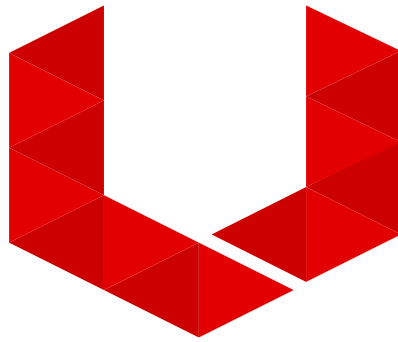


UMASA Position Paper on the University Act Consultation Document



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1 Preamble

At a time when the country is experiencing economic growth, the University should take pride in the contribution it has made to this state of affairs. As the range of courses offered has continued to broaden and the skills in which our students are trained have continued to evolve, our University has sought to keep its finger on the country's pulse, responding to perceived gaps, but also seeking to predict future needs in a proactive manner. The University of Malta remains the only institution of its size and scope in the country. The University of Malta has a large and growing student and staff population which is increasingly diverse and international. The University is not merely a state entity, but a *national asset* with a duty to research and develop knowledge, skills and foster critical enquiry but also nurturing the development of mature civic and social engagement.

The University Act is a legal instrument that has long been in discussion. UMASA regrets to note however that it was not involved in the discussions preceding the drafting of this document. The consultation document addresses a number of key areas including: Autonomy, Student Interests, Quality Assurance, Sustainable Funding and Governance. While the document proposes some welcome reforms in certain areas there are a number of problematic proposals which run the risk of going against the very Objectives in the document, most notably in the area of Governance.

This Position Paper has been drafted after (i) UMASA received individual written feedback from staff, (ii) a consultation session with academic staff on the 13th October and (iii) the report generated by an ad-hoc advisory committee. In what follows we will outline areas in the current proposal which enjoy widespread support, areas which we oppose, and a series of proposals for consideration.

2 University Governance

The document proposes a number of reforms in the current administrative structures including the creation of two new Boards. UMASA strongly opposes the creation of further governance structures that decrease institutional autonomy. However UMASA would like to see the setting up a separate and independent Appeals Board.

2.1 Governing Board

UMASA strongly opposes the creation of a Governing Board as currently proposed in this consultation document. We believe that such a board would actually significantly reduce the institutional autonomy of the University. While we recognize that it is important for the University to be accountable to society at large, we believe that this function is more than amply fulfilled by the current composition of University Council which is currently composed of a significant proportion appointed by the Prime Minister and Minister of Education representing the interests of the country who also actively participate in the various committees composed by Council. It is also worth



remembering that Senate and Faculty Boards as currently composed also have 2 members appointed by the Minister of Education.

As such we see no need for adding yet another layer to the University's governance structure. A Governing Board composed of 3-5 non-academic members appointed by the Prime Minister severely endangers the institutional and academic autonomy of the University.

2.2 Executive Board

While the creation of an executive Board that acts as the executive arm of council can assist in streamlining the implementation of the plans approved by Council this Board needs to have greater participation from the Academic members. As such we propose an alternative to the Executive Board proposed in the Consultation document, as follows:

Membership:

- The Board should be composed of 5 members. The Rector shall chair this board and the Board will be composed of the Secretary (what the Document refers to as a Chief Operations Officer (COO)), 2 representatives from Council (including one of the elected academic members) and one member from Senate.

Function:

- Formulates the Institutional and Strategic Plans of the University for approval by Council.
- Exercises oversight of the management of the University through the appointment of an auditor
- Monitors the effective execution of the Strategic and Institutional Plans on a regular basis.

2.3 University Council

The proposed University Act proposes a decrease in the total number of members on council while increasing the proportion of student representatives (currently 3). UMASA is concerned at the decreased role of elected academic staff on council.

- Currently Council only has three elected staff members on Council. We believe the proportion of democratically elected staff representatives on council should *increase* not further decrease if we are truly committed to participatory democratic decision making processes.
- In the interests of transparency, UMASA proposes that legally recognised staff unions are granted observer status on University Council.



2.4 Appeals Board

UMASA would like to propose that a separate Appeals Board be constituted for any decision taken by Council, including those on advice of its Committees with respect to academic and administrative staff.

3 Terms of Office and appointment of Heads of Department, Deans, Directors and Rector.

UMASA notes that the Consultation Document introduces a two consecutive term limit across a number of offices as well as broadening the eligibility of staff members to contest the election for Deanship. These are welcome initiatives which UMASA supports as further democratising University structures. We would however like to point out some restrictions as well as suggest a further strengthening of the commitment to the democratisation of University structures.

3.1 Rector

The document proposes the introduction of a two-term limitation for the office of Rector. It also provides an ad-hoc Council committee to question candidates at a special council session in relation to his/her election. UMASA supports the limitation in terms of office however we strongly urge a further democratisation of the election process for the Rector.

- UMASA strongly believes that the election of a Rector is a decision of such import that it should be broadened to a ballot by all academic staff within the University.

3.2 Deans of Faculties

The Document currently proposes broadening the eligibility for Deanship to include not only Heads of Department but also any academic of the Faculty at the rank of Professor.

- We would strongly suggest that this is broadened further to include any member of the Faculty at the rank of Associate Professor as well as Heads of Departments and Full Professors.
- UMASA believes that a Dean should not simultaneously hold the position of Head of Department and Dean. In order to reduce the chance of potential conflicts of interests and reduce the administrative burden on the member of staff concerned, if elected, a Head of Department should be required to resign the Headship.



3.3 Heads of Departments

Similar to the appointment of Deans the proposal notes a two consecutive term limitation of office. UMASA supports the further democratization of all appointments. UMASA supports this proposal however we would like to note that this is not always operationally feasible due to the small size of certain departments.

- UMASA would like to propose that where departments have 3 members or less the two-term limitation would not be applicable.

4 Quality Assurance

The Document proposes to institutionalise and embed quality assurance measures and structures. As the Document points out, the NCFHE publishes guidelines and criteria for Quality Assurance with regards to accreditation and licensing of programmes.

- UMASA supports a quality assurance, however it does not see the scope for embedding Quality Assurance procedures within the University Act.

5 Funding Systems for the University of Malta

The Document proposes a funding model based on a three-year Service Contract. A three-year funding model will greatly aid in the financial planning of the University. The notion of a service contract however greatly undermines the role of the university as a national university engaged in the provision of knowledge and education beyond econometrics.

- UMASA has grave concerns over a 'service-contract' model. University funding should look beyond the provision of purely market-driven skills.

6 Teaching and Research

UMASA notes that where research is concerned, our university still lags behind on key indicators compared to similar institutions. This is the case whether we focus on the level of international funding we attract, or the overall impact of our published output. Here the situation has altered over the past several years, but there is still much that needs to be done. There is much more to the educational environment than teaching. Academics do not merely impart knowledge, but create it. Research and teaching go hand in hand.

Where teaching is concerned, there is continues emphasis on skills and knowledge, but less on the development of critical thinking, on the ability to appraise problems with a view to tackling them creatively. This runs counter to the value that should be placed on research and innovation. The role of postgraduate research students, as partners with academics in the creation of knowledge, must be recognised in the University Act.



- UMASA notes that the Document does not appropriately address the role of academics as scholars and researchers. Greater support needs to be given to research in our role at the University. This can include the establishment of a National Research Fund to support scholars in their research.
- UMASA notes that the funding model being proposed for the University does not include any mention of research performance and is solely oriented towards the provision of teaching services. UMASA proposes that research output is also included as one of the key benchmarks for the funding of the University which aids in its international recognition and incentivises research output.

7 Concluding Remarks

UMASA supports the principles of Academic Freedom, Democratisation of the University, increased participation of students and the development and upholding of Equal Opportunities and Diversity in the pursuit of excellence in teaching and research.

We believe a legal instrument such as the University Act should indeed be geared towards such fundamental principles. While certain proposals contained in the Document do recommend some important innovations we repeat our concern with the introduction of a Governing Board that could potentially endanger our institutional autonomy. Universities in particular cannot thrive in such conditions, for these conditions militate against freedom of thought. We need to see greater academic participation in decision making, not less.

We would be remiss if we did not note that while great inroads have been made with regards to the development of institutional infrastructure much progress remains to be made. A quality research and learning environment is challenging to sustain in a campus which is cramped and overcrowded. Academics are, in some cases, being asked to work from hastily put together temporary plastic blocks for years on end.

The Document only makes a passing reference to research and does not sufficiently prioritise it. Fundamentally, the problem is an excessively instrumental view of education. This might also be the guiding principle underlying the proposal to fund the university on the basis of short term 'service contracts'.

In sum as outlined in this document UMASA:

- Strongly opposes the creation of a Governing Board along the lines envisaged in the Document.
- Is gravely concerned that the Document does not make any provisions for our role as researchers and scholars.
- Supports the introduction of limitations of terms of office and proposes a broadening of the democratic structures for the elections of Deans and Rector.
- Proposes the introduction of a dedicated Appeals Board.



- Requests that staff representation is broadened at Council level and UMASA and other legitimate bodies are represented as observers on Council.
- Expects a seat at the table when the time comes to draft the White Paper to the University Act.