

**Danish Confederation of Professional Associations
The Secretariat**

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The University Evaluation 2009

Where is there a need for changes in the legal basis, the management culture and the overall steering framework for Danish universities?

As it is now six years since the comprehensive university reform, the Danish universities are expecting a lot from the current university evaluation. What needs changing as a consequence of the evaluation?

Over the past year, as a prelude to the evaluation, AC visited Danish universities to meet with academic staff, Heads of Department, Heads of Faculty, Rectors, and Chairmen of the Board to learn about how they experience the Danish University Act. At the same time, AC examined the funding and steering framework outside the Danish University Act, as this framework has a controlling influence on the research and teaching efforts of the Danish universities.

At the beginning of this year (2009), AC held a large public hearing about the university evaluation. By doing this, AC wanted to contribute to an open and broad debate about the effects of the almost six-year-old Danish University Act and to obtain assessment from staff and management of the need for adjustment.

On the basis of responses from a broad spectrum of university stakeholders, AC has identified a number of conditions related to funding, legal and cultural aspects which should be included as recommendations in a useful evaluation.

The recommendations embrace tangible adjustments to the Danish University Act, internal managerial initiatives at the universities, and not least a new funding and steering code for the Danish universities.

1.0 Need for adjustment to the Danish University Act

A number of conditions in the Danish University Act have direct or indirect impact on the quality of research and research-based education programmes and may be improved through a number of adjustments to the Act:

1.1 The individual right of freedom of research and the power to issue instruction

The Explanatory Notes to the Danish University Act state that “the individual researcher enjoys freedom of research within the academic field of his/her employment, although bound by the obligations arising out of the employment. This means that the individual researcher can freely choose methodology, approach, and subject within the research strategies of the university as laid down in the performance contract.”. So the Act is very clear about the freedom of research for each academic employee.

On the other hand it may be necessary to specify in more detail the application of the power to issue instruction, see section 17(2) of the Danish University Act, because the present text could risk compromising the freedom of research for academic staff. In section 17(2) of the University Act, it says that “the Head of Department may allocate specific tasks to specific employees” and the notes to the Act state that “to the extent that a researcher is not instructed any such tasks, a researcher is free to conduct research within the research strategies of the university”.

- In addition to the power to issue instruction, it should be specified that “a researcher cannot be detached from a research theme which has been chosen freely,” as was suggested by Rector Ralf Hemmingsen at the AC hearing about the 2009 university evaluation.
- Section 2(2) of the Danish University Act states that “the university has academic freedom and shall safeguard this freedom and ensure the ethics of science”. This provision should be specified in more detail to make it clear that the Rector, as the most senior member of the day-to-day management, will protect the freedom of research and the ethics of science.

1.2 Ensuring academic and managerial legitimacy

The Danish University Act is very clear insofar that the Rector, the Head of Faculty and the Head of Department must be recognized researchers, and similarly knowledge about, or experience with, education and teaching should be criteria for appointment. Furthermore, the Explanatory Notes to the Danish University Act state that the recruitment procedure laid down in the university statute should ensure that the Rector, Head of Faculty and Head of Department possess academic and managerial legitimacy.

Whether the procedure of recruitment as described in the university statute ensures such legitimacy is more doubtful. For some universities, the university statute is more in the nature of declarations of intent insofar as the procedure of recruitment supports the Act’s provision concerning academic and managerial legitimacy. A specific model for how the procedure of recruitment is to ensure the necessary legitimacy is not present however.

- The Danish University Act should specify how academic employees will be included in the procedure of recruitment for Heads of Department. The body that must be established at department level in accordance with the Act could play a natural role in appointing academic employees to the recruitment committee.
- Furthermore, a new provision should be included in the Danish University Act concerning the role of the academic council in the procedure of recruitment of Heads of Faculty and Rectors. At present, the academic council submits recommendations to the Rector on the composition of a competent

committee to assess applicants for academic positions. This provision should be extended so that the academic council also recommends academic employees to an appointments committee when recruiting Rectors and Heads of Faculty.

1.3 Unambiguous responsibility for managing the quality and finances of departments

The 2003 Danish University Act has not succeeded in creating a sound managerial anchorage for education, since the Act divides management between the Head of Faculty, the Head of Department and the Head of Studies/Board of Studies. Among other things the consequence of this is that the managerial responsibility for the finances and quality of education is divided.

The Head of Department is clearly responsible for research and the finances of the department, including the finances of the education programmes, but is not responsible for the quality of education. In the context of a strong dependency on external funding, this gives the Head of Department a strong incentive to release researchers from teaching duties and instead let teaching assistants without research duties take care of the teaching, regardless of what the Board of Studies would like.

Altogether it can be questioned whether it is desirable to have so many detailed provisions regarding the organisational framework of the education programmes when reality shows that many programmes, e.g. interdisciplinary programmes, are not anchored in the academic area of one department or one faculty.

- The present detailed provisions of the Danish University Act concerning the organisation of education programmes should be replaced by a framework provision that considers an unambiguous positioning of management responsibility for both quality and finances as a foundation for the organisation of the education programmes.

2.0 From 1st generation management to 2nd generation management

Stronger university managements have made it easier for universities to navigate society's legitimate demands and expectations for how the universities contribute to the build-up of knowledge in society. But stronger university management should not be opposed to giving academic staff the sense of joint ownership and responsibility in strategy and decision-making processes.

At the same time, it is important to acknowledge that the former system had some cultural values which risk being lost if new management forms lead to a new wage-earner culture in which although academic staff do their jobs, they do so without dedication and without taking responsibility for the life of the department. Employee dedication, commitment and joint ownership are priceless resources at universities, and it would not be a mistake to say that what could be called 1st generation management at universities has emphasized demonstrating great power in decision-making. The next step, or 2nd generation university management, will certainly be to strengthen the cooperation between the management and the employees.

It is in no one's interest to see the academic council decoupled from academic life and reduced to being a body for awarding academic degrees. The Danish University Act states that the academic council is responsible for advising the Rector (or Head of Faculty) about the internal distribution of grants, and that the academic council

may express its opinion about all academic issues essential for the operation of the university.

But to have the academic council operate in accordance with the Act, it will be necessary at the same time to ensure that the council members mirror the weight of the research being conducted in the faculty. For example it would be unfortunate if key actors among the academic personnel, including research managers of large-scale research programmes, only have marginal positions in relation to the faculty's discussions of research and teaching strategy with the management.

At department level, the Explanatory Notes to the Danish University Act state that the Head of Department is to organise the department so that it is able to manage all relevant tasks aided by the students, the academic and the technical and administrative staff. However, experience shows that various departments organise themselves in very diverse ways. As is the case with the academic councils, there is a need to look more closely at the influence of academic staff at department level, and also at this level it is important to ensure that such a department body mirrors the weight of the research being conducted in the department.

- Management cannot be improved through legislation; such improvement requires a cultural approach. To this end, a "Forum for Good University Management" should be established, including relevant actors and with the objective of identifying and propagating examples of best practice of employee participation in the strategy and decision-making processes of the universities.
- Under the "Forum for Good University Management" there will also be a project aiming at identifying and propagating best practice of how Heads of Department implement the notes to the Danish University Act on involvement of academic staff at department level. This is to establish appropriate structures for each department that will ensure that the intentions of the Act are met at all departments.
- The "Forum for Good University Management" is initiating a special project about how management ensures cooperation between the academic council and Board of Directors, the Rector and Heads of Faculty, including how this cooperation works at poly faculty and mono faculty universities. Best practice can also put focus on and inspire good university management.
- In the same way as the academic staff's research and teaching are subject to quality evaluations, the Head of Department, being the person responsible for the department's research and teaching, should also be subject to evaluation. The "Forum for Good University Management" will obtain examples of management evaluations for inspiration and propagation of best practice to universities and departments that have not yet begun their evaluations of management.

3.0 Basis funding must form a bigger part of research funding

Even though the total grant to public research has increased over recent years, an ever larger proportion of the funding is being assigned so that the universities do not have the opportunity to prioritise their own research. At present, this is the biggest threat to freedom of research, for researchers and universities alike.

At present, an increasing proportion of research funding is being granted in competition and as part of politically prioritised aims which the universities also have to contribute to with their own funding in order to share in the funding granted through competition. This limits the free funds that give universities and researchers the opportunity to follow the strategies and ideas which follow from best research in itself.

Restoring the proportion of basis funding in total research funding is a precondition for ensuring freedom of research and providing the best possible conditions for research at the highest international level at Danish universities. And allocation of research funding in competition needs a balance between free and strategic funding so that researchers still have the opportunity to have applications for their own research ideas funded.

To ensure broad and diverse research it is absolutely necessary that the universities have free and long-term funding at their disposal to prioritise and initiate new initiatives themselves. Ground-breaking research cannot be brought forth at command; it must be nurtured in the good faith that universities and researchers will administer resources appropriately.

- Basis funding should amount to a minimum of 60 per cent of research funding and funding in competition a maximum of 40 per cent.
- Since the share of basis funding is lower than 60 per cent today, a larger share of the new funding, at present the globalisation funding, should be allocated as basis funding.
- At the same time, all new funding in competition should be allocated so that 50 per cent is allocated to free research and 50 per cent to strategic research.

4.0 Limit the control of the Ministry of Finance

Recent years' political reforms and decisions about the supply of resources to the university sector have clearly not influenced the performance of research and teaching as dynamically as expected. One of the most important reasons for this is that the Ministry of Finance exhibits widespread mistrust towards giving the institutions more freedom. The will to control the universities remains clearly intact, even though the idea behind the reforms was more decentralisation and the right to independent economic initiatives.

This is particularly clear in the Ministry of Finance's reluctance to increase basis funding and demands from many parties to use funding from the Globalisation Fund for purposes outside the original aim of this new research funding. Furthermore, new control measures are continuously being introduced through the Ministry of Science, Technology and Innovation and the State Employer's Authority as requirements and demands for the institutions. This causes serious bureaucracy and a sense of mistrust as well as only narrow opportunities for autonomous organisation.

The universities often see such centralised control as obscure and incomprehensibly rigid behaviour by the Ministry of Science, Technology and Innovation and the politicians behind the agreement. This possibility to camouflage the position of power in research policy and the university sector is in itself an unfortunate phenomenon. Consequently, control should be decreased in connection with the political agree-

ments leading to implementation of the Globalisation Fund for 2010. The report about university financing and planning that will be presented to politicians in spring 2009 by the consultancy company McKinsey should lead to fewer ties and less political control of universities.

- Ahead of the negotiations about the 2010 Danish Finance Act, a principle of agreement concerning a future political steering code should be established. An explicit result of such a code should be that both political and administrative systems steer and monitor targets and results of the university sector in the future. Steering according to targets instead of means will at the same time give an opportunity to alleviate administrative burdens once the institutions are no longer controlled according to the nature and the extent of their means.

5.0 Centralised control by the State Employer's Authority in matters of salaries

Continuous centralised control by the State Employer's Authority in matters of fixing allowances and salaries is very counter-productive in the efforts to bring the Danish universities into the best international league.

- A new guideline for salary formation at universities should consist of two elements. Firstly, a central agreement including at least a minimum wage etc. Secondly, decentral agreements including a greater or lesser degree of flexibility in salary formation at each university.