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# Regulatory gaps in private supplementary tutoring: international patterns and implications for social protection

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The present century has brought marked expansion of private supplementary tutoring across countries of all income levels. Tutoring is provided in diverse modes by commercial enterprises, full-time teachers seeking extra incomes, and informal suppliers ranging from senior-secondary students to retirees. As tutorial enrolment rates rise, receipt increasingly becomes a necessity for keeping up with peers. However, this creates inequalities: the lowest-income families are excluded entirely, while those slightly higher in the income hierarchy cannot access the quantities and qualities of tutoring accessed by wealthier families. These patterns also raise multi-layered issues. At the level of the child are matters of the quality of tutoring and basic safety in inadequately-supervised environments. At the parental level are matters of fees, honesty in marketing, etc.; and at the broad social level are inequalities that challenge what UNESCO has called a desirable social contract. All these dimensions require effective regulation.

## KEYWORDS

human rights, private tutoring, regulations, shadow education, social inequalities

## Introduction

Recent decades have brought considerable expansion of private supplementary tutoring alongside schooling (Bray, 2025; Hajar and Karakus, 2022). The phenomenon initially gained prominence in East Asia, but is now evident globally in countries of all income groups. Šťastný (2024, pp.177–190) showed enrolment rates stretching from below 10% in Scandinavia to above 70% in such countries as Cambodia, Myanmar and Singapore; yet private tutoring is expanding in all regions that previously had low or modest enrolment rates (see e.g., Bray and Ventura, 2024; Christensen and Zhang, 2021).

Some governments are concerned about the pressures of supplementary tutoring on students, and about potential negative backwash on regular schooling. They also observe malpractices in the marketplace, and social inequalities that arise because prosperous families can afford more and better tutoring than their lower-income counterparts. For such reasons, governments are increasingly paying attention to regulation of private tutoring. However, international survey shows many regulatory gaps (Zhang, 2023).

This paper first outlines major features of tutorial provision. It then considers what needs regulating and why. Next the paper outlines regulatory dimensions in a range of settings. From this analysis the paper turns to matters of social contract and human rights. The final section pulls threads together in conclusion.

## Features of tutorial provision

Private tutoring may be delivered in diverse formats. At one end of the spectrum is one-to-one provision, while at the other end are huge classes delivered in lecture theaters or even stadiums. Traditionally, all such tutoring was delivered with the tutors and tutees in the same location, but now online tutoring allows them to be physically far apart and even in different countries.

Three main categories of tutoring suppliers may be identified. First are companies that operate locally, nationally and/or internationally (see e.g., [Research Markets, 2025](#)). Some enterprises serve students from kindergarten to upper secondary schooling and beyond, but most specialize to some extent. The companies usually provide tutoring on their own premises, but alternatively may send tutors to the homes of students or elsewhere. Tutors in these companies may or may not have received appropriate training.

The second category comprises serving teachers who tutor as a part-time occupation (see e.g., [Kobakhidze, 2018](#)). Their clients may be students from their own schools or from other schools, and they may provide the tutoring in the students' homes, their own homes, or in public spaces such as libraries. Again, they may serve students across all grades, but usually specialize in the grades and subjects that they teach at school. Most teachers have received formal training to be teachers, though the skills for school-based work may differ from those needed for individual tutoring.

The third category comprises informal suppliers ranging in age from senior-secondary students to retirees, and including stay-at-home parents and other casual workers who do not desire or have been unable to find formal employment. Few people in this category have received training either for tutoring or for school teaching, though a growing do-it-yourself literature provides tips (e.g., [HowExpert, 2020](#); [Silver, 2024](#)).

## What needs regulating and why?

Most (perhaps all) governments have commercial regulations applicable to tutorial companies alongside other enterprises and supervised by the Ministry of Commerce or equivalent. These regulations commonly include focus on premises (toilets, fire escapes, ventilation, etc.), accounts, contracts, and taxation. Fewer governments regulate tutorial companies as educational enterprises, requiring consideration of curricula, pedagogic qualifications, class sizes, etc. ([Bray, 2021](#); [Bray and Hajar, 2023](#); [Bray and Kwo, 2014](#); [Zhang, 2023](#)). These dimensions may be important for consumer protection in the specific domain of education.

Turning to teachers who offer tutoring alongside their main employment, the principal issues concern conflict of interest. While governments may leave managers of private schools to decide whether their teachers should be permitted to offer additional tutoring, authorities are sensitive to the possibility of public school teachers neglecting their mainstream duties in order to devote attention to their private activities. Particularly problematic are situations in which teachers offer supplementary tutoring to their

existing students, because such teachers may deliberately reduce content during regular schooling in order to create gaps that can be filled during tutorial sessions (see e.g., [Dawson, 2009](#); [Jayachandran, 2014](#); [Johnson, 2020](#)).

Regulation of tutors in the informal sector is more difficult because they have no official lines for reporting and accountability. Governments generally do not even try to regulate this sector, leaving decisions to parents. This is arguably problematic, and governments might be encouraged at least to advise parents on domains needing attention (see e.g., [Bray and Kwo, 2014](#), pp.54–55). Such domains might include not only curricula, fees, and tutors' qualifications, but also the dangers of sexual and other forms of child abuse when tutors work one-to-one in the privacy of homes with little monitoring and supervision.

## Dimensions of (non-)regulation

In 2021, UNESCO surveyed 205 countries and self-governing jurisdictions to secure inputs for its Global Education Monitoring Report on non-state actors in education ([UNESCO, 2021a](#)). Among the survey responses about tutoring, only 49 (23.9%) mentioned educational regulations for enterprises, and only 54 (26.3%) mentioned regulations for serving teachers ([Bray, 2025](#), p.11). These numbers reflected the dominant *laissez faire* approaches toward private tutoring even in domains that are relatively easy to regulate. Regulation of informal providers was not mentioned by any respondents.

Among countries that do have strong traditions of regulation, South Korea provides a striking example. The government embarked on measures from the 1950s to the 1970s to dampen the tutorial sector, and in 1980 even banned private tutoring not only by teachers but also by informal providers and tutorial institutions ([Seth, 2002](#), p. 160). During the late 1980s and the 1990s the restrictions on both informal and institutional providers were quietly relaxed; and 2000 brought formal abandonment of the ban, following a decision by the highest legal authorities that prohibition infringed parental rights ([Korea \[Republic of\] Constitutional Court, 2000](#), para. 3). The volume of tutoring bounced back, though the authorities retained tight regulation not only of tutorial premises but also of fees and other dimensions ([Choi and Cho, 2016](#)). The government also demonstrated swift attention to changing circumstances, e.g., concerning online provision during the COVID-19 pandemic ([Piao and Hwang, 2021](#)).

Patterns in China are also noteworthy. From the 1990s to the 2010s the authorities progressively restricted teachers from offering private tutoring, and in 2018 they turned to regulation of companies ([Zhang, 2023](#), pp. 62–66). In 2021, institutional regulations were dramatically expanded through a Double Reduction policy aiming to alleviate students' burdens from both tutoring and school-administered homework. Tutorial companies serving students in Grades 1–9 (i.e., the period of compulsory education) were required to operate on a not-for-profit basis, with services restricted to weekdays during term time ([China, 2021](#)).

Patterns in India provide an instructive contrast since most decision-making authority for education lies at the state and lower levels rather than in the national government. This structure

has created much diversity of regulation (Zhang, 2023, p. 82–86). In 2024, the national government introduced guidelines for what in India are called coaching centers (India, Ministry of Education, 2024). A major driver had been a spate of suicides in high-pressure institutions preparing for university entrance. With that and other concerns in mind, the guidelines included focus on availability of counseling, tutors' qualifications, fees, advertisements, and hours of operation. Nevertheless, they were only guidelines for a decentralized system with diverse sub-national priorities and capacities (Jha, 2024). This diversity was also evident in regulations about teachers providing tutoring. Among the states with explicit regulation was West Bengal. A 2001 Code of Service stipulated disapproval of the practice (Government of West Bengal, 2001, Article 5.5), and a 2012 regulation advanced to prohibition (Government of West Bengal, 2012, Article 10.20).

In these countries, and elsewhere, enactment of policies was not always smooth. In Korea much tutoring went underground after the 1980 ban (Seth, 2002), and similar patterns were evident in China after the 2021 Double Reduction policy (Chen and Lin, 2024) and in West Bengal after the 2012 prohibition (Ghosh, 2021). Effective enactment of regulations requires administrative capacity at all levels down to schools and communities. Enactment may be impeded not only by the desires of the tutors to earn incomes but also by the desires of the parents to secure tutoring in the competitive environment.

In the face of such forces, patterns in the United Arab Emirates also deserve note. In 2023 the authorities observed that efforts to prohibit teachers and others from providing tutoring were not working and therefore decided instead on a system of permits accompanied by a code of practice (United Arab Emirates, 2023). The system was directed to (i) teachers in public and private schools, (ii) government and private-sector employees, (iii) what the document called “unemployed individuals,” (iv) university students, and (v) school students aged 15–18. The code of practice prohibited teachers from tutoring students in their own schools, and contained clauses for all groups about behavior that precluded verbal abuse and physical contact.

## Social contract and human rights

UNESCO has always given much attention to equity, and in recent times has added the concept of a social contract, i.e., “an implicit agreement among members of a society to cooperate for shared benefit” (UNESCO, 2021b, p. 2). The report from which this statement was drawn underscores the importance of collective action grounded in social, economic, and environmental justice. Central to this framework is the right to education as established in the Universal Declaration of Human Rights (United Nations, 1948). The report advocated an elaborated social contract for social protection.

In the domain of private tutoring, social protection may be viewed at the levels of students, parents, and broad societies. Students need protection from tutoring that is qualitatively problematic, and from sexual and other forms of abuse. Parents need protection from misleading advertisements, and from financial exploitation with inappropriate contracts; and societies as a whole need protection from expanding inequalities in contexts

where some children can receive tutoring but others are excluded by the costs. Elaborating on the last point, in some societies tutoring has in effect become essential to receive the full curriculum. This is especially obvious when teachers provide tutoring to their own students and deliberately withhold content during regular lessons in order to stimulate demand. It can also arise when high tutoring enrolment rates lead teachers to assume that all children who need tutoring are receiving it, and therefore causing those teachers to devote less effort to their classes than they would otherwise.

Yet while authorities may be concerned about these social inequalities, the Korean experience following the 1980 ban on tutoring deserves recall. As mentioned, the matter was taken to the courts where it was declared unconstitutional in the sense that parents had the right to invest in tutoring if they wished. A parallel message was delivered in 2015 in Türkiye (Anadolu Agency, 2015), and related queries might be made about China's Double Reduction policy even though it did not completely prohibit tutoring. Thus, while analysts must be concerned about the *de facto* denial of education through private tutoring to some social groups, they must also recognize the right of other social groups to invest in it if they desire.

## Conclusions

Private supplementary tutoring has become a significant phenomenon across the globe. It can support learning in valuable ways, and provides incomes for companies, teachers who supplement their salaries, and informal providers in various categories. Yet as this paper has stressed, it also maintains and exacerbates social inequalities. It may also increase pressure on students in undesirable ways, lead to social risks, and have a problematic backwash on public schooling. For these and related reasons, private tutoring is in need of regulation.

However, as also stressed in this paper, existing regulatory practices are generally inadequate. Most governments have *laissez faire* attitudes, reflected in the responses to a 2021 UNESCO survey of 205 countries and self-governing jurisdictions, where only 49 (23.9%) mentioned educational regulations for enterprises, only 54 (26.3%) mentioned regulations for serving teachers, and none mentioned regulations for informal suppliers of tutoring. Some governments are proactive (Bray and Kwo, 2014; Zhang, 2023), but even they have shortcomings in processes of enactment.

UNESCO has stressed the need for a social contract to safeguard future generations from forms of commercial exploitation and to reduce the threats of expanding social divides. Some providers of tutoring, including ones that operate as commercial enterprises, are sensitive to these matters. Indeed some associations of private tutors have codes of practice to which members are held accountable (see e.g., Australian Tutoring Association, 2024). However, most private tutors are mainly interested in their financial earnings and have little inclination to heed these broader issues. This picture underlines the need for more extensive and improved

regulation by governments with a focus on social protection, the public good, and the wellbeing of future generations.

## Data availability statement

The original contributions presented in the study are included in the article/supplementary material, further inquiries can be directed to the corresponding author.

## Author contributions

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