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## **Organisational structures in higher education institutions**

### **HRK German Rectors' Conference**

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## **Organisational structures in higher education institutions**

### **1. Foreword**

Given the increased competition for the best minds, German higher education institutions have a responsibility to act as autonomous stakeholders. The core operational tasks of higher education institutions in terms of research and teaching will primarily be carried out by departments and faculties, while strategic structural, financial and personnel tasks are largely the responsibility of the institution's leadership. This requires excellent coordination of local and central consultative and decision-making processes. Rules for cooperation are therefore crucial, and these in turn require a clear demarcation of responsibilities. Organisational structures have a support function in this process – the focus must remain on making decisions that are in the best interests of academic outcomes and organisational efficiency.

Over the course of the reform of federalism, the German states have taken various routes in their state higher education legislation to shape this internal balance of power, and the Federal Constitutional Court has imposed limits on the legislature in its decisions. The Basic Law (GG) of the Federal Republic of Germany, in particular its Art. 5 (3), does not specify any definitive type of organisational structure for higher education institutions – the choice of a special structural model<sup>1</sup> is the responsibility of the state legislature, and the detailed organisational arrangements the responsibility of the institutions. A recommendation on this problem area must therefore be directed as much at state legislatures as at the higher education institutions.

The German Rectors' Conference has already identified the demands placed on the institution of university councils; hence the present resolution refers to the relationship between the leadership of the higher education institutions and the collegial bodies and individual academics. The detail of how the bodies should be structured is not dealt with in this paper.

The differentiation of the higher education system and the competition that prevails between higher education institutions demand effective leadership structures. This creates tension between local and central structures, and consequently the potential for conflict. Administration plays an overarching role that is indispensable for the support processes both at a local and central level.

<sup>1</sup> The majority of government higher education institutions in Germany are corporations under public law; however it is possible to choose a different legal form (e.g. foundation under public law) by means of state legislation. The choice of legal form also has consequences for the internal structures of the higher education institutions.

## 2. The role of the local units

The internal structures of higher education institutions are influenced by the way in which relationships between all higher education stakeholders are arranged. As a consequence of the guarantee of academic and teaching freedom, local structures are of great significance.

### a. Faculty model / department model

Quality in research and teaching stands and falls with individual academics; it is on their specific abilities and fields of expertise that a higher education institution's profile, quality and reputation are founded. For this reason, departments in their role as local alliances are very important for the autonomous organisation of research and teaching. Because the disciplines are so significant to research and teaching, they must also be reflected in the organisational structures. Each higher education institution is divided into a number of sections. The unit that is most closely related to the particular subject should be responsible for subject and topic-related issues, and, as the basic organisational unit, should exercise collective rights in relation to a particular subject.

These units are known by different names, depending on the higher education institution, the Federal state involved, and the subject tradition. Each of these units must be included in the higher education institution's planning processes in a transparent manner, and must in turn assume responsibility themselves.

Tasks can be performed efficiently and with the benefit of expert knowledge by the appropriate local administrative structures.

### b. Supplementary organisational form at the local level

In addition, other units, organisational structures and legal forms are important for the purposes of networking across disciplines:

- Larger trans-subject units are advisable, because interdisciplinary researchers (clusters, graduate schools etc.) and interdisciplinary degree programmes require broader research environments. These promote the ability of research to adapt and evolve. To sum up, the internal structure must be sufficiently tailored and professionally organised.

- Locally tailored regulations for study, examinations, doctorates etc. can be harmonised in consultation with the respective basic units, resulting in more effective streamlining of processes and administration. An example of this might be institution-wide framework articles of incorporation.

- For the reliable performance of forward-looking tasks within the higher education institution, faculty leadership should have a term of office of at least two years. The work of the deans' offices should become professional, which can be achieved, e.g., by the professionalisation of faculty/department administration as an institutional memory and by further education and training of

permanent academic management staff. Full-time deans may be one option for achieving stronger professionalisation of the internal structure. Especially in the case of a smaller number of large subject units, dedicated full-time deans are advisable because of increased complexity. A smaller group of (full-time) deans as points of contact for the institution's leadership reduces internal administrative and consultative workload (budget discussions, structural discussions, possibly joint conferences), and thereby organises it more effectively.

### **3. Role of administration**

The role of the administration is to create the ideal conditions for teaching, learning and research at the higher education institution. In the process, it must ensure compliance with the law.

Good structures for higher education institutions demand a shared culture between research and administration. To achieve this, the leadership of the higher education institution has the task of bringing these areas together and mediating between them. The administration should be adapted to academic process flows, and should allow for both smaller and overarching structures in order to fulfil its function of serving scholarship.

The administration works in partnership with all levels of the higher education institution to achieve the institution's goals. The competence of the administration contributes to the successful development of the higher education institution. It pools available competences to deal with current and future challenges across the disciplines. It provides comprehensive information and makes transparent decisions. It uses the potential of participation.

In a successful higher education institution, the administration must develop in an individual manner according to academic, economic and social demands.

Positions in the field of academic management are becoming increasingly important in this context<sup>2</sup>. These positions function as an interface between academia and administration, and demand competences in traditional administrative areas, in strategic and organisational development and in scholarship.

### **4. Role of the central higher education institution bodies**

#### **a) Leadership of higher education institutions**

The leadership of a higher education institution holds institutionalised responsibility and is personally accountable. The leadership must attend to the interests of the higher education institution as a whole, both internally and externally, provide impetus for strategic advancement, and ensure the proper

<sup>2</sup> German Council of Science and Humanities: Recommendations for Career Goals and Paths at Universities. Drs. 4009-14 Dresden 2014, p. 53

implementation of management and administrative tasks. In research and teaching, it is necessary to carry out certain tasks for all local units. A number of areas of responsibility can be distinguished here:

- Primary tasks of the higher education institution's leadership, such as defining the operating divisions for administration and institution leadership and the locus of authority to issue guidelines, representing the institution both in legal proceedings and otherwise, including external communications and representing the institution as a whole vis-a-vis industry, government, media etc., both nationally and internationally,
- Organisation and coordination of the necessary support processes such as financial administration and management, personnel administration, room administration and other services,
- Internal communications and resource allocation (by internal funding comparison, providing the departments and their members with adequate personnel and financial resources, safeguarding quality standards in research and teaching, initiating, implementing and maintaining strategic development),
- Carrying out "whole-of-institution" tasks for the higher education institution, such as internationalisation, equality, knowledge transfer, fostering ventures/spin-offs, responsibility for the region and also sponsoring/fundraising and alumni work, for which appropriate structures need to be implemented.

These areas of responsibility require differing leadership styles and structures: on the one hand, strong and united leadership externally, and on the other hand communicative and cooperative internally, creative and participatory for interface tasks, businesslike and partially hierarchical in the organisation of administrative structures, service-oriented in support processes.

It is therefore necessary to strengthen and professionalise the leadership of higher education institutions by providing them with guidelines and decision-making authority aligned with their institutional responsibility. This must be accompanied by systematic strategic development for the specific higher education institution. Introduction of overarching structures in the form of a separation between the disciplinary leadership function and the authority to issue directives in relation to a subject can support this process.

#### b) Senate / collegial body

The Senate (standing for all forms of collegial body), as the representative body of the Member Groups of the higher education institution, constitutes the central body, in which the opinion-making process should be reflected in a cross-institution perspective, above and beyond subject interests. Ideally, in this body

the central perspective generated by the personnel and specialist competence represented should be the crucial criterion for decision-making. The special rights postulated by the Federal Constitutional Court for the group of teachers from the higher education institution in this self-governance body must always be respected. The academic community itself must have increments of decision-making authority, participation rights, voting rights, rights to information and scrutiny, and the interests of scholarship should be in the forefront when formulating strategic tasks.

### **5. Cooperation between local units and central higher education institution bodies for the good of the institution**

A balancing out of central and local decision-making processes must be the goal of good governance of higher education institutions, so that even uncomfortable decisions can be made for the good of the institution. In this process it is necessary to ensure that the development of the higher education institution as an organisation with its collective interests is balanced with the justified individual interests of the academic profession.

This can be achieved if

- the collegial bodies are involved in decisions.
- participation rights do not lead to a maintenance of the status quo.
- organisational areas involved in administrative management of the higher education institution support research and the leadership of the institution (e.g. internal accreditation branch, teaching and research advisory board).

Tools for achieving the effective and balanced networking of central and local levels could be, for example:

- use of specialist task-based commissions networked with leadership of the higher education institution and permanent subject advisory boards, in addition to the classical academic self-governance bodies.
- Organisation and facilitating of a consultation process between the stakeholder levels which would be as seamless as possible, including those stakeholders with coordinating roles.
- performance-based funding allocation for departments and central institutions, so that the leadership of the higher education institutions is more often given the capacity to define goals and to reflect the achievement of those goals in the allocation of funding. These monetary control mechanisms should adequately support the core tasks of the higher education institution.
- Development agreements between the leadership of the higher education institution and departments/faculties or/and individual

professors for improved integration into the institution and into self-governance.