



UNIVERSITÀ DEGLI STUDI DI MILANO

CONCORSO PUBBLICO, PER TITOLI ED ESAMI, A N. 1 POSTO DA DIRIGENTE DI SECONDA FASCIA A TEMPO INDETERMINATO PRESSO L'UNIVERSITÀ DEGLI STUDI DI MILANO, CON PRIMO INCARICO PRESSO LA DIREZIONE ORGANIZZAZIONE E SVILUPPO RISORSE UMANE - CODICE 22403

Il Presidente e le Componenti della Commissione giudicatrice del concorso codice 22403, nominata con Determina Direttoriale n. 10104/2024:

Prof. Matteo Turri	<i>Presidente</i>
Dott.ssa Emma Varasio	<i>Componente</i>
Dott.ssa Alessandra Moroni	<i>Componente</i>
Dott.ssa Tiziana Morocutti	<i>Segretaria</i>

comunicano i quesiti relativi alla prova orale e volti all'accertamento del possesso delle competenze tecniche:

GRUPPO DI QUESITI N. 1

1. Le principali novità del nuovo CCNL 2019-2021 del personale del Comparto Istruzione e Ricerca con particolare riferimento alla classificazione del personale.
2. La formazione del personale tecnico-amministrativo in un grande Ateneo alla luce dei cambiamenti tecnologici, organizzativi e culturali.

Brano in inglese tratto da G. Capano, M. Regini e M. Turri, *Changing Governance in Universities*, Palgrave Studies in Global Higher Education, DOI 10.1057/978-1-137-54817-7_1 (pp. 105-106)

GRUPPO DI QUESITI N. 2

1. Il ruolo del Dirigente dell'area risorse umane nell'ambito della contrattazione di secondo livello.
2. I processi di onboarding di PTA e Docenti come strumento di inclusione e retention.

Brano in inglese tratto da G. Capano, M. Regini e M. Turri, *Changing Governance in Universities*, Palgrave Studies in Global Higher Education, DOI 10.1057/978-1-137-54817-7_1 (pp. 108-109)

Milano, 24 luglio 2024

La Commissione

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created agency for the evaluation of universities, which changed from being an ex post assessment agency to an ex ante vehicle for policy and regulation.

3 THE CONTRADICTIONS IN THE 2010 ‘GELMINI REFORM’

As said in [Sect. 1](#), the governance reform bill drawn up by the Ministry in 2009 (which followed draft guidelines presented in 2008) had many similarities with, as well as certain differences from, the bill presented by the main opposition party (the PD).

In both cases, an unelected BoG would have broad executive powers, including the crucial role to decide on the hiring of teaching staff. In the government’s bill, at least 40 % of the BoGs’ members were to be external to the university system. In the version proposed by the PD, on the other hand, the proportion was at least one third (the law finally enacted in 2010 established that at least 3 out of 11 members must be external, or at least two in the case of BoGs with fewer than 11 members). The PD’s bill entrusted the Senate with strategic planning, which the government’s bill assigned to the BoG instead. Finally, both proposals envisaged the department as the core organizational unit, but the PD’s bill provided for the abolition of faculties, while that of the government initially established that departments would be grouped together into larger structures to decide on teaching and coordinate its delivery, while also coordinating proposals regarding academic staff formulated by the departments (the law eventually enacted established the non-compulsory nature of these linking structures, and they were only given the task of coordinating teaching activities).

There was therefore substantial agreement among the main political parties on the main proposals concerning institutional governance. Nonetheless, the government’s proposal encountered strong opposition within the universities, in particular among the more highly politicized researchers and students, who protested against what they believed to be a distortion of the universities’ public role and traditional ‘democratic’ management. The PD decided to ‘ride the wave’ of this protest by opposing the government’s bill in Parliament, despite the fact that it suggested solutions that had previously met with broad agreement.

The Gelmini Reform of university governance therefore finally became law (Law 240 of December 2010) in a climate of conflict that was not only political but also present in the universities. The main provisions of the law shall now be set out, followed by a discussion of some of its limitations and contradictions.

3.1 *Law 240 of 2010 in Brief*

The first objective of the reform law was to change the structure and distribution of power within universities, and to give a greater role to the central governing bodies – the rector and the BoGs – to the detriment of the body representing the academic community, the Senate. The purpose of the reform was therefore to increase the verticalization of power and decision-making compared with the traditional model, and to increase efficiency. Reaffirmation of the autonomy of universities, however, went together with establishing the bodies required for university governance and with detailed instructions concerning their composition and functions.

The reform made significant changes to the role of the rector, while confirming that he or she would continue to be elected. Rectors would be elected from among full professors with tenure at Italian universities; unlike in the past, they could also belong to other universities, and theoretically could be elected in a second-level election (the law only spoke of ‘elections’ but did not specify how they are to be conducted). Limits were imposed on the duration of the rector’s mandate, which became 6 years, and which could not be renewed. This strengthened the rector’s position with respect to his or her electors, although he or she could be subject to a vote of no confidence by the Senate under certain circumstances.

Rectors were assigned functions relating to policy orientation and the coordination of scientific and teaching activities, as well as to the nomination of Directors-General and preparation of the 3-year university plan, taking account of the proposals and opinions of the Academic Senate and budget documents.

In short, the reform redefined the role of rectors by making them the drivers of scientific and teaching activities at the university, and of its strategic development.

The law also distinguished between the functions of the BoG and those of the Academic Senate. In particular, BoGs were now given strategic orientation functions, as well as decisional powers in regard to budgets, financial planning, the creation or termination of degree programmes and university sites, administrative and accounting regulations. Boards of Governors were also made responsible for appointing Directors-General proposed by the rector, and for hiring lecturers and researchers proposed by the various departments. Their power to approve the creation or termination of degree programmes and university sites, subject to the opinion of the Academic

Finally, Directors-General are responsible for the overall management and organization of services, resources, and the technical and administrative staff of the university. Directors-General participate in meetings of the BoG, but do not have the right to vote. They are appointed by the BoGs from candidates proposed by the rector, on advisement by the Academic Senate, with high professional qualifications and proven experience. It is possible to interpret the replacement of previous Managing Directors with the new Directors-General as a means to ensure a more effective alignment between ‘politics’ and ‘management’: that is, between strategic functions, which are assigned to the rector and the BoG, and management functions, which are assigned to the Director-General.

Last but not least, one of the main objectives of the reform was to simplify internal organizational structures by abolishing faculties and assigning to departments not only functions relating to scientific research, but also ones concerning academic and recruitment business, which was previously the responsibility of the faculties. Once again, legislation has been used to reorganize departments so as to ensure that they have a minimum number of members: each department must consist of no fewer than 35 (40 in the case of universities with a teaching staff of more than one thousand) lecturers, tenured researchers and contract researchers working in the same subject areas broadly defined. Also, Law 240 provided the opportunity (but not the obligation) for universities to create up to twelve ‘liaising structures’ among departments grouped together according to similarities in their subject areas, with the task of coordinating teaching activities.

3.2 *Between Excessive dirigisme and a Lack of Initiative on Crucial Issues*

Numerous criticisms have been brought against the excessively *dirigiste* architecture of the reform (Moscati and Vaira 2014; Donina and Meoli 2014; Monzani 2014), which meticulously regulates many features that should have been left to the universities to decide on, if only to permit flexible solutions, virtuous competition and a collective learning process. From this standpoint, the Gelmini Reform may be viewed as a neo-*dirigiste* reaction to the poor use that Italian universities have made of their autonomy. It is for this reason that the reform imposed organizational uniformity, and established standard regulations for all universities. The damage caused in previous years by an autonomy not accompanied by assessment, had left its mark. As we have seen above, it had given rise to a

perceptible lack of trust, within Government, in the universities' ability to manage their autonomy responsibly, fostering a punitive attitude towards them.

Yet, authoritative warnings had been issued concerning the danger of *dirigisme* and a neo-centralism incapable of allowing for flexible and differentiated solutions. The CRUI in particular had for some time emphasized this danger in the annual reports of its president: 'we propose guidelines for the university governance system . . . that respect the autonomy of universities, that . . . are drafted with awareness of the heterogeneous nature of our university system, which includes state and non-state universities and very different types of organizations, which must be free to shape their interaction with their own territorial contexts' (Tosi 2004, p. 29).

Two years later, the CRUI report stated: 'the Italian university system is a complex structure: there are specialized and comprehensive universities, small and new as well as large and old institutions, state and non-state universities . . . the diversity of vocations in our system is a rich heritage that should be preserved . . . There are two possible ways of exercising control: one is to control processes, while the other is to control results. In the former case, the controller establishes the manner in which resources are employed: the types of expenditure, the ceilings to be respected, and the professional and technical resources to be acquired. In the latter case, the controller identifies the objectives to be attained and the means by which they are assessed, and leaves it to the controllee to identify the most appropriate ways of attaining these objectives. Until very recently, it was believed that procedures should be controlled, possibly by introducing new rules to correct by-laws, decrees, amendments, regulations, circulars and guidelines. Still today, government budgets contain innumerable constraints on university spending: constraints on uses and purposes, such as spending on scientific congresses, services, and even the resources for decentralized bargaining. It is evident that every rule reduces freedom of action and steers behaviour in a certain direction. This may be a good thing, because it increases efficiency, but an excessive number of rules is a bad thing. There is a risk of asphyxiation due to an overdose of regulations. In my opinion, the time has come for a decisive change of cultural direction which requires a large amount of courage. Put simply, this means forgoing the idea of planning every single detail of a university's operations, and instead merely setting very general objectives and principles, thus leaving the parties concerned to apply them as they see fit, and to evaluate the results obtained with rigour and precision' (Trombetti 2006, pp. 12–14).