

Comparison of Pre-school Education Provision, Policy, Funding and Legislation between China and the UK

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Abstract—The expansion of preschool education can assist modern China in alleviating the pressure on the labor force. However, current research in this field is complex and scattered. This study is a unique attempt to synthesize the scattered sources of information as obtained from research on pre-school education in China and the UK. To define the commonality of the development of preschool education, and to demonstrate the significance of further enhancing China's preschool education legislation and funding reforms, a longitudinal review and lateral comparison of policy, provision, funding and legislation are conducted.

Index Terms—Pre-school education, funding, policy, legislation

I. INTRODUCTION

Today's China is under immense strain from an aging population, and the government is steadily boosting fertility and maximizing workforce to secure future economic development. In this context, the expansion of pre-school education can be significant. On the one hand, the reduction of the cost of preschool education can reduce the burden on the family, thereby increasing the family's willingness to bear children. On the other hand, reputable preschool education and childcare services can replace part of the daily nursing activities conducted by parents and altering the archaic male breadwinner family model. So that both parents has a larger probability of going back to work after childbirth.

But the current pre-school education in China fall short of what is required. There are huge discrepancies in the quality and quantity of education between regions, urban and rural areas, public and private schools, the amount of admission provided by public schools cannot meet social needs, and private school tuition fees are prohibitively expensive.

Although China's preschool education is still at a relatively early stage of development, a considerable amount of academic research has accumulated in this field, suggesting complex multi-dimensional impacts of policy, supply, funding and legislation. CAI Xiao and Yao Jiasheng study the changes of funding policies from a historical perspective [1], ZHANG Li-hong retrospects the policy and law of early childhood education in China [2], ZHAN Zhong-le and LI Shuo research on legislation of China's pre-school education [3]. However, these studies only focus on the individual aspects affecting preschool education, but ignore the mutual

influence and progressive logic of factors, and fail to synthesize the overall understanding. Meanwhile, scholars from various nations, such as Anne West and Philip Noden of the London School of Economics and Political Science, have made a historical analysis of the evolution of preschool education legislation and policies in the United Kingdom [4]. The extensive explanations of the nationalization and transformation of preschool education funding policies also provides a wealth of information worth referencing [5].

However, these studies only concentrate on the separate elements affecting preschool education, ignore the reciprocal influence and progressive logic of inductive factors and fail to synthesis a holistic insight. At the same time, it is difficult to compare and learn from other countries' experiences.

Under such a circumstance, a comprehensive review of the relevant literature will be especially helpful in synthesising the key research insights and unveiling major research trends in this field. Hence, by reviewing relevant literature, this study intends to answer the following research questions: What are the common laws and roles of policy, provision, funding, and legislation in the development of preschool education in diverse nations? In comparison, how might China's preschool education improve in these areas?

This paper will begin with the definition and scope of pre-school education before delving into supply, governance, education quality, policy, and legislation. For each of the mentioned aspects, the growth processes in the UK and China will be examined longitudinally first, before comparing discrepancies between countries or factors laterally. As a result, towards the end of the article, commonalities and predictive experiences and solutions can be derived.

II. PROVISION: INSUFFICIENT EDUCATIONAL RESOURCES AND MIXED SUPPLY SYSTEMS

The history of preschool education in China and the United Kingdom had demonstrated that the market could play a significant role in filling the gap caused by the limited educational resources provided by the government.

Since the 1967 Plowden Report, LEAs in UK had been permitted to financially assist non-profit organizations that provide educational resources, and playgroups' market share increased. Furthermore, the 1996 Nursery Education and Grant Maintained Schools Act also acknowledged financial support from LEAs to for-profit businesses that offer educational materials. In 2019, for eligible 3- and 2-year-olds, private providers offered 65% and 86% of free education, while the rest children attended public institutions.

This was the same in China, where the share of market supply had steadily increased since the reform and opening up, and where there was formerly a problem with admittance since state degrees were limited and private tuition prices

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were prohibitively expensive. Even though the government intensified its dedication on and investment in preschool education since 2010, private kindergartens continue to make up a larger percentage of the provision of educational resources. China's National Bureau of Statistics reports that in 2020, 48,182,634 kids were enrolled in preschool, with 49.4% of them attending private kindergartens and only 42.8% attending facilities managed by the government's departments of education.

Therefore, in order to solve the fundamental problem of insufficient resources, the governments have to allow the market to provide and allocate some or even most of the educational resources. At present, the most practical and ideal supply system is the mixed supply mechanism of the government and the market and both the UK and China are currently adopting this system, whilst the allocation ratios and formulas vary according to national conditions.

III. GOVERNMENT'S ROLE AND EDUCATIONAL INEQUALITY

When the government implemented a mixed-supply system to address the problem of limited resources, and private providers became the dominant supplier, additional challenges emerged.

In 1989, academic research found significant variation in the levels of preschool education across the United Kingdom. Provision was found to be strongly related to the socioeconomic background of authorities, with higher levels of nursery education in more disadvantaged urban areas and higher levels of playgroups in more affluent areas (40-50% of three-and-four-year-olds were estimated to attend playgroups in 1986) [6]. According to 2014 research, primary schools in impoverished regions provided equivalent, if not superior quality provision than schools serving more advantaged children, as assessed by environment rating scales. However, the quality of the education given by the private, voluntary, or independent (PVI) provider was inferior in impoverished areas with more underprivileged kids [7, 8]. Coincidentally, regional differences, particularly disparity between urban and rural remained to be a pressing issue in China in recent years. According to data released by China's Ministry of Education, there will be 709,500 kindergarten classes in urban areas, 620,300 in county and town areas, and 440,700 in rural areas in 2020, accounting for 40.03%, 35.10%, and 24.87%, respectively; the number of full-time rural teachers was 1.4307 million, 1.0211 million, and 461.4 thousand, accounting for 49.11%, 35.05%, and 15.83%, respectively. The ratio of full-time teachers to students in urban regions is 14.87:1, in county and town areas it is 18.27:1, and in rural areas it is only 28.65:1. This is in accordance with the national standard of approximately 30 kids per class. All of the data presented above indicate that the quantity of educational resources shared by rural children remains significantly lower than that of urban children. There is also a quality issue. In 2020, the majority of teachers (between 55% and 59%) in all three areas had associate's degrees, while in urban areas, 30.87% of the teachers had bachelor's degrees or higher, compared to 17.85% in rural areas, and there were 26.53% of teachers with only a high school diploma or less.

A. *The Reason of the Vast Disparity*

The first reason for the inequality and discrepancy in preschool education was the nature of market. Every country had historical regional economic imbalances, and in the

context of free market competition, capital would naturally gravitate toward affluent regions, exacerbating the regional disparities in educational development. The nature of the market and of capital, however, cannot be altered. When China and the United Kingdom allowed private suppliers to participate in the provision of educational resources, they were bound to encounter significant regional development disparities.

The second reason was the failure of the existing government management, which lacked the effectiveness and inspiration necessary to intervene in the market and ensure that education would not deviate from established goals and missions. There are significant parallels between Chinese and British government management systems: the central government makes the majority of policy decisions, which are then implemented by local governments. Consequently, such a system had both beneficial and detrimental effects on the provision of preschool education resources.

Both countries' early preschool education was originally centralized, planned, provided, and directly administered by the central government until it became unable to longer meet the needs of the public. The 1918 Education Act in the United Kingdom allowed for local initiatives. In short, the expansion of infant schools was contingent on local government decisions. The Education Act of 1980 empowered LEAs to construct schools. Similarly, after reform and opening up, China's central government gradually devolved power. The Central Committee of the Communist Party of China published the "Decision on the Reform of the Education System" in 1985, diverting authority to local governments and allowing local authorities and departments to distribute resources and finance autonomously, mobilizing local government initiative.

Because the transfer of management control happened simultaneously with the merger of private institutions into preschool education providers, such a transfer of power meant greater flexibility for the non-government-supplied education market to expand. Over time, the number of educational resources in China and the United Kingdom surged, filling the gap in market need.

But this thriving was not sustainable. On one hand, the government did not provide equal financial support to private suppliers and government-run schools, so private providers lacked the motivation and strength to compete directly with the public sector, not to mention a commitment to closing the education gap in poor areas and lowering education costs in order to achieve universal benefits. On the other hand, local governments had a diverse socioeconomic background. Expecting them to collaborate and ambitiously interfere in the market to build a nationwide universal education was unrealistic in the absence of an united national goal and guidance. In the end, a hazardous dilemma had formed in which the development gap across areas was huge and it was impossible for education to benefit children equally.

B. *Government's Role—Right and Obligation Assignment*

Although regional development and economic inequities are unavoidable and common in practically any country. However, for education that is intended to benefit all students, it is illogical to convert education development into a discretionary service that is entirely dependent on the willingness and effort of local authorities, since this would only exacerbate existing inequalities.

As a result, both China and the United Kingdom began to gradually limit local authorities' discretion, substituting decision-making right with obligations to secure supply under the guidance of central government. And the central government began to actively interfere, reaffirming the purpose of inclusive education and proposing a number of national policies, guidelines, and plans.

In the UK, local governments were obliged to provide and support kindergarten education instead of just having that as a right. Beginning with the nursery education voucher scheme in 1996, the UK's central government has implemented a series of national policies that have reformed the central government's right to education development and the universality of preschool education. The free entitlement to early childhood education since 1998 and the Early Years National Funding Formula since 2016 are examples. The statutory guidelines on early education had also been revised by the central government and, central inspection agency Ofsted was given additional power. From 2014, education decisions by local authorities must also be fully aligned with the provider's Ofsted inspection judgment as a benchmark for quality.

In order to reaffirm its guiding principles and requirements, the Chinese government also released "Several Opinions on the Current Development of Preschool Education" in 2010. In 2019, "Administrative Measures for Funds Supporting the Development of Preschool Education" presented the central government's new endeavors to financially support preschool education. With the adoption of these documents, preschool education had reverted to its original aspiration under central government control.

Historically, such a management system in which the central government makes unified decision-making and plans for the development of national education, and local governments assume obligations for policy implementation, has been the choice of continuous evolution, and it is also the most mature and optimal solution at the present. It could not only ensure that policies and development do not stray throughout the implementation phase, but also that all parties engaged are motivated and responsible.

Under the impulse of the two governments, a new pattern of power and responsibility distribution was established. In this pattern, the central government decides national educational goals and policies, as well as takes the initiative and leads educational progress, whilst local governments have limited management powers and are more obliged to follow central guidelines and legislation.

Currently, it appears to be the most mature and optimal solution to the preceding failure of passive government intervention, the second reason for enormous disparities in educational development. The new management system could ensure not only that policies and development do not stray throughout the implementation phase, but also that all parties involved are motivated and committed.

C. Government's Role—Fund Distribution

In addition to altering the allocation of power and responsibility internally, governments also have the capability to intervene in marketplaces and economy. As PVI providers were allowed to enter and progressively become the most important providers of educational resources, the government's original intervention, which was to provide PVI providers with funding that was lower than that of public schools, had lost meaning and effect. As a result, the

government had to fundamentally alter its role in preschool education management, establishing itself as the main funder - if not provider - of preschool education [9]

1) Public funding and distribution reform in the UK

In the United Kingdom, funding for early education was distributed in two stages: from central government to local authorities and from local authorities to providers. The government had to restructure both stages of the preschool education funding process in order to fulfill its new role.

In the UK, free early education funding from central government to local authorities was initially differentiated between PVI providers and maintained schools. The government launched a new ring-fenced Dedicated Schools Grant for funds from local governments to providers in 2006-2007, based on levels of deprivation and prior levels of expenditure and cost. This method prohibited local governments from spending less on preschool education than the central government deems adequate, and assured that the region's education expenditure was sufficient and increasing. In 2015, the implementation of the Early Years Pupil Premium Grant for underprivileged children significantly strengthened and reasserted the central government's control over pre-school education financing. It was an entirely separate and centrally controlled financial stream that local governments were required to allocate to providers at the level stipulated by the central government. So far, local governments' funding discretion over preschool education had been virtually eliminated.

During the same period, local authorities' distribution of funding to providers also changed. Initially, the purposes, tools, and levels of funding allocations differed between PVI providers and schools, resulting in funding disparities between providers. The British government desired to promote the market principles of "fair competition" and "equal funding," in which all sorts of providers should be paid the same amount for every hour of educational service provided. When the Early Years Single Funding Formula was ultimately adopted in 2011, each local authority was mandated to provide funds to all types of providers using a formula developed locally. A 'base rate,' which could differ based on the type of provider, and a deprivation supplement were required in formulas. They could also include a variety of supplemental payments, particularly those related to the quality, flexibility, and sustainability of provision [10].

On the other hand, the inequality of resource allocation from central to local governments remains unresolved. A national fiscal formula that can be distributed objectively according to the formula regardless of historical expenditure levels has become an urgent need. Especially after the Conservative government pledged in 2015 to provide qualified working parents with 30 hours of free childcare every week.

In 2017, the Early Years National Funding Formula, a completely new policy instrument, was implemented. Contrary to the past, the funds from central to local government was distributed based on a universal base rate plus factors for additional needs, such as free school meals, disability living allowance, and cost adjustment. For the distribution from local authorities to providers, there were new restrictions with a minimum level of cash to be passed through to providers (up to 95% in 2018-2019). By 2019-2020, local governments must establish a local

universal base rate for all providers. Up to 10% supplements were permitted [11].

By now, two stages of UK early education funding allocation have now been altered, from central government to local authorities and from local authorities to providers, to achieve a more objective and transparent allocation than ever before.

IV. PUBLIC FUNDING AND DISTRIBUTION REFORM IN CHINA

Compared with the United Kingdom, China's financial reform to support preschool education is still in the preliminary proposal and exploration because it started relatively late. There had previously been few policy documents on preschool education financing, but in 2010, "The Outline of the National Medium and Long-Term Educational Reform and Development Plan (2010-2020)" and "Several Opinions on the Current Development of Preschool Education" were released. These two documents urged the government will increase investment in the preschool education system, funding and management, kindergarten management, safety monitoring, and general planning. The latter in particular had evolved into the overall blueprint for the development of preschool education as well as the prelude to China's thorough implementation of preschool education rules and regulations.

In 2011, the Ministries of Finance and Education released the "Notice on Increasing Financial Investment to Support the Development of Preschool Education." Since 2015, the central government has aggressively funded local governments to promote the establishment of universal preschool education and child assistance system.

In 2015, with the release of the "Administrative Measures for Funds Supporting the Development of Preschool Education", the central government established a preschool education development fund to promote the expansion of preschool education resources through general public budget arrangements. The fund is jointly administered and supervised by the central government's Ministries of Finance and Education, adhering to the principles of focusing on solving priority problems, standardization, and transparency. Local financial departments are primarily in charge of developing specific fund management methods appropriate for local situations, relevant expenditure subsidy standards, and expanding resources through multiple channels. Local education departments are mostly in charge of directing local kindergartens and formulating preschool education development plans.

Two significant advancements had been achieved in the Preschool Education Development Fund system adopted since 2015. One is to implement dynamic adjustments to preschool education funds. The funds are divided into two categories, namely "expanding resources" project funds and "children aid" project funds. Based on the total funding and the needs of preschool education reform and development, the Ministries of Finance and Education are able to determine and dynamically adjust the scale of funding for the two categories of projects, respectively.

The other is the rigorous definition of the weighting of fund allocation utilizing a factor method. Funds for "expanding resources" projects are allocated refer to three factors: foundation and performance, input and effort, reform and management. These factors' data come from statistics and government reports, including sub-factors such as the

number of students, the per capita available financial resources, the general public financial budget expenditure per student in local preschool education in the previous year, the total amount of social input, the promotion of pre-school education reform and the strengthening of fund management. The factor method is also used to allocate funds for the "Children's Funding" project. First, whether the province is located in the eastern developed area, followed by the number of children enrolled in kindergarten, the formation and enhancement of the subsidy system, investment in local financial subsidies for children, and the impact of implementation.

However, since 2010, the public funding for preschool education in China has concentrated on the transfer from the central government to local governments. There are just a few guidelines for allocating funds from local governments to providers, and the most of them are still in the trial stage.

According to the "14th Five-Year Plan for Actively Responding to Population Aging Project and Nursery Construction Implementation Plan" released by the China State Council on June 17, 2021, social forces including private corporations are encouraged to explore and develop new models and formats of childcare services such as family childcare sharing platforms and family childcare sites. Following that, on September 1, the National Development and Reform Commission announced a 7 billion yuan central budget investment and a special subsidy of 10,000 yuan for each new accredited nursery place. This can be interpreted as the government's attempt to directly acquire educational services and subsidize non-government providers. At the same time, cities like Hangzhou, Guangzhou, Xi'an tried to introduce a one-time subsidy for demonstration childcare facilities along with financial subsidies based on enrollment.

Although these initiatives are unprecedented and have the potential to exert a profound influence in the future, their overall impact on existing preschool education in China is limited because they are still in the stages of regional testing.

V. COMPARISON

Similarly, both countries increased financial and resource investment in order to reclaim dominance over the development of preschool education. Regarding allocating central government funding to local governments, both countries' central governments' powers had been expanded at the price of local discretion rights. The two countries also concurred to replace the antiquated distribution method based on historic council expenditure with a national funding formula comprised of a universal base rate plus factors for additional needs. The UK employed the Early Years National Funding Formula in 2017, while China adopted the Preschool Education Development Fund in 2015. The universal base rate ensures that funds are distributed more objectively, equally, and transparently across regions. Furthermore, the different supplemental subsidies included in the national funding scheme improved the quality, flexibility, and sustainability of pre-school educational resource provision.

Differences, however, arise in the distribution of funds from local authorities to providers in two countries. In the UK, since both public schools and PVI providers receive public funding via the Early Years National Funding Formula at a universal base rate, "a level playing field in the market" has been established by the British government. Although the Chinese government attempts to offer direct funds to

qualified individual suppliers since 2021, whether to offer PVI providers and public schools an equal financial support and a level playing field is still being debated. At present, policy or legislation has not yet provided a definitive answer.

VI. FURTHER CONCERN—THE QUALITY OF PRE-SCHOOL EDUCATION

At all phases of the development of preschool education in China and the United Kingdom, there are challenges and issues that must be tackled primarily. The provision system and government's role studied in the previous article primarily address the two fundamental problems of insufficient resources and unequal distribution from the perspective of the quantity of educational resources.

However, in recent years, the issue of the quality of preschool education has gotten more severe and has received more attention. Additionally, quality issues are not addressed by the quantity-oriented solutions adopted by China and the UK. Previous solutions attempted to be egalitarian in terms of the quantity of educational resources available to students across regions, but not in terms of quality.

The UK's central government implemented the Early Years National Funding Formula in 2017. The purpose, according to regulations, is to disperse funds evenly. The national funding formula and the local funding formula are used to allocate funds from the central government to local governments and from local governments to providers, respectively. The prerequisite for these financing goals is the presumption of equivalence across PVI providers and maintained nursery education. However, subsequent policy declarations revealed that the government's equality assumption was only concerned with quantity, not quality. Furthermore, training and employee qualification requirements vary by the type of provision. Maintained nursery schools and nursery classes in maintained schools are required to have at least one staff member who is a school teacher, while other types of provision are not.

As a result, any equivalence assumption made only in quantitative terms is flawed, and the government's emphasis on growing educational resources through a mixed economy of providers has come at the expense of staff quality. Long-term achievement of pre-school education and children's long-term benefits are also jeopardized.

Since present solutions are insufficient for dealing with quality issues, it is vital to look for new solutions. Aside from the provision and government, legislation is another major factor influencing preschool education.

VII. POLICY AND LEGISLATION

When governments attempt to implement new changes to enhance social progress, policies and laws are especially effective tools. Policies generally refer to the principles or action guidelines formulated by the party and the government to achieve political, economic, cultural and other goals and tasks in a certain period of time, and their manifestations are usually normative documents. Different from policies or normative documents, laws refer to the rules of conduct formulated by the legislature in accordance with legal procedures and guaranteed by the state's coercive force, and are the embodiment of the will of the state. During the

evolution of preschool education, laws and policies in the UK and China had disparate roles and influences.

A. *Legislative Impact on British Pre-school Education*

Since the beginning of the twentieth century, legislative provisions have had a significant influence on pre-school education in England and numerous of the most pivotal moments in UK pre-primary education are legally defined, supported, or based.

The 1870 Elementary Education Act, as a starting point, had established universal education for all children in the form of state duties for the supply of educational materials, sponsored and administered by the national government.

The 1918 Education Act allowed LEAs the authority to provide or help in the establishment of nursery schools but not to independently establish them. As a result, the expansion of nursery schools was dependent on local government decisions.

The 1944 Education Act provided LEAs the responsibility of insuring the provision of nursery schools/classes rather than the obligation to directly provide or aid in the supply of nursery schools, as envisaged in the 1943 The Board of Education's White Paper, Educational Reconstruction [12]

The 1996 Nursery Education and Grant Maintained Schools Act effectively returned nursery education in the UK to universal and 'preschool' status, rather than prioritizing children from underprivileged regions. In addition to state-provided education, LEAs and PVI providers were permitted and funded to provide educational resources. A market-based education supply system had been established. Legislation in the sphere of early childhood education and care had been dominant from this point forward.

Following the enactment of the 1996 Nursery Education and Grant-Maintained Schools Act, a nursery school voucher scheme for four-year-olds was launched in four local authorities and across the UK in April 1997, dubbed "possibly this country's first effort at a universal early years education system" [4].

In 1998, the voucher system was replaced with an entitlement to a free part-time nursery education place for four-year-old. The School Standards and Framework Act of 1998 obliged local governments to provide proper preschool education for children of the prescribed age.

The free entitlement to early childhood education has been significantly raised since 2000, culminating in 2017 with 30 hours of total early childhood education and care, as reaffirmed and supported by the Childcare Act of 2006, the Education Act of 2011, and the Childcare Act of 2016.

B. *The Impact of Policy on British Pre-school Education*

Non-legislative provision, such as policies, regulations, circulars and reports issued by the central government has been critical, especially in some relatively turbulent historical periods. When some ideas are worth exploring but remain contentious, the law is unsuitable as a coercive, explicit, and consistent instrument. Non-legislative provision has become a compromise approach since the government can modify it flexibly, and the mandatory and continuous durations are relatively short.

During the period from 1871 to 1995, the universal nursery education envisaged by the 1870 Elementary Education Act was not really implemented. Instead, the emphasis was shifted by non-legislative provisions shifted to improving early childhood education for children in impoverished

neighborhoods. In 1905 and 1908, the Board of Education ordered two reports stating that poor children should be given priority in this new school. Since then, enhancing the concept of nursery schools and the education of impoverished children have been acknowledged as a priority and a social responsibility [13].

During the period from 1945 to 1995, The central government retained its dominant position on the establishment and provision of preschool education in the UK, and PVI providers were not included in the educational resource supply system, nor were they supported by government funds. LEAs did not have the authority to construct schools directly, nor did they have the duty to provide adequate educational resources.

Between 1945 and 1995, the establishment and provision of pre-school education in the UK was dominated by the central government. Conversely, from the 1950s through the 1970s, government spending was curtailed in a series of circulars as a result of World War II and the recession [14]. The primary policy goal at the time was to preserve the meager nursery education provision that existed [15].

However, throughout this volatile time, a variety of ideas and proposals were continuously debated, evaluated, and eventually incorporated into subsequent legislation.

The 1967 Plowden Report advocated for a large expansion of nursery education, with a high priority placed on part-time attendance in unsatisfactory districts and a low priority placed on full-time attendance. The priority during this period shifted to providing funds for non-profit organizations to address the shortage of educational resources in nursery education. Furthermore, LEAs should be authorized and encouraged to offer financial and other help to non-profit groups that satisfy needs that LEAs are unable to meet. The following year, the White Paper, Education, a Framework for Expansion proposed near-universal nursery education, free spaces for 90% of four-year-olds and 50% of three-year-olds, and abolished the expansion barrier by dropping Circular 8/60. The White Paper emphasizes the need of private-not-for-profit providers filling gaps in state service, the LEAs initiative to aid volunteer organisations with financial incentives, and a preference for part-time attendance. The new challenge of nursery education had been defined: despite rising part-time attendance, there were inadequate places, insufficient resources, and no duty on LEAs to offer nursery education. Ultimately, the Plowden Report's consensus on educational thinking withstood the recession and was eventually transformed into a legally enforceable solution in the 1996 Act and subsequent laws.

C. Legislation and Policy Impact Comparison in China

The pre-school education legislation in China was formed between 1978 and 1989. Preschool education was introduced into the constitution for the first time in 1982, and the preschool education system was established utilizing the country's fundamental law. But the policies and regulations on preschool education from 1978 to 1989 were restorative. Drafts of numerous policies were published during this time, and the regulations covered a diverse range but there were no substantial funding provisions made during this time. Additionally, because all of these special regulations are departmental laws with poor effectiveness and level, the progress of early childhood education was not successfully advanced by laws.

However, aside from some monumental publications, the legislation and policy relevant to pre-school education stagnated between 1990 and 2009. During this period, the problem of multiple government departments was serious. It is normal for one document to involve 7-10 departments. Preschool education rules and regulations have failed, as evidenced by phenomena like difficult enrollment and prohibitive tuition. Preschool education in China hit a low point since the policy orientation had changed during implementation, resulting in the shutting, merging, and sale of numerous kindergartens across the nation.

Legislation and policies that have significant influence for contemporary preschool education in China commenced in 2010. In 2010, The "Outline of the National Medium- and Long-Term Education Reform and Development Plan (2010-2020)" and "Several Opinions on the Current Development of Preschool Education" was officially promulgated. These two documents outline put forward the development goals and made arrangements for the preschool education funding, management, safety supervision and overall planning. The "Opinions" also has become the general scheme for the development of preschool education in the new era, and opened the prelude to the intensive introduction of preschool education policies and regulations in China. Since 2010, more policies and regulations have been issued in the 12 years than the sum of the past 30 years. They are highly targeted and comprehensive, providing a strong institutional guarantee for the rapid development of preschool education. Currently, more than 20 departmental laws and local preschool education regulations form the policy foundation for preschool education in China.

However, pre-school education in China is still not legally integrated into the national education system and lacks a solid legal foundation due to the absence of the Preschool Education Law.

In recent years, discussions and legislative proposals on the preschool education law have become more and more popular. In December 2017, the 31st meeting of the Standing Committee of the 12th National People's Congress responded by announcing that the process of promoting preschool education legislation is being accelerated. On September 10, 2018, the Standing Committee of the National People's Congress announced the "Legislative Plan of the 13th National People's Congress Standing Committee". In September 2020, the Ministry of Education announced the "Draft Law of the People's Republic of China on Preschool Education (Draft for Comment)". However, the proposal has yet to be passed and promulgated as of September 2022, and China still has a long way to go on the road to perfecting preschool education through legislation.

D. Comparison of the Use of Legislation and Policies between China and the UK

Legislation and policy are, respectively, short-term and long-term management tools in the development of pre-school education.

Due to the limited duration of office in power, each administration will concentrate on problems that can be resolved within the term of office, helping pre-school education to be maintained or even improved quickly. Because legislation takes time and argumentation, research, official statements, and policy development are the most efficient methods in the short term. However, it is also because a change of government is inevitable and the policies

put out by the government will certainly be altered or even abolished. As a result, policies lack long-term effectiveness and accountability for consequences.

When the issues that fundamentally affect pre-school education last longer than the government's tenure, the law is more applicable since it provides clarity and consequential accountability. The clarity of the law refers to the clear description and stipulation of the three different behavior modes of "can, should, and not." These criteria establish precise standards of conduct for individuals, corporations, and local governments, providing appropriate advice on their activities. Consequential accountability refers to the fact that, in addition to presumed conditions and patterns of behavior, the law also has elements of legal consequences. By setting legal consequences, making violations of the law face sanctions, thereby forcing people to act according to the rules set by the law.

In comparisons between the two nations, the UK government has utilized the benefits of both tools. In the short term, policies guide and control pre-school education, and there are also legal constraints and guarantees that the original goal remains unaltered in the long run. But the preschool education in China has long been "walking on one leg" since 1978 [3] Administrative regulations published by the central government have been the key driving force behind the development of preschool education, rather than laws promulgated by the National People's Congress and its Standing Committee.

VIII. CONCLUSION

The purpose of the current study was to compare the characteristics of educational development in China and the UK, summarize the general regulations for the development and administration of preschool education, and offer recommendations for how China's preschool education might be further developed by drawing on the advantages of other nations' building strategies. This study has been one of the first attempts to thoroughly compare multiple aspects of regulatory policy, legislation and financial allocation in the development of pre-school education between the two countries. Taken together, several universal principles and commonality has been established.

A. Quantitative and Qualitative Issues

The multiple issues encountered in the growth of preschool education in the two countries can be divided into two categories: quantitative problems and quality problems, and the progressive logic between the problems can be clarified.

From the beginning of pre-primary education to the present, the government's primary objective has been to address two kinds of quantitative problems. One is to expand the quantity in response to insufficient resources, and the other is to ensure the fairness of quantity distribution in response to regional disparities. Early on, when only the government was permitted to provide education, educational resources were insufficient and obliged to favor the most disadvantaged areas or other particular groups. The quantity of educational resources rose after non-government providers were permitted to participate in education, and the additional resources also allowed preschool education to cover more children, effectively accomplishing the goal of universal benefits. As the issue of insufficient numbers is resolved, making sure that the distribution of resources is equitable has

taken precedence. On this problem, the central governments of both countries have begun to intervene more aggressively and have implemented a number of actions. Preschool education policies, legislation, funding, and management systems are all improving. But the disparity in regional growth persists even today. The priority of the two governments remains how to boost resources and assign them to backward regions.

While the inequality in amount supplied across regions is being resolved, the fair disparity in educational quality has also been uncovered and addressed. The inequalities in teacher education, facilities, and environment between urban and rural areas reflect regional disparities in education quality. Even more dangerously, the government's current equivalence assumption is faulty since it solely considers quantity. The government's quantitative solution of increasing educational resources through a mixed economy of providers risks sacrificing quality and widening disparities. While guaranteeing universal access to pre-primary education for all children is more pressing at the moment, quality will only become more important as enrollment rates rise. In order to ensure that preschool education is not merely a formality and that the education children receive is of good quality, legislation and inspection systems must be involved.

B. The Role of Market, Government, Fund and Legislation

In both countries, the government, market, funds, and legislation play similar roles and functions in resolving the aforementioned two types of problems. Understanding their roles aids in understanding current situations, finding solutions, and shaping future policies.

The market, particularly private supply, provides the majority of educational resources, underpinning the premise that preschool education can serve the most children and yield universal benefits. However, due to the profit-seeking nature of capital in a free market, resources will be extremely concentrated in advanced and affluent regions in the absence of government intervention. The universality of education may be hindered by the emergence of inequality.

The government, as the supervisor, is responsible for restraining the disorderly expansion of market and ensuring that preschool education progresses toward a unified national goal. To that end, the national government is in charge of constructing decisions and policies that will effectively promote the growth of preschool education in the short term, while local governments are responsible for execution.

Funding, as one of the important means for the government to mediate the market, has an important and direct impact on the growth and distribution of educational resources. Funding allocations from the national government to local authorities determine the funds available in each region and the differences between them. The funding distribution from local governments to providers affects the scale and speed of development of various types of providers, as well as the quality and quantity of resources they can provide.

Legislation and the associated supervisory mechanism can aid in the resolution of both quantitative and quality issues. It can enhance market segmentation and development by clearly defining preschool education and the division of branches. And, because the law possesses the traits of stability, continuity, and accountability, it can have a far-reaching impact than government policy. To balance the quality and quantity of education, it establishes norms and

guidelines for all providers, cautions against infractions, and limits the side effects of government intervention.

C. Suggestions

Some potential directions and suggestions can be derived from the mentioned commonalities and the current situation of preschool education development in China.

1) *Advancing pre-school education funding reform*

Currently the public funding in China is only available to government suppliers. As for the genuine main body of supply, PVI providers, it is challenging to obtaining public funds. To address the issue of quantity, educational resources must be expanded and distributed equally in order to narrow the development gap between regions. China should further consider integrating non-government suppliers in the ranks of financial support and utilize public funds to directly acquire the educational resources that are available on the market.

Adopting a financial plan comparable to the UK's early years national funding formula, which associates financial support to private providers with the quantity and quality of education services they provided. It can encourage non-government providers to help in increasing educational supply and weakens the risk of free capital's profit-seeking nature, allowing capital to serve the needs of the country and the people.

On the one hand, because preschool education in China is not part of the nine-year obligatory education system paid by the state, it has extremely minimal public funding. It is inefficient for the government to spend funds solely for government-owned education providers. Because becoming an owner entails not only paying for necessary educational products for children, but also undertaking re-investment, building schools, recruiting talent, bearing all operating costs, and even risking losses in the event of poor management. Incorporating the purchase of educational services provided by private suppliers into the scope of financial usages implies that private suppliers bear the cost and risk of operation, while important and valuable funds are only used to directly purchase ready-made educational resources that have been produced by private providers. Similar to the Early Years National Funding Formula in UK, this type of funding scheme is evidently more efficient.

On the other hand, such fiscal reform may aid the resolution of quality issues. Government funding can help firms and people in the education industry generate new revenue sources. New revenue streams can relieve entities of the pressure to reduce costs and raise prices. This lowers the educational costs that parents must bear and avoids a vicious cycle of cost compression that results in poor quality. Furthermore, the government's financial subsidies are not unconditional, and the qualifications, education, and services provided by businesses will necessarily be supervised and regulated. As a result, the quality of pre-school education could be implicitly improved.

IX. PROMOTE PRE-SCHOOL EDUCATION LEGISLATION

In contemporary society, providing adequate and equitable educational resources for all children has become an intrinsic responsibility of the state and government. On this basis, developed countries such as the UK has tried to popularize free entitlement for eligible families, thereby further reducing education costs and increasing and liberating the work force

from the constraints of fertility. Such a free preschool education system is based on the comprehensive and sophisticated judicial framework in UK, which serves as a normative reference for the definition, purpose, and even specific activities of education, as well as a foundation for sanctions for violations.

In contrast, the present preschool education in China still lacks legislative standards and protections. The introduction of the Pre-school Education Law and a number of associated laws must be expedited. Through the discussion in the process of legislation, the experience accumulated in the past 40 years of development could be solidified and establish a more solid foundation for future development.

Despite that rules and regulations established since 2010 have devised and standardized the overall management of preschool education in China, specifications and standards for detailed activities are still absent. In this context, the law can take advantage of its special attributes to set long-term mandatory specific standards for the education industry. On the one hand, the law serves as a guideline for lawful and beneficial behavior for pre-school education providers. Inappropriate behavior, on the other hand, is identified in the legislation with a clear breach price, warning people about the consequence of disobeying the law. Influence practitioner behavior from two perspectives: advocacy and prohibition.

Additionally, the law can help to clarify ambiguous terms like nursery education and day care, which are the two main types of pre-school education resources. If the law clarifies their definition and purpose, as well as if they are included in the legislature scope of pre-school education, all suppliers within the scope may be motivated, supported, and advanced. This is also related to whether daycare, as a relatively low-cost form, can actively and competently enter the ranks of the supply in China, where available resources are limited and unequal.

CONFLICT OF INTEREST

The author declares no conflict of interest.

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