University autonomy and the governance system

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UNIVERSITY AUTONOMY

AND THE GOVERNANCE SYSTEM

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Summary

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Abstract

The aim of the present document is to present the author's proposals on the reform of the governance model from a holistic and functional perspective. The first task when designing a system of governance should be to identify the function that it is to fulfil, which leads on to the question of exactly why universities are meant to be autonomous. For the good of society, universities as institutions have to guarantee that the knowledge they generate and transmit does not favour the interests of any particular group. They provide a public service that must act with autonomy. This autonomy must include all decision-making mechanisms, the whole system of governance, so that the public service of higher education and research can be rendered as efficiently as possible and without submitting to the influence of political, economic or religious interests.

On the basis of the conclusions of the study *University Autonomy in Europe II. The Scorecard* and the current situation of the university, research and innovation system, this study proposes a well-defined set of governance elements that cover all the dimensions of university autonomy. The study makes explicit reference to the university system in Catalonia but its conclusions and argumentation are of more general applicability.

1. Background

Despite all the difficulties, European heterogeneity, different work rates and delays, the construction of the Europe of knowledge is going ahead. For several years now, the combination of the Bologna and Lisbon agreements, and more recently the 2020 strategy, have positioned the European universities at the centre of this construction process and, therefore, on all political agendas, Catalonia's included, at local, regional and national levels. The collective agreement and ambition to use a basis of knowledge to become the most dynamic and competitive economy in the world has kick started the old continent and many countries, before the current intense crisis, took steps to achieve the objectives that had been stated as two key indicators: 2% of GDP to be invested in higher education and 3% of GDP to be invested in research and development. Once the crisis had taken hold, the 2020 strategy maintained the objectives and the commitment to knowledge as the base for intelligent, sustainable and integrating growth.

It has been widely accepted that the modernisation of the European universities, which involves their three interlinked missions of education, research and innovation, is not only a pre-requisite if the Lisbon Strategy and the 2020 Strategy are to be a success but also part of a wider movement towards a knowledge-based economy that is increasingly global. In this regard, the European Commission has produced a series of recommendations for all member countries. They should

1. remove all barriers around universities in Europe,

2. ensure that universities are really autonomous, responsible and accountable,

3. provide incentives for setting up structured partnerships with business,

4. provide the appropriate combination of knowledge, skills and competencies required by the labour market,

5. reduce differences in funding and ensure that it is more effective in research and teaching,

6. increase interdisciplinarity and transdisciplinarity,

7. give value to knowledge by interaction with society,

8. recognise and reward excellence at the highest level,

9. make the European Higher Education Area (EHEA) and the European Research Area (ERA) more visible and attractive to the world.

These recommendations define a full work programme for all the countries in the European Union and are perfectly aligned with the concerns that have constantly been expressed by the Catalan universities – and particularly the ACUP – during their discussions and drafting of a white paper[1] and a series of articles published in the media.

Perhaps not as a member state, but certainly as a country that is part of the European Union and which wishes to implement its own scientific policy as one of the main bases of identity, Catalonia must decide how it is to implement these guidelines that are common to the whole of Europe.

The European Union constantly stresses the importance of university autonomy, responsibility and accountability. And it is for this reason that it invites member states to guide its university systems by means of a framework of general regulations (scientific policy objectives) and funding mechanisms, and to transfer to the universities full institutional responsibilities for society in general. This full responsibility requires universities to overcome their fragmentation into faculties/schools, departments, groups and administrative units and to direct their efforts collectively towards institutional priorities for research, teaching and services. This need is the real reason for a reform of the current system of governance.

Although the recommendations of the Commission are clear, what flexibility does Catalonia have on these issues? The triumvirate of autonomy-governance-accountability is, perhaps, at the heart of

1 *Llibre Blanc de la Universitat de Catalunya.* Catalan Association of Public Universities. 2008.

the matter. The university system is indeed subject to tension for many reasons: but the main one is the modernisation and international recognition that it is undergoing in all areas of activity, thanks to the in-depth knowledge that institutions have of the international standards that our universities can and must achieve, in conjunction with the desire of the university community not to adopt a secondary role in the EHEA and ERA. This process is being undertaken in a context of legal inflexibility, structural stagnation and funding that, even when it was growing, did so at a rate that was below what was required for convergence but which is now at unsustainably low levels.

The tension that the system is under is further increased by a relationship with governments that is by no means well defined. As was pointed out a few years ago in a study by Terence Karran,[2] from the University of Lincoln, published in 2007 in Higher Education Policy, Spain is one of a small group of countries alongside Finland, Slovenia, the Czech Republic and Hungary, whose policy most protects so-called academic freedom. On the other hand, it is also one of the countries in which governments place greatest restrictions on so-called institutional autonomy and intervene as much as possible: they have a direct role in the quality assurance agencies, they determine how the universities are structured and governed, they establish the conditions under which teaching staff can be employed, they decide salary scales and – perhaps the most direct intervention – they regulate the syllabus of the degree programmes. It is not difficult to find the connection between one extreme and the other. Everybody is aware of the importance of the university and research system in achieving the strategic objectives of the country, so it is entirely understandable that governments should wish to ensure that the universities are well run. However, the option that has been chosen in Spain (and Catalonia) does not respect the recommendation to increase the levels of institutional autonomy by reforming the governance systems, reinforcing the institutional nature of the universities and at the same time setting up the subtle and complex framework for establishing objectives, accountability mechanisms and public funding. On the contrary, it has preserved the classic structure and system of government and, in response to the suspicion that this system generates, it has reduced institutional autonomy whenever it has been felt to be necessary.

As the European Union has recommended, the EHEA and the ERA require autonomous universities that are competitive and prepared to take responsibility for their mission in the country. This responsibility and the amount of public resources that are placed in their hands mean that all governments have a certain distrust of universities not only because they can act so independently but also because they have governance mechanisms that dilute their institutional responsibility. For this reason, the university systems of governance need to be modified and institutional autonomy increased, with a tendency towards periodic evaluation and accreditation. Performance contracts entered into with the government should also link the provision of public resources to the fulfilment of the missions that the country entrusts each of the universities and the system as a whole.

The text above, with the exception of some minor additions such as the mention made of the 2020 Strategy and current funding, is an extract from the speech that the author of the present paper made as the host rector for the ceremony inaugurating the academic year of the university system that was held in Tarragona on 14 September 2007. More than five years on, it is still perfectly valid and the governance system of the Catalan universities has yet to undergo any modification.

Nevertheless, various investigations and studies have been carried out by specific commissions and there have also been recurring public demonstrations organised by different institutions. In 2011, the Ministry of Education entrusted an international committee, chaired by Dr. Rolf Tarrach, to draft the report "Audacia para llegar lejos: universidades fuertes para la España del mañana" ("Daring to reach high: strong universities for tomorrow's Spain"), which contained one chapter on governance reform. Subsequently, in the third term of 2011, a committee was set up with representatives from the ministry itself, the CRUE, the autonomous communities and the students. This committee managed

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2 Karran, Terence (2007). "Academic Freedom in Europe: A Preliminary Comparative Analysis", *Higher Education Policy*, 20, 289–313.

to meet on three occasions before the change of government resulting from the general elections in November 2011. The new government decided to set up a new expert committee, the conclusions of which have yet to be made public. On its part, at the end of 2011 the Catalan government initiated a process to create a committee whose "aim was to study and propose models, initiatives and actions to improve the governance of the public universities and, where appropriate, the university system in Catalonia. The study will be based on the reports presented by a board made up of experts appointed by the president of the committee on the basis of their professional and academic career, and their specialised knowledge of the issues." One year on, the board has drawn up a preliminary document that is now pending discussion by the committee with the participation of students, unions, political representatives, government and universities.

It is clear that the issues are by no means straightforward. Quite the contrary. The very term *governance* is elusive: it can be much more than a system of government if it includes the decision-making process, the monitoring and accountability of the whole group of agents involved in university higher education, research and knowledge transfer, and innovation. Whatever the case may be, we do not have a good, or widely shared, definition of the system of university governance that we want and, at the present time, we have focused on important but very narrow questions about this system: the direct participation of society in decision making or the mechanisms for electing or appointing the rector.

2. Function of the governance system

The present document aims to present the author's proposals about the reform of the governance model from a holistic and functional perspective, which is lacking in the documents mentioned above. The first task when designing a system of governance should be to identify the function that it is to fulfil, which prompts us to question exactly why universities are meant to be autonomous.

The principle of university autonomy, which is recognised by the Spanish Constitution, is the subject of permanent study and criticism and, therefore, it has been defined by many sources. One of the most widely recognised and accepted is the *Magna Charta Universitatum*, signed by almost 800 universities from 80 countries and which lays down the following fundamental principles:

1. The university is an autonomous institution at the heart of societies differently organised because of geography and historical heritage; it produces, examines, appraises and hands down culture by research and teaching. To meet the needs of the world around it, its research and teaching must be morally and intellectually independent of all political authority and political power.

2. Teaching and research in universities must be inseparable if their tuition is not to lag behind changing needs, the demands of society and advances in scientific knowledge.

3. Freedom in research and training is the fundamental principle of university life, and governments and universities, each as far as in them lies, must ensure respect for this fundamental requirement. Rejecting intolerance and always open to dialogue, a university is an ideal meeting-ground for teachers capable of imparting their knowledge and well equipped to develop it by research and innovation and for students entitled, able and willing to enrich their minds with that knowledge.

4. A university is the trustee of the European humanist tradition; its constant care is to attain universal knowledge; to fulfil its vocation it transcends geographical and political frontiers, and affirms the vital need for different cultures to know and influence each other.

In other words, for the good of society universities have to guarantee that they do not generate and transmit knowledge in the interests of ideological, economic or religious groups. This is why, from the European perspective, university is defined as a public service that must be allowed to act autonomously, and this autonomy must naturally include all the mechanisms for decision-making and the

whole system of governance, which becomes the guarantee that the public service of higher education and research can be provided with the maximum efficiency, free from the influence of political, economic and religious interests.

However, it should be pointed out that the image transmitted by the *Magna Charta* is somewhat idyllic and does not reflect all the important challenges that the universities have to rise to today, or all the responsibilities entrusted to it by society, in particular those caused by the necessary massification of higher education. Thorsten Nybom,[3] from the University of Örebro, provides a good analysis of these issues.

Modern universities have a wide range of missions and tasks, probably too many. They are responsible not only for providing quality education and research in a wide range of areas and subjects, but also for collaborating in research and development with companies and organisations from outside the university. They are also expected to provide a large number of different 'knowledge' and even social services. It is hardly surprising, then, that their capacity to adapt to changing conditions at a time of a widespread scarcity of resources (and of considerable competition for those that are available) is being questioned by universities themselves and other institutions.

In 2005, the European Universities Association (EUA) highlighted the need for institutional autonomy in the so-called Glasgow Declaration. In the last 10 years there have been a considerable number of declarations on this issue and different stances adopted. The driving forces behind this activity and the urgency of an immediate reform must be understood in the wider context of global socioeconomic and political changes:

- The shift to an almost universal system of higher education and the subsequent growing heterogeneity of the higher education sector.
- Competition for students, lecturers, researchers and resources on a world scale.
- The rapid increase in education and research costs, particularly in infrastructure.
- The state's withdrawal as the central source of funding for the university and research system.
- The demands of the labour market and the additional expectations that society has of higher education institutions, as well as the traditional communication of knowledge.
- The evolution of 'creation and communication of knowledge' towards 'production of knowledge'.
- The ever increasing demands of the 'business spirit' and 'capacity for innovation'.

As the EUA has pointed out, and as nearly everybody accepts, a mere increase in institutional autonomy will enable universities to be able to respond to this wide range of demands and expectations. In this regard, the EUA has been working to integrate the Europe-wide diversity. An initial study in 2009 (*University Autonomy in Europe I*)[4] described the governance systems of universities from 34 European countries and highlighted the diversity of terminologies used to define the components of institutional autonomy as well as the perspectives used to evaluate it. A second study, in November 2011, (*University Autonomy in Europe II. The Scorecard*)[5], undertook the useful task of measuring the level of autonomy using a finite set of indicators that were grouped according to the four dimensions of university autonomy identified in the first study: organisational, financial, staffing and academic.

The specific detail of the study and the extent of the international comparison mean that this set of indicators can be regarded as a veritable check list for a governance system.

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3. Nybom, Thorsten (2008). "University autonomy: a matter of political rhetoric?", in Engwall, Lars & Weaire, Denise (ed.). *The university in the market*. London: Portland Press.
4. Estermann, Thomas & Nokkala, Terhi (2009). *University Autonomy in Europe I. Exploratory tudy*. Brussels: European University Association.
5. Estermann, Thomas; Nokkala, Terhi & Steinel, Monika (2011). *University Autonomy in Europe II. The Scorecard*. Brussels: European University Association.

Organisational autonomy	Financial autonomy	Staffing autonomy	Academic autonomy
• Selection procedure for the executive head • Selection criteria for the executive head • Dismissal of the executive head • Term of office of the executive head • Inclusion and selection of external members in governing bodies • Capacity to decide on academic structures • Capacity to create legal entities	• Length and type of public funding • Ability to keep surplus • Ability to borrow money • Ability to own buildings • Ability to charge tuition fees for national/ EU students (BA, MA, PhD) • Ability to charge tuition fees for non-EU students (BA, MA, PhD)	• Capacity to decide on recruitment procedures (senior academic/senior administrative staff) • Capacity to decide on salaries (senior academic/ senior administrative staff) • Capacity to decide on dismissals (senior academic/senior administrative staff) • Capacity to decide on promotions (senior academic/ senior administrative staff	• Capacity to decide on overall student numbers • Capacity to select students (BA, MA) • Capacity to introduce programmes (BA, MA, PhD) • Capacity to terminate programmes • Capacity to choose the language of instruction (BA, MA) • Capacity to select quality assurance mechanisms and providers • Capacity to design content of degree programmes

Table 1. List of indicators for each dimension of university autonomy (*University Autonomy in Europe II. The Scorecard*)

Country	Organisational Aut.	Financial Aut.	Staffing Aut.	Academic Aut.	Overall	Order
UK	100%	90%	96%	97%	100.00	1
EE	82%	93%	100%	92%	95.82	2
IE	80%	73%	82%	100%	87.47	3
FI	91%	42%	92%	88%	81.72	4
LV	62%	85%	93%	59%	78.07	5
LU	31%	93%	87%	83%	76.76	6
CH	56%	62%	95%	75%	75.20	7
DK	94%	53%	86%	55%	75.20	8
NL	76%	78%	72%	57%	73.89	9
NO	77%	33%	66%	98%	71.54	10
SE	56%	44%	95%	72%	69.71	11
AT	77%	44%	72%	72%	69.19	12
PT	74%	75%	62%	52%	68.67	13
LT	73%	62%	83%	44%	68.41	14
PL	64%	47%	80%	70%	68.15	15
NRW (DE)	85%	45%	60%	68%	67.36	16
HU	63%	75%	65%	43%	64.23	17
IT	63%	62%	48%	58%	60.31	18
CZ	51%	35%	95%	49%	60.05	19
HE (DE)	77%	24%	60%	68%	59.79	20
IS	45%	31%	67%	85%	59.53	21
sK	42%	64%	52%	55%	55.61	22
BB (DE)	57%	31%	54%	65%	54.05	23
ES	60%	40%	47%	58%	53.52	24
TR	29%	44%	59%	51%	47.78	25
CY	49%	18%	46%	69%	47.52	26
FR	56%	33%	42%	39%	44.39	27
GR	40%	29%	13%	34%	30.29	28

Table 2. Mean values of the indicators for each dimension of university autonomy (*University Autonomy in Europe II. The Scorecard*)

After making a wide-ranging survey, the authors of the study assigned values and weights to each of the indicators, which provided a measure of the level of university autonomy of the systems in different countries. Table 2 displays the overall value of each dimension, with no weighting to give one indicator more value than another. It is clear from this table that the Spanish university system is lagging far behind Europe as far as university autonomy is concerned, above only Greece, Cyprus and Turkey (and also France before the recent governance reforms).

There is plenty of empirical evidence – see, for example, the study by Aghion *et al* (2009), of which Dr. Andreu Mas-Colell is one of the authors – of the pronounced positive correlation between autonomy and the productivity and international competitiveness of universities. This correlation supports the central thesis that any reform of the system of governance must aim to increase the level of autonomy and responsibility of universities, and particularly of the Catalan universities which, in the framework of Spain, have some of the lowest levels of institutional autonomy in Europe. The set of indicators that enables the level of autonomy to be measured is extremely useful as a guide for reform, since it identifies the key elements of the system of governance and compares them with those of other systems. They also indicate which options give greatest autonomy.

3. Elements of governance

The guide provided by the EUA's study of university autonomy can be used to define a system of governance based on the economic, organisational, staffing and academic dimensions.

a) Economic dimension

The system of governance must pursue the maximum effectiveness and efficiency of the university system and guarantee maximum institutional autonomy, monitoring and accountability to society. This relation leads to a functional need: financial self-sufficiency that is not subjected to any ideological, economic or religious considerations. The principle of financial autonomy is the base of university autonomy. From this point of view, the basic European option has always been the public funding of universities as a guarantee of independence. This option, however, is now having to cope with university-government relations that are becoming increasingly complex as universities acquire more and more functions, access to higher education becomes more universal and costs increase.

I. EXTENT AND TYPE OF PUBLIC FUNDING

If the university model is conceived as a public service that benefits not only the whole of society but also individuals, the financial self-sufficiency of universities should be guaranteed by governments. The balance between public and private benefit objectively favours the public: the overall direct and indirect benefits that universities have on the economy, society and culture are clearly positive, as can be seen, for example, by the ACUP book on the impact of the Catalan public universities on society in 2011. Despite this, and because of the economic difficulties that all governments are having in covering the costs of public services, the general trend is to gradually give greater value to private benefit and, consequently, to gradually give greater weight to private contributions to cover the costs of running universities. This issue goes beyond the scope of a discussion of university governance but it affects it. Whatever the case may be, the government-university relationship is fundamental to guaranteeing university autonomy, and the main link between them both is the system of funding.

In our country, the tradition is that governments establish a direct relationship and, by means of more or less objective and transparent funding models, finance the universities directly. This system is a considerable restriction on a key element of autonomy: the ability of the universities to act independently of the political options that are always present in governments. As happens in many

systems from countries that have greater levels of autonomy, reforms need to be made to the systems of governance to guarantee that governments can concentrate on establishing objectives and priorities, and assigning overall resources, and to ensure that they can rely on a professional institution with no political affiliations that actually assigns the resources to the various responsible institutions (similar to the relation that the universities and the government in Scotland have with the Scottish Funding Council, http://www.sfc.ac.uk). At the same time, the institution that distributes the funding should not be the same as the one that makes the assessment, which should also be allowed to operate with the maximum independence and concern itself only with the evaluation of quality and not its economic effects. In Catalonia, both of these institutions could and should fulfil their respective functions throughout the spectrum of action in the knowledge area (higher education, research and innovation), thus doing away with redundancies and multiple agencies, and concentrating resources. The diagram below illustrates one possible scheme:
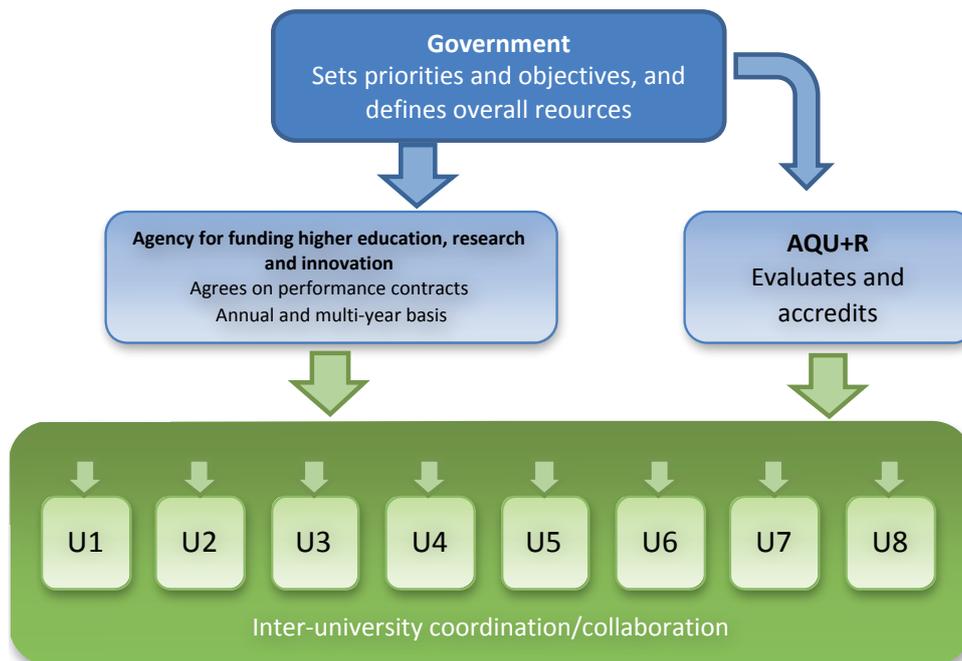
Gràfic 1. Relació entre govern, agències de finançament i avaluació i universitats.

Element 1. An agency needs to be created to finance higher education, research and innovation. This agency will be annually informed by the government of its objectives, priorities and resources, which it must distribute transparently and by entering into agreements with the institutions: universities, research institutes and technology centres.

Element 2. The AQU must be converted into an agency for assessing the quality and the impact of higher education, research and innovation.

These two proposals do not necessarily mean greater expenditure and complexity in the system because the functions of other agents that are currently part of the system will be absorbed (just some examples are AGAUR, ICREA, FCR and part of ACC10).

The main aim of this document is not to define the system of research and innovation of the country, but it can be clearly inferred from the 2020 Strategy and the Lisbon Agenda that the knowl-

edge society, which is the society that can sustain a welfare state, is based on an integral conception of higher education, research and innovation as the priorities of a country. It is in this regard that it becomes necessary to define the overall policies in this area. And this definition should naturally be based on the university system. Consequently, the instruments by which public funds are assigned, and quality and impact are controlled and monitored should also be subject to an overall approach.

ii. Power to keep surpluses, request loans and make purchases and sales

The recent history and evolution of the university system has considerably reduced the institutional identity of the university. As well as playing a leading role in drawing up the abundant legislation governing all the details of university organisation that affects all the dimensions of autonomy, governments intervene directly in university policy through a wide variety of action programmes that involve all the missions of the university (some examples are the calls for teaching innovation projects, consolidated research groups, specific personnel, etc.) and which create a whole framework of external supervision of university activity that by no means encourages institutional responsibility. Constructing this identity certainly poses a variety of problems. The culture of university-government dialogue is constructed on the basis of this reality and the result is that it is not easy to identify the institution as such. What is the university? Is it an appendage to the state that is supervised by the government, or is it an institution that enters into dialogue with the government?

This question raises many of the difficulties involved in defining a model of governance. One of the difficulties is the massification of activity, which means that some university communities can be very large, diverse and seemingly expensive. In short, if a model of governance is to be efficient in its use of public funds and guarantee autonomy, we need to be able to identify the 'owners' of the university who are not representatives of the people or governments, who are also fully responsible for running the university in representation of the interests of society and who can, if necessary, adapt the university to regional characteristics. This full responsibility enables them to take economic decisions on such basic issues as the management of multi-year funding, the taking out of loans and the sale or purchase of property. In other university systems, these functions are covered by boards of trustees or regents. The text below is taken as an example from the website of the regents of the University of California, an American public university which is run by public funds but which also has a system of public prices that are much higher than those in Catalonia:

The University is governed by The Regents, which under Article IX, Section 9 of the California Constitution has "full powers of organization and governance" subject only to very specific areas of legislative control. The article states that "the university shall be entirely independent of all political and sectarian influence and kept free therefrom in the appointment of its Regents and in the administration of its affairs."

Board Membership

Article IX, Section 9 was drafted in 1878 after a decade of political conflict demonstrated the importance of sheltering the university from shifting political winds. The board consists of 26 members:

- 18 regents are appointed by the governor for 12-year terms
- One is a student appointed by the Regents to a one-year term
- Seven are ex officio members — the Governor, Lieutenant Governor, Speaker of the Assembly, Superintendent of Public Instruction, president and vice president of the Alumni Associations of UC and the UC president.
- In addition, two faculty members — the chair and vice chair of the Academic Council — sit on the board as non-voting members.

Board Officers

The Governor is officially the president of the Board of Regents; however, in practice the presiding officer of the Regents is the Chairman of the Board, elected from among its body for a one-year term, beginning July 1. The current Chairman is Regent Sherry Lansing. The Vice Chairman is Regent Bruce Varner.

The Regents appoints Officers of The Regents: the General Counsel; the Chief Investment Officer; the Secretary and Chief of Staff; and the Chief Compliance and Audit Officer.

Likewise the following text is taken from the main governing body, the Court, of another public university (Aberdeen), which is publicly funded and provides free places at university for all citizens of Scotland (and the European Union except England):

Composition: The composition of the Court is formally set out in Ordinance 133, approved by Her Majesty in Council on 26 June 1996. It may be summarised as: the Rector, the Principal, two assessors nominated by the Chancellor and Rector respectively, Vice-Principals (to a maximum of three), two assessors nominated by the City of Aberdeen Council and Aberdeenshire Council respectively, four assessors elected by the University's General Council, six assessors elected by the Senate, the President of the Students' Representative Council, up to eight co-opted members, with other Vice-Principals in attendance.

While members of the Court are drawn from five different "constituencies" — Officers, Senate Assessors, General Council Assessors, Local Authority Assessors, and Co-opted Members — no member of the Court is present as a "representative" of any particular sectional interest. Mandates are not recognised but, of course, each member brings his or her particular background and expertise to the work of the Court. All members are equal and free to express an opinion or cast a vote in the best interest of the institution as a whole.

Remit: A detailed remit for the Court does not exist. The various Acts of Parliament conferring powers and responsibilities on the Court do not set out specific duties in a comprehensive way, although most of the legislation relevant to the University is contained in a single text, The Acts, Ordinances and Resolutions of the University of Aberdeen, 1858-1990, which may be consulted on application to the Clerk to the Court.)

The main functions of the Court, however, can be broadly summarised as follows:
- to administer the whole property and revenues of the University
- to make appointments
- to fix fees charged by the University
- to receive representations and reports from the Senate and the General Council
- on the recommendation of the Senate, to prescribe regulations for degree courses
- to review on appeal any decision of the Senate

Some powers of the Court are exercised by making an Ordinance or approving a Resolution.

In each case, consultation with the Senate, General Council and the wider public (by means of publishing the draft Ordinance or Resolution on University notice boards for a stipulated number of weeks) is required. A Resolution can take effect as soon as it is approved by the Court following the required consultation; an Ordinance can take effect only from the date on which it is passed by Her Majesty in Council.

Legally, the University Court is a body corporate, with perpetual succession and a common seal.

These two examples from the Anglo-Saxon world are quite different but do have some similarities. They are examples of this Court or Board effectively taking on the 'ownership' of the university and the responsibility of entering into dialogue with the government.

The highly efficient Dutch universities, however, take a different approach. The text below is from the University of Utrecht, also a public university that has public prices that are below those of Catalonia. In the Dutch system it is the government that directly appoints the members of the Supervisory Board:

Supervisory Board

The Supervisory Board is the University's statutory supervisory body. The Executive Board requires the approval of the Supervisory Board on the Strategic Plan, the Annual Report and the Annual Accounts.

The Executive Board informs the Supervisory Board of all major developments and events taking place at Utrecht University.

The Minister of Education, Culture and Science appoints the members of the Supervisory Board. One of its members maintains a confidential relationship with the University Council.

The Supervisory Board consists of the following members:

- Prof. E. (Emmo) Meijer (Chairman) fulfilled different positions in research and business management at DSM and Unilever, where he was responsible for R&D. He has been Corporate Director at FrieslandCampina since April. His additional functions include Professor by Special Appointment in Bio-Organic Chemistry at Eindhoven University of Technology, with which Utrecht University has a strategic alliance. He is also the Director at the Royal Holland Society of Sciences and Humanities).

- Prof. dr. W. (Wim) van de Donk was appointed Professor of Public Administration at Tilburg University in 1999. From 2004 to 2010, he served as Chairman of the Scientific Council for Government Policy (WRR). Van de Donk studied Public Administration at Radboud University Nijmegen (formerly called Catholic University Nijmegen). In 1997, he earned his doctorate, cum laude, for his dissertation on the role of Information and Communications Technology (ICT) in political decision-making, for which he received the G.A. van Poeljejaar Prize.

- N.J.J. (Niek Jan) van Kesteren LLM. Director General of the Confederation of Netherlands Industry and Employers VNO-NCW. Since 1987, Van Kesteren has been active at NCW which merged with VNO in 1994. He is also member of the Executive Board of the Social and Economic Council (SER) and member of the Executive Committee of European employers organisation Businesseurope.

- Drs. C. (Caroline) Princen. Member of the Board of ABN AMRO and responsible for Integration, Compliance as well as Communication & Branding. Before that she was Director General of Nedstaal.

- J. (Jan) van Zanen, LL.M., was a member of the Utrecht municipal council for the People's Party for Freedom and Democracy (VVD) from 1990 to 2002. He was the alderman responsible for Finance and Economic Affairs of the municipality of Utrecht from 1998 to 2005. He has been the Mayor of Amstelveen since 2005.

It may not be absolutely essential to equip the university with this institutional body that is delegated by society to assume the 'ownership' of the university, but it should be pointed out that universities today are no longer cultural institutions that reproduce themselves; rather they are institutions that link the academic world and the national or regional economy. The academics, who are the basis of the university's various missions and who have to guarantee and be guaranteed their autonomous work, have trouble in exercising the role of owners of the university on behalf of society.

Also, the models represented by these examples may not be directly applicable to our society. At least this is the impression that many have because they distrust the impartiality of the political decision behind the appointment of the members of these committees. Surely the whole system of governance, not only university governance, should advance towards more developed democratic cultures. Therefore, although the future scenario for systems such as ours could be similar to that of Scotland or Holland, temporarily we may find it more appropriate to follow in the footsteps of Portugal, who recently defined "conselho geral com um número de membros compreendido entre 15 e 35 membros, com pelo menos 30% de membros externos. O princípio de escolha dos membros é a eleição. Numa primeira fase há na universidade a eleição dos membros internos, em que a presença de académicos e investigadores deve representar mais de 50% do total. Numa segunda fase os membros internos cooptam os membros externos".[6] This system is a simplification of the current dual model (Governing Council and Board of Trustees) and brings into the strategic government of the university a considerable number of external members, appointed by the university itself.

Element 3. The university needs to be governed and its executive action supervised by a small strategic body, with a majority of academics, representatives of the employees and students, and direct participation by members external to the university.

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6 Translation: "… a general council with between 15 and 35 members, at least 30% of whom are external members. All members are selected through a process of election. Initially the internal members are elected, of whom academics and researchers must be more than 50% of the total. In a second phase the internal members co-opt external members.

III. POWER TO SET FEES FOR NATIONAL/FOREIGN STUDENTS

In our country, as in most European countries, the price of public services is directly related to the model of the welfare state and fiscal policy. In normal economic conditions (that is to say, lower public deficits, lower fiscal deficits and also less tax fraud and a smaller counter economy), the current high levels of personal taxation – similar to the levels of the Nordic economies – should be sufficient to guarantee universal, free, or practically free (paid through taxation), higher education, as is the case in most European countries. This model of society requires universities that do not need to set fees as a part of their policies.

b) Organisational dimension

A system of autonomous government that identifies a body to act as the owner of the university on behalf of society almost makes it unnecessary to define any more elements of internal government. With this single body, the university should be able to organise itself as it sees fit to fulfil the objectives that society has set. This view can be applied equally to defining the composition of the executive body, drawing up criteria for contracting staff and determining the structure of faculties, schools, departments, institutes and services. In other words, the political decision-making body of the university must have full responsibility and ensure that the university acts in the interests of society (including the positive evolution of the university itself): it must minimise corporatism and also any responses to pressure groups, whether they be internal or external.

I. SELECTION (AND DISMISSAL) OF THE CHIEF EXECUTIVE

The report drawn up by the international commission entitled "Audacia para llegar lejos: universidades fuertes para la España del mañana" states the following:

> [...] the figure of the rector is essential in the present context. He must be able to act as president of the Council, director general (responsible for the daily management of the organisation as a whole), primus inter pares (responsible for the academic aspects of teaching and the scientific aspects of research), the ambassador of the university at the local, national and international level and, increasingly, as a seeker of funds.
>
> Maintaining a balance between these functions is a task that requires a multiplicity of skills and, in the long term, it is not for the fainthearted.
>
> For this reason, it is becoming increasingly habitual that the election of the head of a university consists of nominating a candidate only after an exhaustive international search and not after an internal process that results in an election. This suggestion is in the same line as that of the single governing body. Such a rigorous and transparent process of nomination and selection would reinforce the rector's leadership and, therefore, the contribution of the university to socioeconomic progress.
>
> The commission believes that the combination of a single governing body and a solid rectorship is key to the successful implementation of the EU2015 Strategy.

Indeed, this is one of the main features of the reform carried out lately throughout Europe. This issue could quite easily be resolved by the university's power to define itself, but this other option is also quite possible and it may be advisable for this to be explicitly stated as one element of the governance reform.

Element 4. The strategic body that governs the university and supervises its executive action must have the power to decide on the mechanism and the criteria for selecting the university's chief executive (rector), who must be an academic but not necessarily a member of the institution at the moment of selection. The rector has full autonomy in the exercise of his/her academic and managerial responsibility, and represents the university in its dealings with all other authorities. He/she answers only to the strategic and supervisory governing body.

II. Power to create specific structures

Current legislation defines all the basic structures, their functions and how they are governed. This way of doing things causes those who have been democratically elected by different groups of people to come into conflict, which prevents the rector and the managers of the units from fully assuming their responsibility.

Although it is natural for there to be faculties, schools and departments that divide the running of the university into specialist areas, the structure should be determined by the political decision-making body of each university, at the initiative of the rector and by the mechanisms established by the statutes.

Element 5. The heads of the various units (faculties/schools/departments/campuses, etc.) must be integrated into the university's management team, appointed by the rector by means of participatory mechanisms provided for in the statutes. The current clash of legitimacies must be avoided and full responsibility given to the person who must answer to the strategic and supervisory governing body, and society: the rector.

Universities should be allowed to select their own management teams, from the post of rector to the other members of the team. This option involves introducing mechanisms of greater mobility of academic heads between universities and generating, in the long term, a better defined professional profile, and a supply and demand system of university managers.

Element 6. The university will equip itself with all the advisory and participatory bodies that it needs.

The staff and the students must take part in the process of formulating policies and advising the various governing bodies at every organic level of the university. A well organised representation of teaching and research staff, administration and service staff, and students is of vital importance for the running of the university. Therefore, it is widespread practice to have various participatory and advisory bodies, the members of which are usually elected. Whatever the case may be, these bodies depend on the organisational capacity of the universities themselves. By way of example, consider the following list:

- *A university council,* with representations of teaching and research staff (PDI), administrative and service staff (PAS) and students, that holds regular meetings with the university's management team to deal with the issues that the university statutes state that is competent to advise on, monitor or sanction.
- *An advisory staff council*, with the right to prior consultation, the right to consent, and the right to propose legislation about how the conditions of work and employment are applied in departments; the way in which staffing policy is organised in general and applied in departments; issues pertaining to safety, health and welfare in departmental work, technical work and economic development in departments.
- *Faculty/department councils* in which the staff and students of the faculties/departments can discuss with the deans/directors and their teams all issues pertaining to the faculty/department. Depending on what is laid down by the university statute and the regulations of each faculty/department, the council can have the right to consent for such important decisions made by the dean as the implementation of faculty/department regulations, teaching policy and evaluation/examinations.

- *Degree committees*: all degree programmes can have their own advisory committees, made up of students and lecturers. These committees will be entrusted with supervising the quality of education and advising on the development and application of educational policy.

Or universities may adopt any other organisational scheme they consider appropriate. The spread of international practice may make it advisable to reserve certain names to identify structures that can be internationally recognised (faculty, department, institute, etc.) but universities can and should have full organisational autonomy. Likewise, none of this should in any way prevent the staff committees and boards necessary for collective bargaining between the employees and the institution from functioning smoothly.

c) Academic dimension

This is the core dimension of the university. It is its main reason for its existence: educating citizens to the highest level possible. This level justifies a simultaneous effort in research that is symbolised in doctoral education as the culmination of advancement in knowledge.

Despite all the problems and misunderstandings, the process of harmonising the European higher education system – the so-called Bologna process – has been an unparalleled success, one of the best European initiatives that has influenced the system the world over. Bologna has perfectly defined the three university levels of education (bachelor's, master's and doctor's degree) by assigning different competencies to the different levels. This means that universities must not only define the content of degree courses but also guarantee that students attain these competencies and set up quality assurance systems that are internationally comparable and accredited. All this practically revolutionary process was the product of a simple, two-page agreement signed in Bologna in 1998: that is to say, not very long ago given the magnitude of the task. In our country the start of the process was considerably delayed and has undergone a whole range of legislative changes that have delayed it even more but which, above all, has led to overregulation, probably justified by the need to accelerate a process that required much more thought and commitment by all the universities involved.

In the previous system, the national catalogue of qualifications had been drawn up in such a completely centralised fashion that directives were published in the BOE (the Official Spanish Gazette) for each official degree. The new framework has provided a little more flexibility by doing away with the catalogue and introducing a register of degrees that allows then to be defined with much more freedom. Even so, external, collective and internal interests and pressure in conjunction with the urgency with which the whole process has been undertaken, unpopular governmental decisions and a certain institutional weakness have led to a situation that is far from optimal and may not even be able to be internationally homologated. The identification between degrees and professions is excessive, and there is general confusion between a profession-based course and learning a profession. Consequently, there is a profusion of qualifications linked to professional practice (those that have to do with essential public services – medicine, architecture, etc. – can be found everywhere, but they are clearly in the minority). What is more, the basic structure is not the same as the structure that prevails in Europe. Undergraduate degree courses have a minimum duration of four years and master's degrees usually last for a year whereas in Europe the majority structure is 3+2.

The situation cannot be said to have stabilised. On the one hand, there is the anomalous generalisation of the 4+1 system, which sooner or later will have to be normalised, not by adopting the other rigid 3+2 system but by making it more flexible and transferring the decision and responsibility to the universities. And on the other, today the majority discourse (or at least the discourse that is most present in the media) demands decisions to be made by bodies that are supposedly more responsible than the universities in an attempt to define "degree maps" and arguing that there are too many degree courses (particularly master's degrees) or too few students in the classroom. This debate directly affects a core aspect of university autonomy.

Public resources will not be used more efficiently if universities are not allowed to decide for themselves because making these decisions is an essential part of their role: it is their responsibility to determine their own degree maps. It should be enough for them to make accurate and rigorous use of the system's instruments of government: the finance model to be applied by the funding agency, the ex-ante report and the ex-post evaluation by the quality agency and, above all, the objectives, priorities and overall resources that have to be defined by the government. In short, the government's concern should be to achieve the objectives with the resources available, while the universities' task should be to enter into negotiations with the funding agency and reach all the agreements necessary so that they can determine their structure, the courses they are going to provide, the internal assignation of funds and the strategy of collaborations with other institutions. Replacing this system by a series of decisions external to the university is tantamount to having a university system that has yet to come of age, which is handicapped, because a large part of its potential is wasted.

I. Power to introduce (and withdraw) degrees

For everything that has been said above, universities should have full powers to introduce or withdraw degree courses. As in other countries, perhaps a series of degrees could be drawn up that are of particular interest as a public service because they are of direct relevance for essential public services. For these courses it would be necessary to define the requirements of the country as a whole, and place top and bottom limits on the number of courses provided and the corresponding number of places available. This particular case aside, the funding model should not have to enter into the detail of credits or the number of students on a particular programme. Rather, on the basis of the general aims of higher education and accepting that a small group of degree types will have objective differences in costs (experimentality), the model should act as a guide for the objectives of overall efficiency of each university (total number of credits taught, total number of graduates, etc.). This approach, which is based on the idea of the efficiency and effectiveness of a university as a whole and not a particular course, in conjunction with the dismantling of the idea that particular courses are related to particular professions and the current specialisation of universities, should be enough to be able to put an end to the concept of degree map, which exists nowhere else. This should not be incompatible with the fact that a few courses, probably because they are closely connected to a profession, will be exclusive to a particular university for economic reasons.

Element 7. The universities must be responsible for defining the courses they provide, which will depend on their capacity for specialisation, their sphere of influence and whether they achieve the overall objectives of effectiveness and efficiency set by the government, through performance contracts with the funding agency.

Element 8. Funding should not depend on individual programmes but on the number of credits that students have registered for in the main fields of study, the number of graduates, and the overall effectiveness and efficiency.

II. Power to decide on curricular content

Universities, then, must be able to take all decisions about their curricula, the only external conditioning factor being the accreditation by the agency which in itself guarantees international recognition. These decisions will depend on the internal policies governing the assignation of resources, which will always be sufficient for obtaining the accreditation but which may be different from those of other universities because of strategic decisions that are only subject to the restriction of overall effectiveness and efficiency. This is a general principle and there may exceptionally be special directives for highly specific programmes of particular public interest.

Element 9. Universities define the curricula of the programmes they provide, with no external directives and only subject to the conditions imposed by accreditation and the effective and efficient use of resources.

III. Power to decide on student numbers and selection

Student numbers and selection is also part of university autonomy. In public universities, particularly in continental Europe, the higher education admission system tends to have centralised features that guarantee the fairness of the admission process. This mechanism is essential if talent is to be exploited and social justice done. It is a basic feature of our model of the welfare state that should not be diminished by any reforms of governance. Currently the administration and the universities provide excessive detail about the number of places for all programmes when, in fact, this detail may only be required for a small number of programmes: those that are of particular public interest because they are related to public services and a sufficient number of qualified professionals must be guaranteed. Most programmes are not of this type. Although professional associations and universities tend to state the opposite, the fact is they are generally valid for a wide variety of professional practice settings

Element 10. A numerus clausus must be set for a small number of courses that are of particular interest for essential public services). As for the rest, the government finances a maximum as part of a multi-year agreement. If universities decide to do so and accept the economic consequences, they can admit more students.

Element 11. The system for accessing higher education should be based on the equality of merits and ability, and guarantee equity.

IV. Power to select mechanisms of quality assurance and evaluation/accreditation agencies

Universities are heavily committed to a culture of internal quality assurance and must have the autonomy to determine their own mechanisms. Probably, the evolution of this culture from the situation created by the initiation of the Bologna Process will, in a few years' time, lead to institutional accreditation, which could be regarded as a long-term objective. Meanwhile, the role of the external agency is to accredit the level of quality of the various core processes of the institutions in the system, accredit programmes and, for the time being, also accredit threshold levels for contracting teaching staff. Temporarily, this role, which is now the responsibility of AQU and still has to be extended to cover the whole knowledge system in Catalonia, must be maintained and reinforced. In a few years' time, when the system is more autonomous and mature, a further step could be taken with the periodic accreditation of a single university as a whole. In a future scenario such as this one, the system could be made more flexible so that universities can choose among all those that are internationally recognised, just as the AQU should also regularly provide its services outside its main sphere of activity. Meanwhile, what still has to be done is to reinforce both the internal quality assurance mechanisms in the university and the role of the AQU in the system, which should become AQU+R. This is not incompatible with the need to limit its growth and keep a permanent eye on the effectiveness and the efficiency of the processes of evaluation and accreditation they undertake so that these processes respond exactly to the task entrusted to them.

Element 2. The AQU must be converted into an agency for assessing the quality and the impact of higher education, research and innovation.

d) Staffing dimension

Once again, in the future the universities themselves may have full autonomy to decide on such staffing issues as selection and remuneration, within the framework of the salary scales that serve as a reference for the whole country and employment legislation. This is the situation that prevails in the systems that have most autonomy and also greatest productivity and impact. However, Catalonia is still a long way from being able to evolve quickly towards this scenario and it may be necessary to relinquish some of the possible autonomy so that a system can be drawn up that is better than the current one and common to all public universities. The author of the present paper has already made explicit mention of this issue in the chapter on staffing in the white paper by the universities of Catalonia. What follows is an updated fragment.

The leading role that has been assigned to universities in the knowledge society places them at the very centre of the cultural, social and economic debate and on all the political agendas. All over the world, but particularly in Europe, university systems are under review, in an attempt to find a better design for an institution that has to respond effectively and efficiently to the interests of society and at the same time safeguard the values of freedom of thought and the critical spirit on matters that are so essential to human development as the cultivation and advancement of knowledge and science. All ideas that are put forward or implemented involve a system of tension and equilibrium between the university mechanisms of decision making, finance and accountability to society through governments. Also, in a new knowledge society, in which for the first time in the history of humankind – as Manuel Castells says in L'era de la Informació – the human mind is a direct productive force that is used for purposes other than to take decisions during the process of production, it is clearer than ever that the maximum value of universities lies in the people of which they are made up.

The need for university autonomy is not under question, particularly not by the letter of the laws that govern the universities; reality, however, shows a permanent tension and a tendency to restrict this autonomy, especially when selecting academic, technical or administrative staff, and defining the internal policies that form the framework in which the university personnel, the main value of the university, live out their professional careers. For this reason, to speak of staffing policies is to speak largely of university autonomy.

While decision-making mechanisms essentially affect the structure of universities and their system of governance, staffing policies are closely related to the concerns of the teaching staff, researchers, and administrative and service staff. In this area there are internal tensions between institutional autonomy and the staff. The central question is how to relate the extensive and very important institutional responsibility to the need to guarantee and encourage individual creativity, academic freedom and personal implication and, at the same time, respond to the expectations and needs of society.

With all its known conditioning factors, the framework of autonomy that universities have allows them to adopt their own strategies in organisation, and teaching and research policy: that is to say, in all those areas of activity in which they carry out the task entrusted to them by society exercising freedom of thought and the critical spirit. And it is university autonomy that gives the universities themselves the responsibility to find the most efficient and most effective way to respond to the needs of society in the field of higher education, and the generation and transmission of knowledge.

The idea of autonomy-self-government-accountability should be taken up by all universities, from their governing bodies to the staff, whether they be involved in teaching, research or administration. In the final analysis, it is the teaching and research staff, and the administrative and service who share out the work in a way that should be autonomously decided by the universities, get it done, and then go through the corresponding accountability process.

I. Teaching and research staff

In the triangle that defines the university community – teaching and research staff, administrative and service staff and students – no vertex is more important than the other two, for the simple reason that everybody has their own role to play, and every role is essential to the universities' function. In this distribution of roles, the teaching and research staff represents the university's knowledge, which allows higher education to be provided to the citizens of Catalonia and accredited, and which serves as the base and the guarantee for the generation of knowledge through research, creation and development.

The hard work and motivation of the teaching and research staff of the Catalan universities have played a fundamental role in their reaching the relatively good situation in which they find themselves today in all areas of activity: teaching, research, transfer and relations with society. This is the staff that has taken much of the responsibility in recent years for adapting the first-, second- and third-cycle degrees. The first concern of a governance reform, then, must be to preserve their motivation and recognise the effort they have made to adapt to the changes, their sense of belonging. The teaching and research staff are by no means the owners of the university; neither, as has been said, can they be delegated to take on this role by society. However, they should be able to feel that they are its owners, at least in part. The teaching and research staff are not regarded – nor can they ever be – as mere employees, qualified knowledge operatives. All that the university has to offer society is in their heads. This issue causes much of the difficulty involved in defining governance systems at university: the questioning of the collegial model and the likening of a university to a business because professional abilities are required to cope with university management, the complexity of the relations with society and the economic implications cannot lead to the implementation of a managerial model. This sort of model has already been shown to be ineffective because it demotivates teaching staff and distances them from the interests of an institution that they no longer perceive to be their own.

In recent years, Catalan universities have been promoting the concept of overall academic working time as a tool to reflect the overall task of lecturers, and by extension departments and universities. This definition of overall activity is perfectly aligned with one of the four fundamental principles of the Magna Charta Universitatum, which establishes the indissociability of teaching and research so that teaching can be guaranteed to keep up with the needs and demands of society and scientific knowledge. The Catalan universities are in a relatively good position and the moment is just right for them to take a step forward, which conceptually the system and its individual parts have already largely taken, with a project that has adapted to international standards but which needs to be structured.

- The main ideas on which this model is based are:
- The academic activity of university lecturers is full and varied, but during their professional lives the ratio of teaching, research and management can change.
- The activity of the teaching and research staff provides the basis of research for the country but it is not explicitly recognised in either the legal definition of the task that they are entrusted with, the dimensioning of the university or the definition of the research system of Catalonia.
- The structural complexity of the Catalan universities makes it difficult for lecturers to fully identify with the university's different missions. Lecturers are the essential autonomous unit, who act and must be allowed to act with academic freedom in an environment that is well identified by their overall function. This function must consist of the university's three missions.
- The chain consisting of responsibility, autonomous action and accountability must link the university to the lecturers and include the units (faculties/schools/departments) so that lecturers can identify with the function of the unit to which they are affiliated.
- The civil servant-contracted employee dichotomy may not be salvageable nowadays. However, it is not in itself such an important issue as long as job stability (tenure) is safeguarded – in order to guarantee academic freedom – and the mechanisms of accessing tenured positions

are fully adapted to the mission of the unit to which the employee belongs, and academic value and suitability are ensured.

• The teaching and research staff should be encouraged to take part in organisation and decision making. Basic participation in the management of the university is unavoidable and common to all its members, especially those who enjoy full-time tenure.

• The technical, administrative or academic nature of the university's task must be identified more clearly in order to minimise academic amateurism in technical and administrative management and maximise academic activity in teaching and research.

• In general terms, the implicit hierarchy of the teaching and research staff and the administrative and service staff must be broken down and in some areas management should be exercised by professionals.

• The periodic evaluation of the teaching and research staff should be motivating and take into account all of their activity, in particular their role as a basic component of the Catalan research system.

• Scientific, research and teaching leadership must be encouraged and evaluated. The very necessary effort that was made after the Law of University Reform to dismantle the old university chairs and promote new, more dynamic departments that could drive forward the university reform of the 1980s has led, over time, to the segregation between departmental life, which is restricted to distributing the basic material resources and teaching, and the competitive activity of generating and transferring knowledge, which is essentially the task of the research groups. The overall task needs to be identified as the function of the university, and the groups need to be involved in defining the joint teaching project.

• The remuneration system of the teaching and research staff is complex and inefficient. The proliferation of small premiums means that the possibility of a motivating remunerative policy is wasted. In a framework that preserves the state system of premiums for civil servants, the premium paid by the autonomous community should be made up of two parts: one part that is a vested right, and which depends on the accumulation of merits and the overall evaluation of academic activity, and another part that is variable, and which depends on ongoing research activity.

On this basis, the Catalan public universities could draw up a staffing policy, to the extent that they are allowed to do so by their level of autonomy, with common features, which for the teaching and research staff could be:

1. *Recruitment.* Recruitment policy should place the emphasis on tenured teaching positions, whether they be for civil servants or contracted employees, and temporary contracts should be more clearly defined as preparative, formative, academic development or tenure track. In this way, the process of recruiting a lector (junior lecturer) could be simplified: the system of accreditation could be maintained for candidates taking part in the competitive process, which would explicitly state the requirements that the successful candidate must fulfil to be suitable for the corresponding academic project.

2. *Professional advancement. Evaluation.* From the very moment of being recruited, and every six years (in order to coincide with the evaluation of the research productivity of the civil-servant teaching staff), the teaching, research and management objectives can be adjusted to the particular staff profile and modified. If overall activity is to be evaluated positively, staff must achieve the objectives set in all aspects of activity.

3. *Assessment of full professors.* Only those who exercise leadership in a reasonably specialised knowledge area can hold the highest academic position. From the very moment of being recruited, this leadership must be reflected in both teaching and research, and it must respond to the needs of the unit's, and therefore the university's, academic project.

II. Power to decide on teaching and research staff selection processes. Power to decide on salaries. Power to dismiss staff. Power to decide on professional promotion

Nowadays, universities can use a considerable amount of discretion, since their statutes determine the selection mechanisms, and they are only obliged to contract/appoint candidates who have previously been accredited. Apart from objective difficulties in some knowledge areas, which should be overcome by removing existing defects, the mechanism of prior accreditation has been beneficial for the system and, at least in the medium term, it should be preserved for all tenured contracts. It should not be a requirement for temporary contracts. The main novelty, then, would be to make the salary scales more flexible so that universities can implement their own policies for attracting and retaining talent. The criteria for accrediting courses should be the only limits put on the institution's staffing policy.

Element 12. A national system of accreditation for tenured contracts should be set up and all limits on temporary contracts removed.

Element 13. The salary scales of the teaching and research staff should be made more flexible by introducing results-based premiums. Scientific leadership should be recognised.

Element 14. In the framework of their competencies and employment legislation, deans/directors should be empowered to decide on salary premiums and evaluation for professional promotion.

The above is a possible future scenario that does not envisage drastic changes in the influence currently exerted by Spanish legislation, particularly in the public civil-servant status of the teaching and research staff. Nevertheless, the legal framework that today defines the concept of civil servant considerably restricts the construction of true institutional responsibility, since there are objective limitations on the transfer of responsibility to the basic unit of the university: the lecturer. These limitations should be done away with not by removing civil-servant status but by changing the legal framework. This issue goes beyond a reform of the system of governance of the universities but it affects it quite considerably.

Element 15. The figure of the public civil servant should be redefined (introduction of the real power to demand performance with the appropriate guarantees,) and/or tenured staff, the ultimate guarantee of academic freedom, should be provided for.

III. Administrative and service staff

Again, the best of all possible cases, which could be a long-term scenario, would include full autonomy to define jobs, and working and economic conditions for the administrative and service staff of each university. However, at present we are still a long way from this. The best we can expect is not maximum autonomy but an improvement in the current situation. It is for this reason that the text below maintains the concept of working conditions that are common to the whole public university system and, of course, subject to the stipulations of employment legislation.

Generally speaking, the staffing structure of the Catalan universities has been inherited from an obsolete vision of the university's mission that focuses almost exclusively on teaching and is dimensioned on the basis of parameters that do not respond to the needs and demands of current society. The administrative and service staff are suffering from a clear shortage of qualified specialists, teaching and research support staff, and top-level managers to professionalise the offices of the rector and the general manager, and the management of the academic units. Thus, the main aims of the policies concerning the administrative and service staff are to incorporate qualified specialist staff and manag-

ers, to train and qualify staff, and to encourage internal and external mobility. All of this prompts us to reflect on improving recruitment and selection processes, and working conditions.

Recruitment and selection. New systems of recruiting and selecting staff need to be implemented so that talent and highly qualified professionals can be recruited and retained, and the staff selected can correctly adjust to the jobs they are assigned. The selection techniques and tests must be in alignment with the needs and requirements of the job, and the merits that are to be taken into account must be adapted to the professional profile of the job and the knowledge, aptitudes and skills it requires. New criteria for appraising a candidate's merits should also be developed so that performance takes preference over length of service or seniority.

Working conditions. The rigidity and lack of flexibility in current staff policies resulting from considerable state and autonomic legislative regulation has opened up differences in the working and salary conditions of different groups in the same university system. Being able to speak of the working conditions of university staff, without differentiating between groups or contract systems, around a single negotiating table would be an important saving in both economic terms and negotiation effort, and would construct a fairer working environment with greater equality of opportunities.

Promotion, professional career path and evaluation of performance. A system needs to be found that guarantees the professional progress of all the members of the administrative and service staff. The system must be directly linked to the personal performance of each employee and the acquisition of particular competencies, and it must encourage flexibility in working time and participation in pursuing the mission, the vision, the values, the planning and the strategy of the university system. A necessary prior step, then, is to universalise the professional career path: that is to say, implement for the administrative and research staff of the Catalan public universities a professional career path of an individual and universal scope that is transparent, linear, motivating and progressive. The evaluation of performance has to serve as an essential tool for legitimating public work; therefore, systems for analysing how employees carry out the work they have been assigned need to be established. One possible model is management by competencies, which should be applied to all those who work for the organisation.

Negotiation. The fragmentation of the negotiation of working conditions needs to be put right by establishing mechanisms of coordination that will simplify the current complex system of interlocutors in collective bargaining. In this regard, it would be advisable to constitute a single general negotiating table so that all the Catalan administrations can jointly negotiate working conditions.

Element 16. A professional career path should be defined for members of the administrative and service staff of the public universities with promotion being contingent on the evaluation of performance, and a single negotiating table should be set up.

Conclusions

As has been shown above, the governance reform of the university system requires a holistic view of the country's knowledge system, which must take priority if Catalonia is not to miss out on the Europe of knowledge. It is, then, not so much a question of analysing and attempting to improve the system of university governance, but rather of defining the system of knowledge (higher education, research and innovation) as a priority public interest and establishing its joint governance. In doing so, it becomes clear that there is a need to guarantee university autonomy and, at the same time, develop mechanisms for assigning resources, monitoring and control that maximise effectiveness and efficiency. It is in this framework that the features of governance that need to be developed or improved can be identified. The present document identifies 16 priority elements of governance that cover all the dimensions of university autonomy (economic, organisational, academic and staffing):

Economic autonomy

1. An agency needs to be created to finance higher education, research and innovation. This agency will be annually informed by the government of its objectives, priorities and resources, which it must distribute transparently and by entering into agreements with the institutions: universities, research institutes and technology centres.

2. The AQU must be converted into an agency for assessing the quality and the impact of higher education, research and innovation. This conversion is linked to the previous point by the need to uncouple the process of evaluating quality, and the impact of setting and applying criteria for assigning funds.

3. The university needs to be governed and its executive action supervised by a small strategic body, with a majority of academics, representatives of the employees and students, and direct participation by members external to the university. This body exercises ownership rights over the university, which is essential for financial autonomy.

Organisational autonomy

4. The strategic body that governs the university and supervises its executive action must have the power to decide on the mechanism and the criteria for selecting the university's chief executive (rector), who must be an academic but not necessarily a member of the institution at the moment of selection. The rector has full autonomy in the exercise of his/her academic and managerial responsibility, and represents the university in its dealings with all other authorities. He/she answers only to the strategic and supervisory governing body.

5. The heads of the various units (faculties/schools/departments/campuses, etc.) must be integrated into the university's management team, appointed by the rector by means of participatory mechanisms provided for in the statutes. The current clash of legitimacies must be avoided and full responsibility given to the person that is responsible before everybody, the strategic and supervisory governing body, and society: the rector.

6. The university will equip itself with all the advisory and participatory bodies that it needs.

Academic autonomy

7. The universities must be responsible for defining the courses they provide, which will depend on their capacity for specialisation, their sphere of influence and whether they achieve the overall objectives of effectiveness and efficiency set by the government, through performance contracts with the funding agency.

8. Funding should not depend on individual programmes but on the number of credits that students have registered for in the groups of disciplines, on the number of students who graduate, and the overall effectiveness and efficiency.

9. Universities define the curricula of the programmes they provide, with no external directives and only subject to the conditions imposed by accreditation and the effective and efficient use of resources.

10. A numerus clausus must be set for a small number of courses that are of particular interest for essential public services). As for the rest, the government finances a maximum as part of a multi-year agreement. If universities decide to do so and accept the economic consequences, they can admit more students.

11. The system for accessing higher education should be based on the equality of merits and ability, and guarantee equity.

Staffing autonomy

12. A national system of accreditation for tenured contracts should be set up and all limits on temporary contracts removed.

13. The salary scales of the teaching and research staff should be made more flexible by introducing results-based premiums. Scientific leadership should be recognised.

14. In the framework of their competencies and employment legislation, deans/directors should be empowered to decide on salary premiums and evaluation for professional promotion.

15. The figure of the public civil servant should be redefined (introduction of the real power to demand performance with the appropriate guarantees,) and/or tenured staff, the ultimate guarantee of academic freedom, should be provided for.

16. A professional career path should be defined for members of the administrative and service staff of the public universities with promotion being contingent on the evaluation of performance, and a single negotiating table should be set up.