

$$[S6 \leq [S3 + (S1 + S2) * (NM)]] (W)^{406} \equiv S6 - [S3 + (S1 + S2) * (NM)] \leq 0 | (W)$$

The policy has a higher chance of being implemented when the inequation is true. Moreover, for the sixteen policies studied it was accurate in every case, except in City Academies since the algorithm was towards implementation, and it did not implement (Figure 6.6). City academies show that this is not a deterministic algorithm and that things can go wrong even when everything seems set for success. No case emerged of a policy with odds against the establishment that was implemented. Concentrating on the City Academies case, it had a slight establishment at the beginning as the result of enthusiasm and favourable opinions, but later it met the difficulty of involving private investors in a larger scale, so the national mood was not as favourable as it seemed in the model.

⁴⁰⁶ S1 – problems; S2 policies; S3 politics; S6 entrepreneurs and NM national mood.

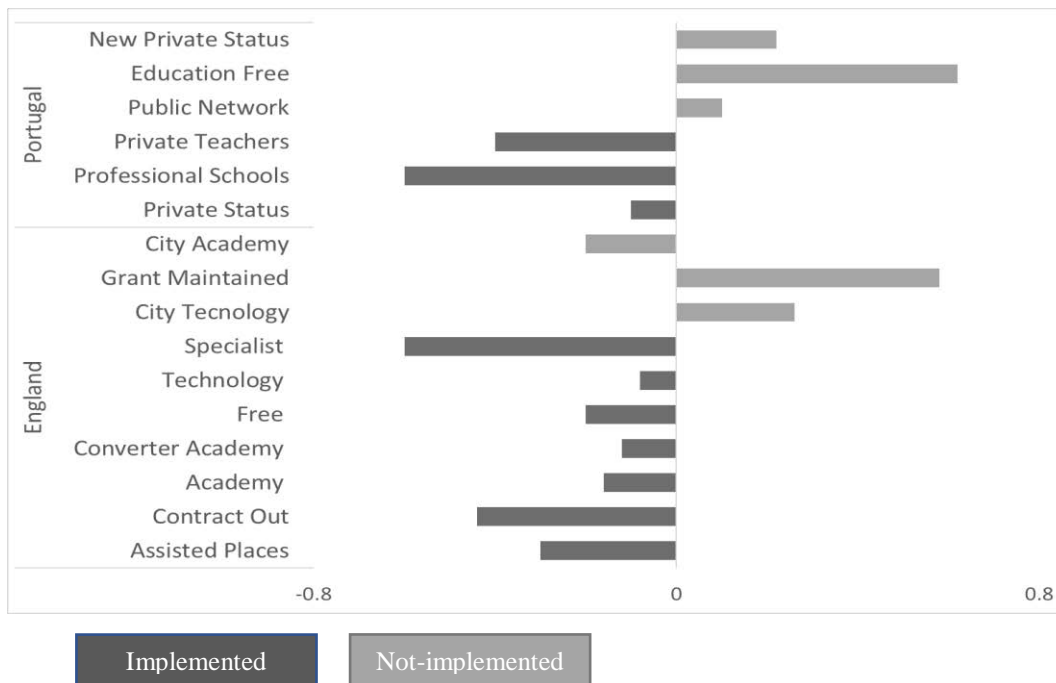


Figure 6.6 Algorithm values per policy status

Source: Author's design

During my research, I found ten crucial moments in the progress of ePPPs in England and six moments in Portugal. The rate of policy establishment success was 70% in England and 50% in Portugal. Meaning that, in this area of public policy, Portugal seems to be less effective and efficient, especially when I realise that all the failures came from the same strand of policy – Association Contracts and the role of ePPPs within the country's public schools' network, meaning that lessons learned from previous policies were not integrated into new designs.

6.3.6 Policy Outcome - school configuration in England and Portugal

6.3.6.1 England

In England, most schools became ePPPs (Figure 6.7) in the sense that management was transmitted to private entities and the state ensured payment. According to recent data on the evolution of ePPPs in England, in 2017 there were about 25% of Academies and Free Schools at primary education level and 75% of such schools at the secondary level. Within the academies, there are the sponsored academies which were transformed due to low results, the converter academies which are the schools that decided to benefit from academy status despite the results being good, technical colleges and other specialised schools. Most of the strands merged into this classification, except for assisted scheme that seems to be out of scope for the time being, despite the conservative government being back in power since 2010

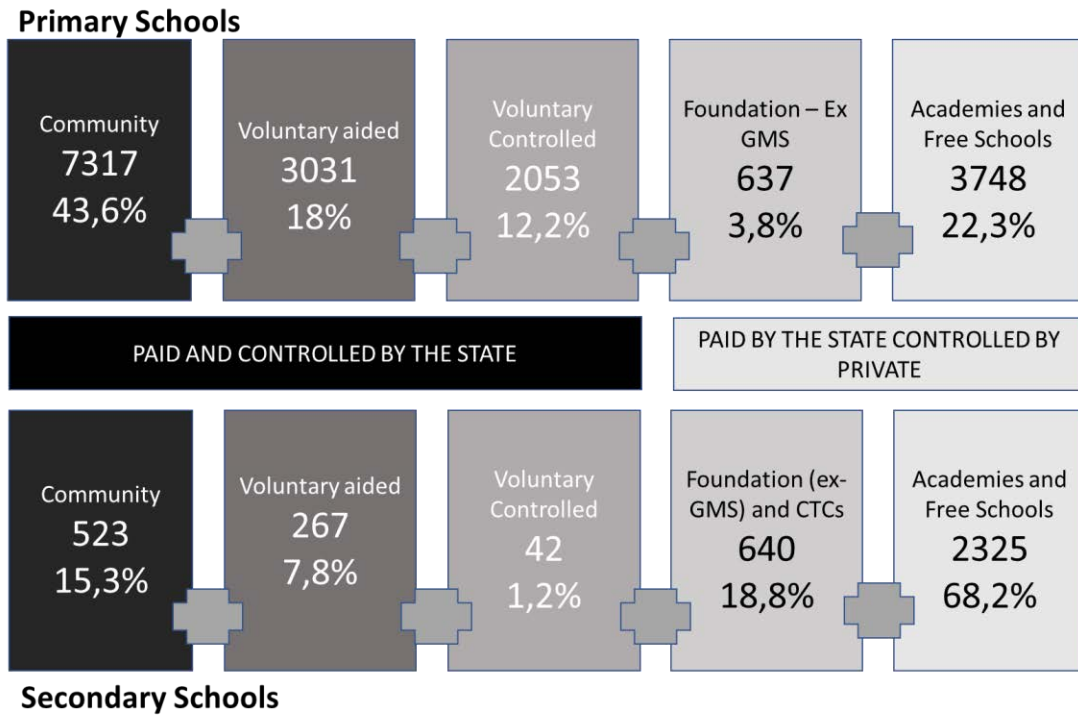


Figure 6.7 Number of state-funded schools by typology, England 2017

Source: GOV.UK

6.3.6.2 Portugal

In Portugal, the story moved differently (Figure 6.8). There are two cases where ePPPs were effectively launched with a relative impact on the system - professional schools and the hiring of teachers (technicians) for extra school activities in primary education.

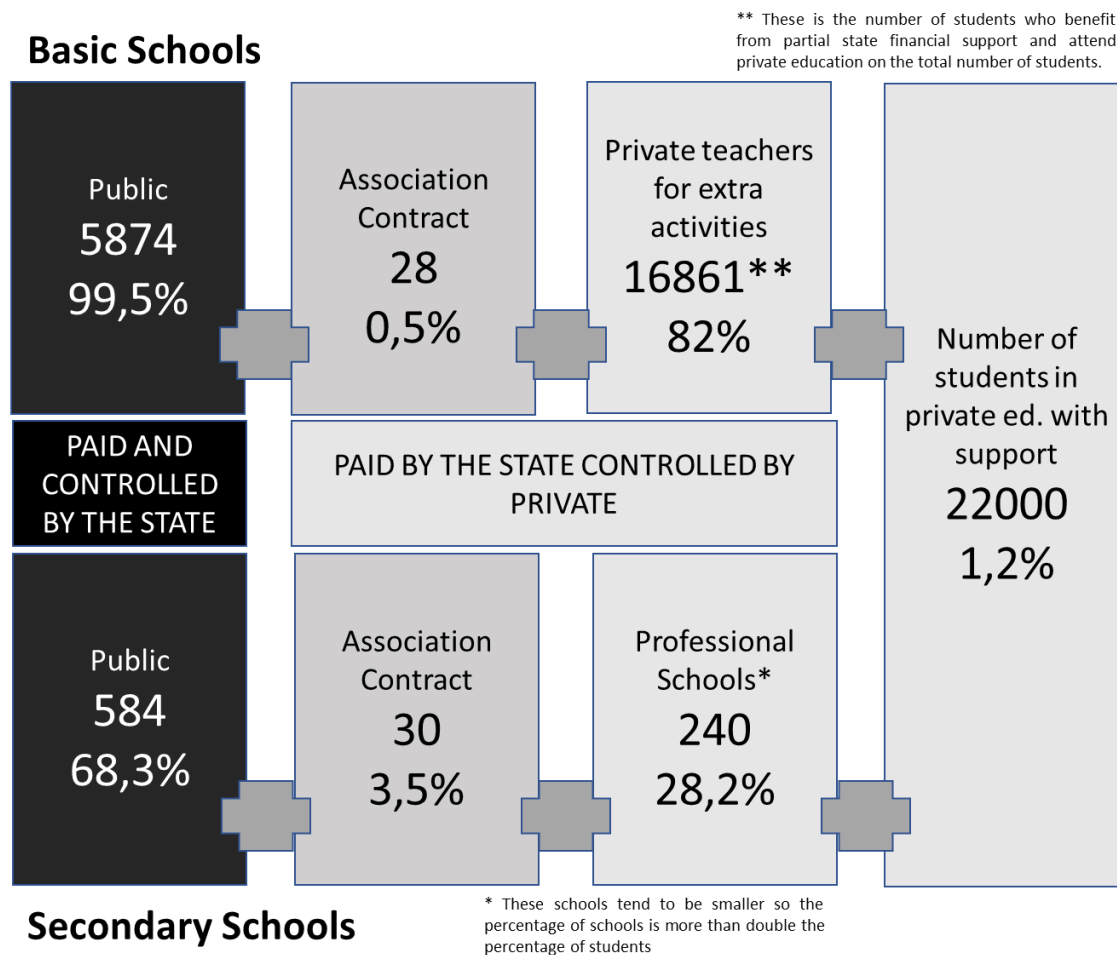


Figure 6.8 Number of state-funded schools by typology and other ePPPs, Portugal 2017

Source: Pordata and DGEEC

Professional schools represent about 28% of the schools since they tend to be small infrastructure, they cater for about 12% of secondary school students.

Teachers for extra activities are mostly privately hired, and they represent 82% of all the teachers in charge of teaching extra-time, despite the legislation that tried to give these hours to teachers coming from within the system.

Association contracts were implemented in 1980, suffered slight legislative adaptations and are now facing a reduction to limited numbers as demand pressure disappears, in 2017 only 32 schools celebrated a contract with the ministry for new classes, bringing the number d from the 80 that had been almost constant since 1980.

One can conclude that in Portugal, with two occasional exceptions, education paid by the state is run by the state, and ePPPs are still a dead-end road.

6.4 HYPOTHESIS CHECKING

Coming to an end, there is a clear need to attempt for straight answers to our questions and to clarify whether research led to confirm or decline the hypothesis

6.4.1 The need for a favourable configuration

There is an essential need of a favourable configuration between different actors, policy design and problem matching that is a necessary condition for ePPPs to be established. The adoption of legislation does not ensure implementation. If at the moment of policy adoption the streams did not meet through a window of opportunity the possibility of the establishment is reduced, confirming the hypothesis proposed by MSF (Cairney & Jones, 2016; Herweg, 2017; Zahariadis & Exadaktylos, 2016).

The empirical analysis of ePPPs in England and Portugal, with the analysis of 16 different legislative moments permitted to reach to an agreement with this hypothesis. Only policies where the correct configuration was achieved at the time of legislation were implemented, and none of the policies with a matchless configuration was implemented. There was only one policy where the model presented a favourable configuration, and the policy still failed the growth on the number of established ePPP agreements.

This analysis may constitute substantial evidence for the need of accessing the full picture at the time of legislation, particularly in issues that involve relevant cuts with the past (Burch & Bulkley, 2011). Another clear conclusion is that in the absence of entrepreneurs who are willing to understand failure and implement corrective measures to the previous legislative moment, there is no point in legislating a policy that has a little chance of implementation. Intermediate legislative moments may be useful if they are used as barometers to access weak and strong points, with the objective of policy improvement. If this is not the case, legislate just for the sake of it is inadequate.

The formula of the model⁴⁰⁷ embedded the configuration of the variable towards increasing the possibility of policy completion, wherein the presence of a negative value the likelihood of ePPP establishment would increase:

$$\text{Favourable configuration if } S6 - [S3 + (S1 + S2) * (NM)] \leq 0$$

The overall quality of the measure (Table 6-16) shows that the model might be a useful tool to consider at the time of legislation. Actors would be better off to access the possibility of the establishment as the model forecasted correctly 100% of the policies with a low possibility of establishment and it provided a true predictive power of 90%, as it failed in one policy, which despite a favourable configuration was not successfully implemented.

Table 6-16 Overall quality of the model

		Reality		
		Implemented	Not-Implemented	% correct
Model	Higher Possibility	9	1	90%

⁴⁰⁷ S1 – policy; S2 – Problem; S3 – Politics; NM – National Mood and S6 – Policy Entrepreneur

Prediction	Lower Possibility	0	6	100%
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6.4.2 Political parties align in similar ideas

Ideas matter, still they are far from being enough for implementation. ePPPs will only be implemented in a scenario where conservative and labour governments align in similar ideas, simultaneously supporting an ideological continuum (Pagoutalos & Tsoukalis, 2013).

The idea that conservative parties are more prone to achieve success in the area of ePPPs was disproved by the data analysis. As a matter of fact, it is during conservative parties that more of this category of policies are tried, though failure to achieve objective is frequent (Figure 6.9). Out of the 16 policies analysed, 11 were advanced by a conservative government; still with a rate of goal achievement inferior to 50%. When the a left-wing government adopted ePPP type of policy, which happened only five times, the rate of goal achievement is very high – 80%⁴⁰⁸.

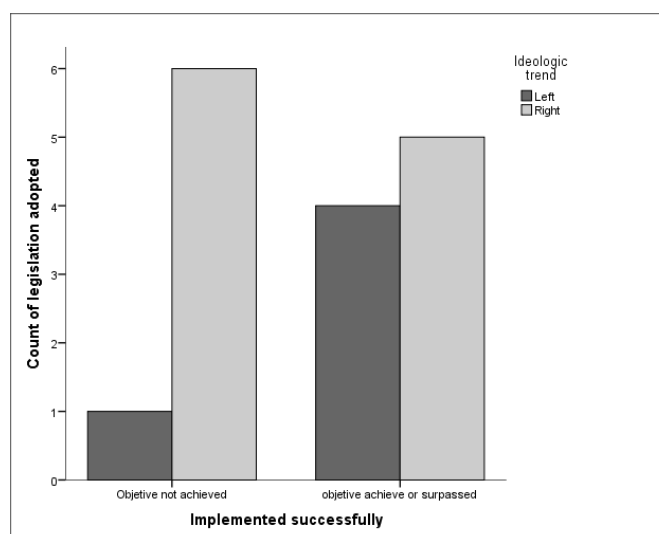


Figure 6.9 Policies legislated by the right and left governments, per goal achievement. Portugal and England

The policies under analysis implied crucial changes in schools with the involvement of private initiative in school management and eventually teaching. In both countries, the implemented policies happened in moments where the most influential parties in the systems converged into similar positions.

In England, policies started being implemented primarily by the Blair’s Labour government onwards, despite some adoptions during the previous Conservative period. The adoption by the left of the idea that ePPPs would be a manner of involving society in education was a turning point in

⁴⁰⁸ As the sample size is very small (N=16) it was not possible to run an association test (chi-squared) as the assumption of expected values was violated. The non-parametric Binomial Test showed that there was no association between ideology and goal achievement – Observed proportion for the right 0.69 which has a p=0.21, when contrasted with the 0.5 test proportion.

acceptability. The conservative parties, which privileged the free choice ideas were unobtrusive and welcomed the new line of argument, as far as ePPPs were to expand. The exception - Assisted Places - which was successfully implemented during a Conservative period, against Labour's position. This policy lasted for several years because Labour did not get to power. It was the first policy to be discontinued when in 1997 Tony Blair emerged as new Prime Minister.

In Portugal Professional Schools and After School Teaching benefited from consensual thinking, with left and right embarking on the same solution, even if for different objectives.

Overall, there were just two policies that, despite opposition agreement, could not get the advantageous configuration for the establishment and there was only one policy that was implemented despite opposition disagreement (Figure 6.10). In the presence of such numbers, it seems reasonable to conclude that at least in Portugal and England, ePPPs depend on the parliamentary agreement, being the support of opposition a *quasi*-necessary condition, though not sufficient.

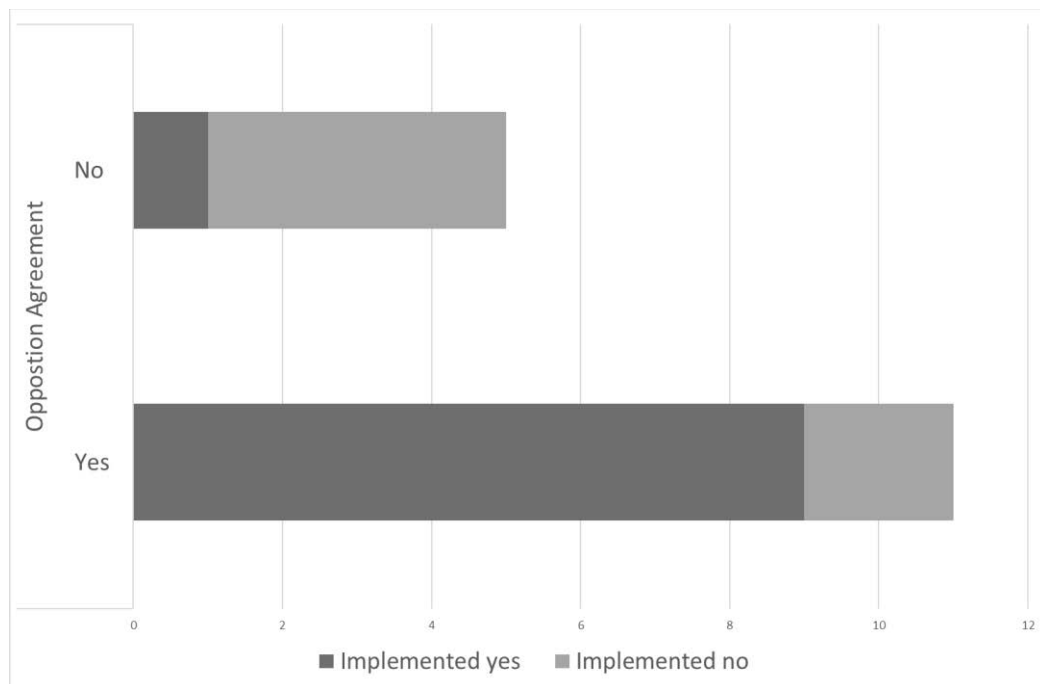


Figure 6.10 Policy target achievement as a variable of agreement between the government and the main opposition

Source: Author's design

6.4.3 Feasible policies

Policies need to be feasible, well defined regarding cost-benefit and established within a robust policy network, and there is a need for *smart*⁴⁰⁹ policy design (Viennet & Pont, 2017).

Feasibility was evaluated by the combination of:

- (i) A similar policy had been approved in the past;

⁴⁰⁹ Adjective given by the article

(ii) This policy represented a small change in the system. The analysis of the combination of these two dimensions (Figure 6.11) shows that when both criteria are present, all the policies are implemented. Feasibility, measured as familiarity with the policy and small change to the current circumstance, is a facilitator for implementation (OECD, 2000). Once again it cannot be considered a necessary clause, because some policies that have met only one of the criteria or even no criteria presented and establishment rate of about 50:50.

All the policies that had a clear cost-benefit approach were implemented (Figure 6.12); nonetheless, there were three policies in which this analysis was not so robust but still created the right environment for ePPP growth. Most policies without a transparent approach to cost/benefit were not implemented. Clarification on cost-benefit may act as an establishment facilitator, though it is not a necessary condition.

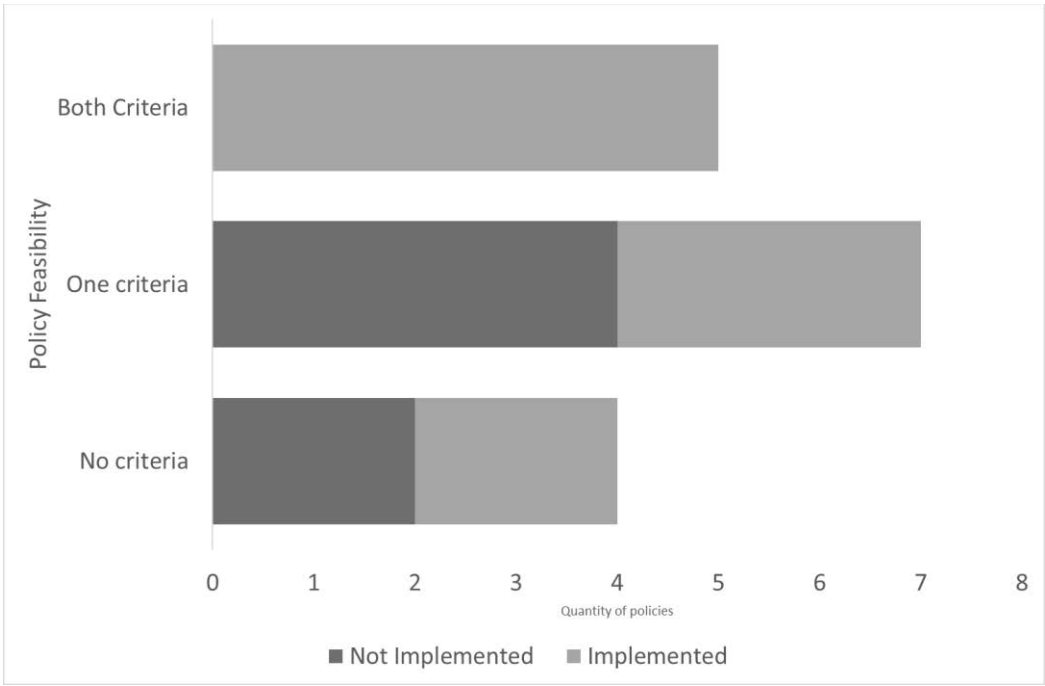


Figure 6.11 Target achievement by policy feasibility criteria

Source: Author’s design

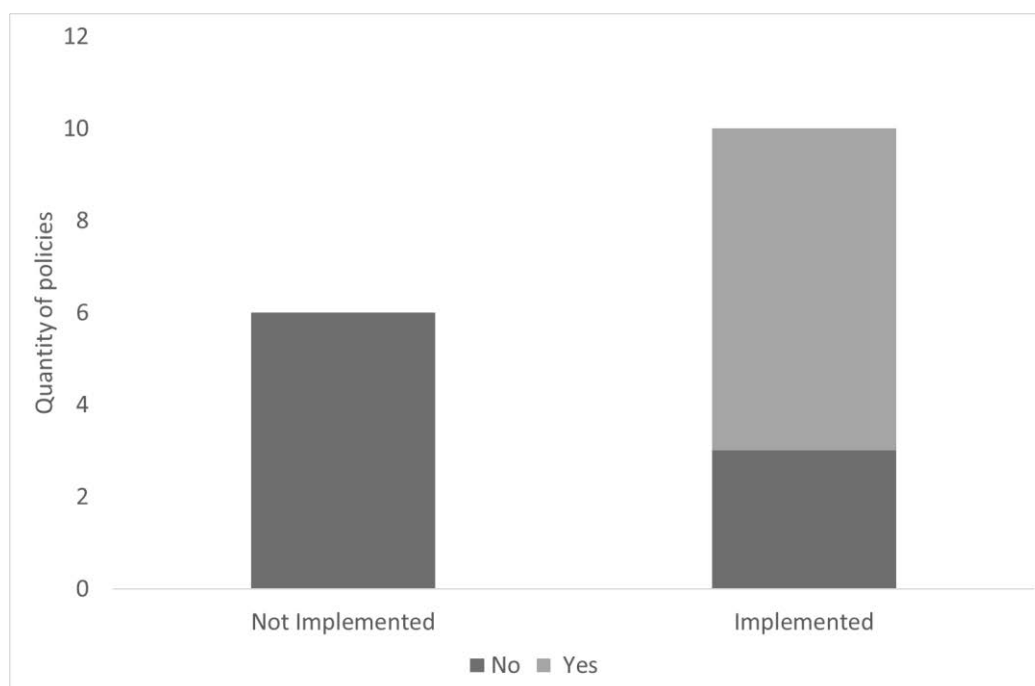


Figure 6.12 Policy completion according to clear cost/benefit design

Source: Author's design

Regarding the policy network, one can conclude from the available data that this is a fundamental aspect to be considered in policy design (Figure 6.13). Policies have a higher possibility of the establishment if the people who are supposed to implement it are aware of their role at the moment of policy legislation adoption (Zahariadis & Exadaktylos, 2016), as without their cooperation the policy is very likely to fail at implementation. All the policies that considered the attitude of implementors were well succeeded, while only one policy that was not aligned with its community managed to be implemented. The one exception was technology colleges (England) that at its initial stage was intended to transform schools without having consulted them. Surprise took directors and professors at first, but then ended up cooperating as it implied extra money for equipment and refurbishment, in some way the money overcame the lack of alignment with the network, therefore if the ground people had been included the establishment could have been more straightforward, and the government image would have survived unaltered.

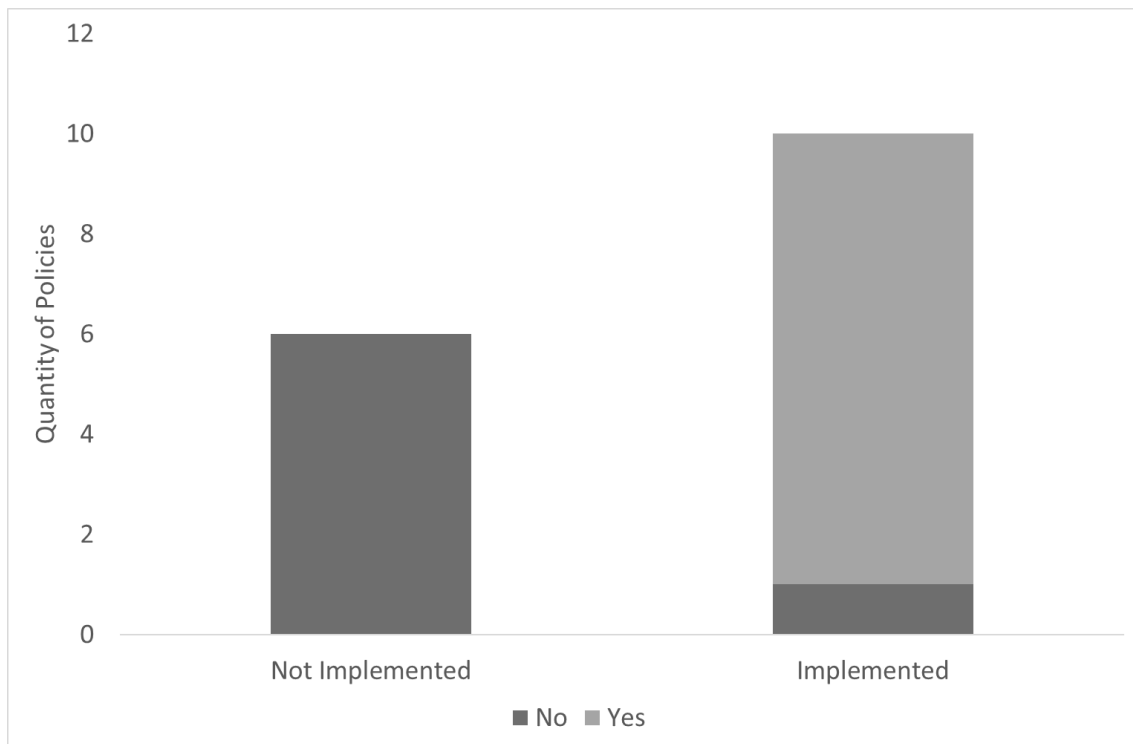


Figure 6.13 Policy goal attainment according to policy network readiness

Source: Author's design

6.4.4 Problems are not the fulcrum point

The problems targeted are fundamental to frame the ideas and turn policy into acceptable, even if there is no evidence to prove that a specific policy can solve the problems, and problems do not need to be very well defined for policies to be implemented.

As analysed during the descriptive cases, problems that attach to ePPPs tend to be linked to more choice to parents, more diversity in the system, faster adaptation to the market needs, the cooperation of the society in education or a fast solution to demand/supply unbalances (Verger, Fontdevila, et al., 2016). There is always the idea of improving school results, with better learning for all and giving better opportunities to the children of lower social classes. The core problem moves depending on the government logic of discourse to support a reason for ePPPs adoption. In England, there was a crucial moment when the problem transformed, though the policy remained the same. It happened in the transition from the Conservative to the Labour period in 1997, when ePPPs in the form of Academies emerged to support this typology of schools in a government that had opposed previous initiatives. The approach moved into linking the state to the market for the emergence of a better society, more unprejudiced, free, and prosperous. Education was in line with Blair's view of getting the most intelligent people to cooperate in finding solutions to public problems (Gamarnikow & Green, 1999) which was generally known as the *Third Way*.

The idea that problems need to be solved is not supported by the model, where one can see that evidence of problem solvability is not linked to implementation, expressly if there is no evidence of a solution. Out of the policies implemented only half had provided evidence of being attached to a solvable problem (Figure 6.14), showing that solvability is not a requirement for implementation. On the other hand, most policies that were not implemented did not provide any evidence of ability to solve the problems claimed, there was only one policy that had showed a capacity to solve a problem, and it was still not implemented. This data re-enforces Kingdon's idea that policies do not exist to solve problems, yet problems are fundamental to give credibility to a policy. Moreover, problems in education are never solved, as provocatively argued by Caplan (2018) who states that spending money to solve education issues is a waste. He assumes a different perspective over education, departing from the general assumption that educational systems have not been matching labour markets expectations, by arguing that most policies and money thrown at education⁴¹⁰ in the last decades are pure waste. Education evolution has contributed to the building of a false race on degrees that are obscure and do not entitle individual with the expected skills. Moreover, the battle for education degrees have mined real knowledge and deflated the value of qualification. Caplan pledges for deep thought on education policy consequences and for policymakers to resist simple pseudo-solutions that twist the system and represent a misuse of public funding, resources and intelligence.

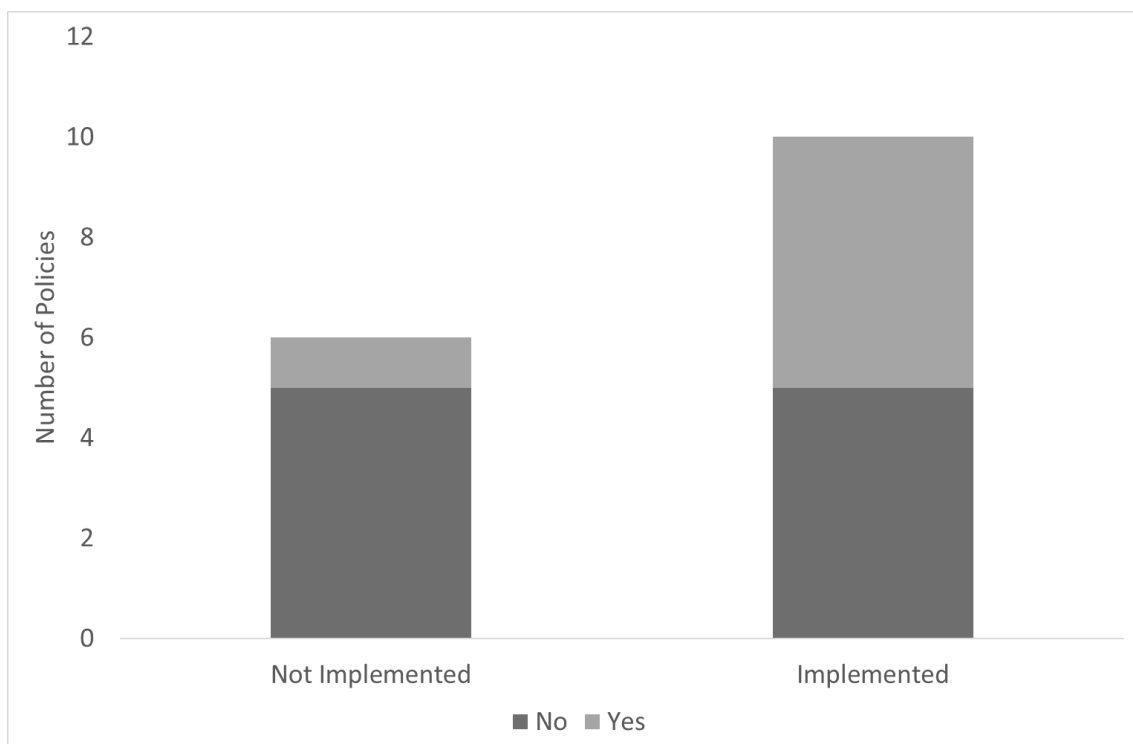


Figure 6.14 Goal attainment according to evidence of a solvable problem

Source: Author's design

⁴¹⁰ From an North American perspective

6.4.5 Policy Entrepreneurs play a role

The existence of policy entrepreneurs able to support policy design and adapt it to new actors/circumstances is a fundamental element in long-term policy implementation (Soudien, Apple, & Slaughter, 2013).

The need for entrepreneurs in public policy is controversial (Stephen J. Ball & Exley, 2010; Mintrom & Norman, 2009). In the model, they were conceptualised as necessary for the configuration, though it was acknowledged, from the theoretical point of view, that they could be absent, and still a policy implemented. Entrepreneurs were classified for their activity and influence according to access to policy actors, resources invested to support policy and capability to frame the speech and tame national mood.

There is the need for the entrepreneurs to punctuate at least in four out of the six criteria for every policy to be implemented (Figure 6.15), thus strong entrepreneurs are a critical dimension that enhances the possibility of policy goal achievement. Policies with weak entrepreneurs face a higher chance of failure; nevertheless, it is not deterministic as occasional policies with entrepreneurs on the weaker side were still implemented.

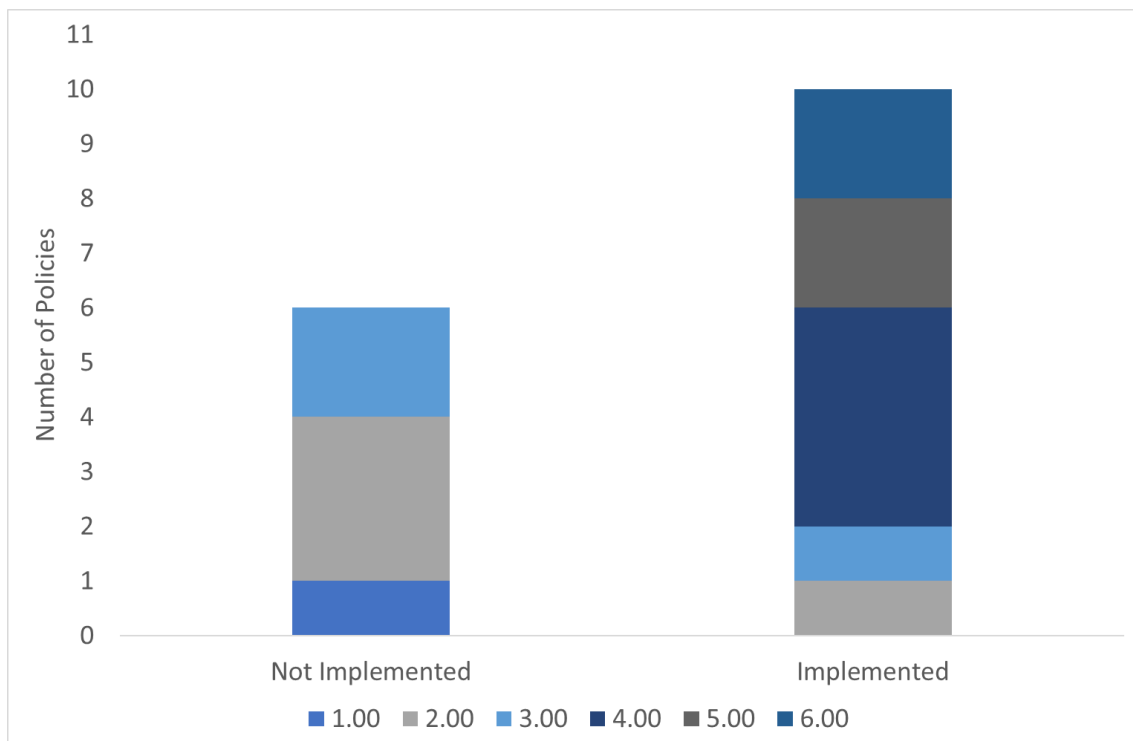


Figure 6.15 Policy realisation by entrepreneur strength (sum of the six criteria)

Source: Author's design

The most common characteristic of entrepreneurs was the ease of access to decision-makers, as this seems to be the basilar characteristic to count as an entrepreneur. In every policy, there was always evidence of someone or an organisation with ease of access to decision-makers. Nonetheless, this does not constitute per se a clause for successful goal achieving.

The presence of International Organizations pressing for the policy was rarely found in the context researched contributing to understanding that they do not act much like entrepreneurs, only in 2 circumstances such evidence was exposed, and both in Portugal. England tends to produce policy and knowledge to spread around the world and rarely behaves as policy taker. The UK government even acts as an intermediate recruiter for organisations such as UN, World Bank or NATO “to have strong leadership structures that are able to shape effective and efficient organisations”⁴¹¹ and make sure England has a determinant role in international policy. When PISA results were published in England, the good aspects tend to be publicised, and policymakers do not give credibility to PISA to measure education system. PISA is seen as a “brilliant marketing” tool that is not as reliable as Ofsted or other systems in the country (Grek, 2009a).

The involvement of entrepreneurs in discourse framing was found in seven well-succeeded policies, and in no failures, meaning that when entrepreneurs manage to have an active involvement in passing ideas to the public opinion the possibility of policy establishment seems to be very high.

The investment of resources is quite common among entrepreneurs and should be equated (Soudien et al., 2013). Still, it is possible to find policies where resources were invested, and the policies were not implemented. Nevertheless they are policies that were pursued into more effective solutions, and, later on, implemented under a different name, and with a slightly different configuration, yet still supported by the same initial entrepreneurs or re-enforced by other co-supporters. These policies were Grant Maintained Schools which inspired Academy schools; Inner City technology Colleges which were the early experiment for Technology colleges and later Specialist Schools and City Academies which were the first trial for Academies in England.

A second aspect I would still like to highlight is the association that was exposed in the model between the presence of stronger entrepreneurs and a more favourable national mood (Table 6-17), showing that dimensions are not entirely independent (P. Sabatier, 2007). The same behaviour is not for weaker entrepreneurs, as the national mood can still be favourable even when the entrepreneurs are weak. Nevertheless, if one's objective is to increase the chances of policy establishment making sure entrepreneurs are active and energetic is a likely path to guarantee a more favourable national mood, which in my view has the strength of a moderator, with a multiplicative effect. This effect means that national mood has the power to stop a policy from reaching its goals when it gets very unfavourable.

Table 6-17 Association between entrepreneurs and national mood

411 <https://www.gov.uk/government/publications/working-for-international-organisations/working-for-international-organisations>

		National Mood		% correct
		More Favourable	Less Favourable	
Entrepreneurs	Stronger	9	1	90%
	Weaker	3	3	50%

6.4.6 Legislation inefficiency can be mitigated

Efficiency, in the scope of this research, is defined as a measure of policy completion (Honig, 2006). A legislative system is considered efficient when most of the legislation adopted is implemented at the field level, in this case increasing the number of schools under an ePPP contract.

Legislation inefficiency can be mitigated if the required configuration is carefully accessed at the time of policy adoption, and the identification of weak points are recognised and corrected. The same policy when attempted a second time increases its chances just because it is not a novelty anymore.

This hypothesis relates to hypothesis number one where I have acknowledged that the configuration of variables from the different dimensions is essential to increase the possibility of policy goal reaching and therefore reducing inefficiencies. As shown in Figure 6.6 only policies that obeyed to a favourable configuration were approved. The remarkable aspect is that configuration is provided by the combination of factors, and very rarely there is a single factor able to justify implementation.

Overall, and considering ePPPs policy follow up and transformation, England showed a capacity to re-design the policies and pursue objectives. In Portugal ePPPs, despite some legislative efforts, showed an incapacity to reshape the arguments and change establishment as measured in this research.

From the numeric reality at the end of the period under study, it becomes clear that in England most secondary schools have engaged in one of the considered typologies of ePPPs (Figure 6.7), while in Portugal the numbers are much more confined, and a real implementation success can only be recognised to Professional Schools and Teachers of Extra School Activities (Figure 6.8).

In Portugal, the strand with the most prominent legislative activity – Association Contracts, Family Support Subsidies and Sponsorship Contracts - were very inefficient as only the first effort can be considered a success, within a very narrow scope. All the following policies were to be discontinued as they did not lead to the rise in the number of ePPP agreements. In Portugal, the successful completion is achieved at the first attempt, and after that, it becomes arduous to change into a different design or to enlarge scope. Policies became stationary.

In England the story is different, most policies failed in the early days of policy attempt, but as time went by, policy got more feasible, entrepreneurs stronger, arguments more sound and national mood more favourable. What seemed to be sandy terrains turned into stable buildings due to feedback

mechanisms and persistence. In the case of England, failure does not lead to inefficiencies instead it works as a learning process. The latest of the failures were in 2000, and from there on the model got right and all the following approved legislation met implementation.

Date		Policy Name	Success
01/09/1980	England	Assisted Scheme Places	Yes
01/11/1980	Portugal	Association Contracts (Private Schools Status)	Yes
01/06/1986	England	Inner City Technology Colleges	No
01/03/1988	Portugal	Private schools integrated in public education	No
01/06/1988	England	Grant Maintained Schools (Foundation Schools)	No
01/06/1988	England	Technology Colleges	Yes
01/01/1989	Portugal	Network of Professional schools as ePPPs	Yes
01/06/2000	England	Contract out	Yes
01/07/2000	England	City Academies	No
01/07/2000	England	Specialist Coleges	Yes
20/05/2004	Portugal	Private and public schools with similar status	No
01/05/2005	Portugal	Private Teachers in extra-school activities	Yes
01/07/2009	England	Academies (Sponsored Academies)	Yes
01/05/2010	England	Free Schools	Yes
01/05/2010	England	Converted Academy schools	Yes
04/11/2013	Portugal	New Private Status	No

Source: Author's design

6.5 THEORETICAL CONTRIBUTION

The model and perspective of analysis proposed is a contribution to the field of public policy research. I would like to highlight the convergence of several potential explanatory theories of public policy change into an operational model that is targeted at explaining the complex change, in a setting that requires the participation and alignment of several layers of actors. Change is multifaceted and can very rarely be explained by a single group of variables, a broader perspective is required and desirable.

The central idea of this model is to link success/failure at the implementation level, in this case was measured by the effective establishment of ePPPs, to the moment of legislation adoption and how policymakers can assess the possibility of policy establishment success early on, taking the opportunity to improve the legal framework under approval.

The intention is to provide decision-makers and researchers with a simple list of questions that can be answered and placed against a suggested algorithm to better understand weak and strong aspects and to evaluate the ripeness of policy set for adoption.

Building on previous theoretical and simulation algorithms projected under the MSF targeted at illustrating the “interactive nature of the policy world” (Zahariadis, 2003, p. 149) I advance a procedure for operationalization and hopefully contribute to more rigorous goal reaching evaluation of policies, as the logarithm provides a more objective view adding impartiality to a fuzzier and less systematic qualitative approach.

By transforming the qualitative research into a quantitative approach, I have also shown that qualitative and quantitative methods should be combined to provide distinctive but complementary views.

6.6 FURTHER STUDIES

The long trip has ended. While looking back, one feels a lot richer and more capable of looking at public policy establishment with greater scepticism and respect for a multitude of actors and circumstances.

As knowledge brings ignorance (Firestein, 2012) one is now more concerned when required to think about how to draw and propose policies, or even harder, on making a suggestion for solving a problem that affects education. Policies are hard to implement, but problems seem to be much harder to solve (Mason, 2008).

An exciting study would be to follow policies as they happen and try to use the model as policies are legislated, exclusively evaluating what is known at the time of legislation adoption. The usage of this model in such a manner, would give consistency and enrich its capability as a tool to adopt policies that have a higher possibility of implementation. Such a study would be an enlargement of the methodology used by Kingdon (1984) while studying agenda setting.

As the study was limited to two countries, one does not know how the same typology of variables move in different contexts and over different periods of time. It would be beneficial to understand how other iconic cases on ePPPs are happening around Europe or even around the world. Do favourable configurations obey the same structure? A better understanding of Sweden where voucher systems have been around for a while would be very enriching for the model. Concerning developing countries, where ePPP projects have also been spreading it would be interesting to gather evidence on expansion through the lenses here advanced and, who knows, contribute to reducing government inefficiency, a weak point of new democracies.

Finally, and as there is no generalisation intention to this thesis, I would invite other researchers to study measures of implementation success in other policies, who knows outside of the education field, and attempt to use the model and method here proposed. Understand to what extent the same typology of configuration is still required. The development of a checklist as an undemanding instrument to use by policy researchers could be the departing point for the creation of a dataset that would enable the gathering of information on a larger scale – both thematic and regional. As this is the first attempt to create an algorithm associated with qualitative analysis for the study of

educational administrative reform the gathering of a large international dataset would enrich and adjust the proposed model.

The first step in the creation of a public dataset to be enriched with new analysis has been given. The dataset that resulted from the two empirical cases is built and the variables have been defined. It is available to download and ready to be enlarged. Once there are a sufficient number of policies analysed and codified, one can develop statistical models that are prone to enrich the algorithm by attaching coefficients to each dimension and statistically testing some of the hypothesis advanced in this work.

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8 APPENDICES

TABLES WITH THE ANSWERS TO THE CODEBOOK

Policy name	Assisted Schemes Places		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 1980				
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy might be successfully implemented, but the margin is not very comfortable	Good policy design
	Feasibility	This policy represented a small change in the system	1		
	Value	The policy required small investment from public budget	1		
	Acceptability	No private investment required	1		
	Resource	The cost was well balanced to the publicised benefits	1		
Problem	Indicators	There was evidence of the problem – reports, studies	1		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	0		
The problem affected several socio-economic strata		0			
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	0		
	National Mood	Unions and professional associations were favourable or abstained	1		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
	Society, in general, was not against	1			
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	1		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0		
Favourable entrepreneurs were more active than opposing entrepreneurs		0			
					The problems are not well defined or recognised by the population
					The political situation is not totally favourable, negotiations with opposition, or even within your own party, should be intensified
					National mood is favourable, cooperation is likely
					This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors

Policy name	City Technology Colleges		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 1987				
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy needs to be revised, it has a high chance of not achieving the goals	The policy design has space for improvement
		This policy represented a small change in the system	1		
	Value	The policy required small investment from public budget	0		
	Acceptability	No private investment required	0		
	Resource	The cost was well balanced to the publicised benefits	0		
	Community	People required for accomplishment were aware of their role	0		
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	0		
	National Mood	Unions and professional associations were favourable or abstained	0		
		People affected by the policy agreed with the solution	0		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
		Society, in general, was not against	0		
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	1		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
		Favourable entrepreneurs were more active than opposing entrepreneurs	0		
					The problems are not well defined or recognised by the population
					The political situation is not totally favourable, negotiations with opposition, or even within your own party, should be intensified
					National mood is not totally persuaded of your intentions and might act as an obstacle at implementation stage
					Entrepreneurs are pressing for the policy to hold

Policy name	Technology Colleges		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 1993				
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy might be successfully implemented, but the margin is not very comfortable	The policy design has space for improvement
		This policy represented a small change in the system	1		
	Value Acceptability	The policy required small investment from public budget	0		
		No private investment required	0		
	Resource	The cost was well balanced to the publicised benefits	0		
	Community	People required for accomplishment were aware of their role	0		
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	0		
	National Mood	Unions and professional associations were favourable or abstained	0		
		People affected by the policy agreed with the solution	0		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
	Society, in general, was not against	0			
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	1		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
		Favourable entrepreneurs were more active than opposing entrepreneurs	0		
					Entrepreneurs are pressing for the policy to hold

Policy name	Specialist Schools		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 2000				
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy seems ready for achieving its implementation goals	The policy design has space for improvement
		This policy represented a small change in the system	0		
	Value	The policy required small investment from public budget	0		
	Acceptability	No private investment required	0		
	Resource	The cost was well balanced to the publicised benefits	1		
	Community	People required for accomplishment were aware of their role	1		
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	1		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	1		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	1		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	1		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
	Society, in general, was not against	1			
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	1		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
		Favourable entrepreneurs were more active than opposing entrepreneurs	1		
				Entrepreneurs are pressing for the policy to hold	

Policy name	Grant Maintained Schools		True or False	THE ODDS ARE ...	Weak/ Strong aspects	
Country	England 1988					
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	0	Policy needs to be revised, it has a high chance of not achieving the goals	The policy design has space for improvement	
		This policy represented a small change in the system	0			
	Value Acceptability	The policy required small investment from public budget	0			
		No private investment required	1			
	Resource	The cost was well balanced to the publicised benefits	0			
	Community	People required for accomplishment were aware of their role	0			
Problem	Indicators	There was evidence of the problem – reports, studies	0		Policy needs to be revised, it has a high chance of not achieving the goals	The problems are not well defined or recognised by the population
		More than 25% of the targeted population was affected	0			
	Focusing Events	The problem had an origin in a sudden event	0			
	Feedback	The problem became clear because of a previous policy	0			
		The problem was brought to the public eye by someone with interest in the cause	1			
	Load	The problem affected several socio-economic strata	0			
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1			Policy needs to be revised, it has a high chance of not achieving the goals
		Most of the opposition agreed or abstained	0			
	National Mood	Unions and professional associations were favourable or abstained	0			
		People affected by the policy agreed with the solution	0			
		The policy commentators and opinion makers had a discreet or favourable intervention	0			
		Society, in general, was not against	0			
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1	Policy needs to be revised, it has a high chance of not achieving the goals		
		Entrepreneurs had ease of access to the media	0			
	Resources	International organisations or partner countries were promoting the policy	0			
		Entrepreneurs invested resources (time, money or knowledge)	1			
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0			
		Favourable entrepreneurs were more active than opposing entrepreneurs	0			

Policy name	City Academies		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 2000				
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy might be successfully implemented, but the margin is not very comfortable	The policy design has space for improvement
	Feasibility	This policy represented a small change in the system	0		
	Value	The policy required small investment from public budget	0		
	Acceptability	No private investment required	0		
	Resource	The cost was well balanced to the publicised benefits	0		
Community	People required for accomplishment were aware of their role	0			
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
The problem affected several socio-economic strata		0			
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	1		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
Society, in general, was not against	1				
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	1		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
Favourable entrepreneurs were more active than opposing entrepreneurs		0			
					Entrepreneurs are pressing for the policy to hold

Policy name	Contracting Out		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 2000				
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	0	Policy seems ready for achieving its implementation goals	Good policy design
	Feasibility	This policy represented a small change in the system	1		
	Value	The policy required small investment from public budget	1		
	Acceptability	No private investment required	0		
	Resource	The cost was well balanced to the publicised benefits	1		
	Community	People required for accomplishment were aware of their role	1		
Problem	Indicators	There was evidence of the problem – reports, studies	1		The problems are well supported and clearly perceived by the population
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	1		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		Political situation is favourable
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	0		National mood is favourable, cooperation is likely
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
		Society, in general, was not against	1		
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1	Entrepreneurs are pressing for the policy to hold	
		Entrepreneurs had ease of access to the media	1		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
		Favourable entrepreneurs were more active than opposing entrepreneurs	1		

Policy name	Academy Schools		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 2009				
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy might be successfully implemented, but the margin is not very comfortable	Good policy design
		This policy represented a small change in the system	0		
	Value Acceptability	The policy required small investment from public budget	0		
		No private investment required	1		
	Resource	The cost was well balanced to the publicised benefits	1		
Community	People required for accomplishment were aware of their role	1			
Problem	Indicators	There was evidence of the problem – reports, studies	1		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
		Load	The problem was brought to the public eye by someone with interest in the cause		1
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	0		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
		Society, in general, was not against	1		
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	0		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
Favourable entrepreneurs were more active than opposing entrepreneurs		0			
				The problems are not well defined or recognised by the population	
				Political situation is favourable	
				National mood is favourable, cooperation is likely	
				This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors	

Policy name	Converter Academies		True or False	THE ODDS ARE ...	Weak/ Strong aspects		
Country	England 2010						
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy might be successfully implemented, but the margin is not very comfortable	Good policy design		
	Feasibility	This policy represented a small change in the system	0				
	Value	The policy required small investment from public budget	1				
	Acceptability	No private investment required	1				
	Resource	The cost was well balanced to the publicised benefits	1				
Community	People required for accomplishment were aware of their role	1					
Problem	Indicators	There was evidence of the problem – reports, studies	0		Policy might be successfully implemented, but the margin is not very comfortable	The problems are well supported and clearly perceived by the population	
		More than 25% of the targeted population was affected	1				
	Focusing Events	The problem had an origin in a sudden event	0				
	Feedback	The problem became clear because of a previous policy	1				
	Load	The problem was brought to the public eye by someone with interest in the cause	1				
The problem affected several socio-economic strata		0					
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1			Policy might be successfully implemented, but the margin is not very comfortable	Political situation is favourable
		Most of the opposition agreed or abstained	1				
	National Mood	Unions and professional associations were favourable or abstained	1				National mood is favourable, cooperation is likely
		People affected by the policy agreed with the solution	0				
		The policy commentators and opinion makers had a discreet or favourable intervention	1				
	Society, in general, was not against	1					
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1	Policy might be successfully implemented, but the margin is not very comfortable	This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors		
		Entrepreneurs had ease of access to the media	0				
	Resources	International organisations or partner countries were promoting the policy	0				
		Entrepreneurs invested resources (time, money or knowledge)	0				
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0				
Favourable entrepreneurs were more active than opposing entrepreneurs		1					

Policy name	Free Schools		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	England 2010				
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy might be successfully implemented, but the margin is not very comfortable	Good policy design
	Feasibility	This policy represented a small change in the system	1		
	Value	The policy required small investment from public budget	0		
	Acceptability	No private investment required	1		
	Resource	The cost was well balanced to the publicised benefits	0		
	Community	People required for accomplishment were aware of their role	1		
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	1		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
		Society, in general, was not against	1		
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	0		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
		Favourable entrepreneurs were more active than opposing entrepreneurs	0		
					The problems are not well defined or recognised by the population
					Political situation is favourable
					National mood is favourable, cooperation is likely
					This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors

Policy name	Private Status		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	Portugal 1980				
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy might be successfully implemented, but the margin is not very comfortable	Good policy design
	Feasibility	This policy represented a small change in the system	1		
	Value	The policy required small investment from public budget	1		
	Acceptability	No private investment required	1		
	Resource	The cost was well balanced to the publicised benefits	0		
	Community	People required for accomplishment were aware of their role	1		
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	1		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	1		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
	Society, in general, was not against	1			
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	0		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	0		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0		
		Favourable entrepreneurs were more active than opposing entrepreneurs	0		
					The problems are not well defined or recognised by the population
					Political situation is favourable
					National mood is favourable, cooperation is likely
					This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors

Policy name	Private Schools as part of the Net		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	Portugal 1988				
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	0	Policy needs to be revised, it has a high chance of not achieving the goals	The policy design has space for improvement
	Feasibility	This policy represented a small change in the system	0		
	Value	The policy required small investment from public budget	1		
	Acceptability	No private investment required	1		
	Resource	The cost was well balanced to the publicised benefits	0		
	Community	People required for accomplishment were aware of their role	0		
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	1		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
		Society, in general, was not against	1		
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1		
		Entrepreneurs had ease of access to the media	0		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	0		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0		
		Favourable entrepreneurs were more active than opposing entrepreneurs	1		
					This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors

Policy name	Education Free for All		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	Portugal 2004				
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy needs to be revised, it has a high chance of not achieving the goals	The policy design has space for improvement
		This policy represented a small change in the system	0		
	Value	The policy required small investment from public budget	1		
	Acceptability	No private investment required	1		
	Resource	The cost was well balanced to the publicised benefits	0		
	Community	People required for accomplishment were aware of their role	0		
Problem	Indicators	There was evidence of the problem – reports, studies	0		
		More than 25% of the targeted population was affected	0		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	1		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	0		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	0		
	National Mood	Unions and professional associations were favourable or abstained	0		
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	0		
		Society, in general, was not against	0		
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	0		
		Entrepreneurs had ease of access to the media	0		
	Resources	International organisations or partner countries were promoting the policy	0		
		Entrepreneurs invested resources (time, money or knowledge)	0		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0		
		Favourable entrepreneurs were more active than opposing entrepreneurs	0		
					The problems are not well defined or recognised by the population
					The political situation is not totally favourable, negotiations with opposition, or even within your own party, should be intensified
					National mood is not totally persuaded of your intentions and might act as an obstacle at implementation stage
					This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors

Policy name	New Private School Status		True or False	THE ODDS ARE ...	Weak/ Strong aspects	
Country	Portugal 2013					
Policy	Technical	A similar policy had been approved in the past or it has been implemented in a country of reference	1	Policy needs to be revised, it has a high chance of not achieving the goals	The policy design has space for improvement	
	Feasibility	This policy represented a small change in the system	0			
	Value	The policy required small investment from public budget	0			
	Acceptability	No private investment required	1			
	Resource	The cost was well balanced to the publicised benefits	0			
	Community	People required for accomplishment were aware of their role	0			
Problem	Indicators	There was evidence of the problem – reports, studies	0			
		More than 25% of the targeted population was affected	0			
	Focusing Events	The problem had an origin in a sudden event	0			
	Feedback	The problem became clear because of a previous policy	1			
	Load	The problem was brought to the public eye by someone with interest in the cause	1			
		The problem affected several socio-economic strata	1			
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1			
		Most of the opposition agreed or abstained	0			
	National Mood	Unions and professional associations were favourable or abstained	0			
		People affected by the policy agreed with the solution	1			
		The policy commentators and opinion makers had a discreet or favourable intervention	0			
		Society, in general, was not against	0			
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1			
		Entrepreneurs had ease of access to the media	0			
	Resources	International organisations or partner countries were promoting the policy	0			
		Entrepreneurs invested resources (time, money or knowledge)	0			
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0			
		Favourable entrepreneurs were more active than opposing entrepreneurs	0			
						The problems are well supported and clearly perceived by the population
						The political situation is not totally favourable, negotiations with opposition, or even within your own party, should be intensified
						National mood is not totally persuaded of your intentions and might act as an obstacle at implementation stage
						This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors

Policy name	Professional Schools		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	Portugal 1988				
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	0	Policy seems ready for achieving its implementation goals	The policy design has space for improvement
		This policy represented a small change in the system	0		
	Value	The policy required small investment from public budget	0		
	Acceptability	No private investment required	0		
	Resource	The cost was well balanced to the publicised benefits	0		
	Community	People required for accomplishment were aware of their role	1		
Problem	Indicators	There was evidence of the problem – reports, studies	1		The problems are well supported and clearly perceived by the population
		More than 25% of the targeted population was affected	1		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	1		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
		The problem affected several socio-economic strata	1		
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		Political situation is favourable
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	1		National mood is favourable, cooperation is likely
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
		Society, in general, was not against	1		
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1	This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors	
		Entrepreneurs had ease of access to the media	1		
	Resources	International organisations or partner countries were promoting the policy	1		
		Entrepreneurs invested resources (time, money or knowledge)	1		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	1		
		Favourable entrepreneurs were more active than opposing entrepreneurs	1		

Policy name	After School Teachers		True or False	THE ODDS ARE ...	Weak/ Strong aspects
Country	Portugal 1988				
Policy	Technical Feasibility	A similar policy had been approved in the past or it has been implemented in a country of reference	0	Policy seems ready for achieving its implementation goals	The policy design has space for improvement
		This policy represented a small change in the system	0		
	Value Acceptability	The policy required small investment from public budget	0		
		No private investment required	1		
	Resource	The cost was well balanced to the publicised benefits	1		
Community	People required for accomplishment were aware of their role	1			
Problem	Indicators	There was evidence of the problem – reports, studies	1		The problems are well supported and clearly perceived by the population
		More than 25% of the targeted population was affected	1		
	Focusing Events	The problem had an origin in a sudden event	0		
	Feedback	The problem became clear because of a previous policy	0		
	Load	The problem was brought to the public eye by someone with interest in the cause	1		
The problem affected several socio-economic strata		1			
Politics	Institutional equilibrium	The government ideology was favourable for the policy	1		
		Most of the opposition agreed or abstained	1		
	National Mood	Unions and professional associations were favourable or abstained	1	National mood is favourable, cooperation is likely	
		People affected by the policy agreed with the solution	1		
		The policy commentators and opinion makers had a discreet or favourable intervention	1		
Society, in general, was not against	1				
Entrepreneurs	Access	Entrepreneurs had ease of access to decision makers	1	This policy hasn't caught enough attention from entrepreneurs, if it is a sophisticated policy and really important for you, motivate more influential actors	
		Entrepreneurs had ease of access to the media	0		
	Resources	International organisations or partner countries were promoting the policy	1		
		Entrepreneurs invested resources (time, money or knowledge)	0		
	Speech	Entrepreneurs were involved in framing the speech to improve policy acceptance	0		
Favourable entrepreneurs were more active than opposing entrepreneurs		1			

Flores, I (2018) *On the Edge of the Knife: The establishment of public-private partnerships in education.*
