

Managerial leadership in the Italian school system: an outline of administrative science¹

by *Anna Arnone*²

Abstract: The headteacher' role in the Italian state school organisation has peculiar facets, mainly due to the granting of legal status to state schools and to the subsequent headteachers' appointment as state managers. This implies that schools' administrative action must abide to the laws and norms governing public service.

Key-words: Headteachers, Responsibility, School Management

The administrative context

In order to contextualise, we will briefly consider the legal status of the Italian school system. Notwithstanding the reforms of the last decade, the administrative structure is strongly anchored to public law. Although schools are autonomous institutions, they are still incorporated State bodies. In such a context, headteachers act according to formal rules for governing education and instruction. Since education and instruction are social rights, they are guaranteed by Central Government. State schools and state-recognised private schools assure public education and instruction following horizontal subsidiary principles.

¹ Technical Translator Susanna Granello

² Expert of Educational Administration; Department of Public Administration; Italian State. Email: a.armone@funzionepubblica.it

Before analysing the peculiar nature of the Italian school system, we should take into consideration the legal definition of public service. There are two notions of public service: one nominalistic, the other objective. According to the former, any activity exercised by a public authority constitutes a public service. This results from either provisions of the law or voluntary resolutions (MS Giannini). Building roads, managing transportation or schools, are all activities which can be accomplished by both public and private actors. What matters is the “*nomen*” of the activity.

According to the objective notion, public service is an activity characterised by objective traits conferring the quality of public service, regardless of the way the activity is managed or of who is managing the same.

Education is considered to be a public service, also when provided by private institutions. Even previously to Act 62/2000, public education was guaranteed partly by the State, partly by public institutions and partly by private institutions controlled by the Ministry of Education. Nowadays, this arrangement seems to be confirmed: as stated in Act 62/2000, public education is provided both by state schools and state-recognised private schools.

It should be noted, however, that the nature of public service has changed significantly in recent years following a new approach to the exercise of public power. The reforms of the 1990s, introduced new principles in administration such as transparency, publicity, economy, efficiency and efficacy, thus fully abiding by Art. 97 of the Italian Constitution. These standards have, in various ways, changed the face of the public service, defining the new feature of ‘quality’, seen mainly as an added value to the principle of legality.

The provisions contained in the Citizen’s Charter, passed in 1994, outline a relationship on equal terms between State and citizens. State administration provides a service and, at the same time, it guarantees the quality of the same according to standards which are reference points for the citizens. When standards are not fulfilled, then complaints can be lodged.

Schools have been somehow overwhelmed by such an innovative trend, with Art. 21 of the Bassanini Act granting them more ample autonomy and giving headteachers a managerial status, at the same time stating that the achievement of results is the headteacher’s responsibility. The service

provided by schools must follow the principles which govern public administration, i.e. planning and programming. However, these principles are no longer contemplated within the hierarchical order of the 1980s; rather, they are set within a framework which has various actors, each with a different competence, but all addressing a common service.

Schools, then, must abide by the norms established for public accounting, for safety, confidentiality, governing bodies and collegiate bodies. It follows that the administrative actions of schools are not secondary to their primary social function, i.e. that of providing education. Schools are the only legitimate form of education. The managerial function of the headteachers is thus exerted both on a formal and organisational level, both being functional to the accomplishment of one institutional objective: providing education.

Provisions governing the managerial function of headteachers

Headteachers have been granted the status of managers to foster autonomy in the Italian school system and to give financial recognition to a poorly-paid function. However, the granting of this status, that of “public manager”, has increased the responsibility of headteachers as regards safety, contracts, legal cases, etc.

A headteacher was once *primus inter pares*; now he is at the top of the pyramid but with a legal position which is still to be defined. He is legally responsible but he is not the head of staff. We are here considering the relationship between headteacher and teachers, the latter being civil servants who, at the same time, have a certain amount of professional freedom guaranteed by the Italian Constitution. In fact, their function has gradually changed, since the reforms of the 1990s brought about new processes concerning transparency and accountability in the public system at large, and in the school system in particular. The ample discretionary power once recognised to teachers is no longer admitted since the accountability of public services forces schools to be more concerned with results.

However, reforms in the school system have not yet provided headteachers with efficient managerial resources. School governance is based on norms still anchored to the past and which have been only partly

renewed by a series of acts which are not always coherent with the system. There is a sort of continuous loop affecting the governing body of schoolteachers and its chairman: the headteacher.

In order to understand the differing aspects between the role of a public manager³ and that of a school manager (headteacher), we must take into consideration two norms contained in Legislative Decree no. 165/2001 “General norms concerning the organisation of public administrations”.

The first is Art. 17⁴.

³ ART. 4 D.LGS 165/2001 (*Political and administrative directions. Functions and responsibilities*)

1. Government organs exercise political and administrative directing functions, by defining the aims and the programs to be acted and by adopting every other act which is related to the course of these functions, and they verify the response between the administrative activity and management results and the given directions. In particular, it's up to them:

- a) to adopt decisions regarding ruling acts and to adopt the relative enforcing and interpreting directing acts;
- b) to define the aims, priorities, plans, programmes and general directives for the administrative activity and the management;
- c) to locate human, material, financial-economic resources to be destined to the different aims and their sharing among the offices of general executive level;
- d) to define general criteria regarding financial aids to thirds and to determine tariffs, canons, and similar burden for thirds;
- e) to decide nominations, designations and similar acts given to them by specific dispositions;
- f) to request opinion to the independent regulatory Agencies and to the Consiglio di Stato;
- g) To adopt every other act indicated by the present ordinance.

2. It's up to the executives to adopt administrative acts and measures, included the acts that bind the administration with the external, and it's up to the executives the financial, technical and administrative management by using autonomous power of expense, power of human resources organisation, instrumental powers and power of control. They are exclusively responsible for the administrative activity, the management and their results.

3. Executive's attributions, showed in the clause n. 2, can be modified only expressly by specific legislative dispositions.

4. Public administrations, whose top bodies are not directly or indirectly expression of political representation, adapt their order to the principle of the distinction between directing and controlling, on one hand, and acting and managing, on the other hand. It is forbidden to these administrations to institute direct collaboration offices, directly depending on the top organ of the body.

⁴ ART. 17 D.LGS 165/2001 (*Executives' functions*)

The first thing we notice is how the managerial, co-ordinating and monitoring powers refer to the activities carried out by the various offices, whereas, when staff are mentioned, management is somehow involved. Administration is not therefore structured according to bureaucratic principles for the execution of tasks; it is organised according to functional principles requiring the contribution of each unit in the organisation, on which managers will exercise their managerial, co-ordinating and monitoring functions. The power of substitution in case of inactivity constitutes the basis of hierarchy, today considered a functional hierarchy. On the contrary, Art. 25⁵ of the same Decree defines the power of

1.Executives, within the limits fixed by article 4, exercise, added to the others, these duties and powers:

- a) making proposals and expressing opinions to the general executive offices;
- b) Taking care of the realization of the projects and the managements assigned to them from the executives of the general executive offices, by adopting the relative administrative measures and acts and by exercising expense and income powers;
- c) Caring out every other task given to them from the executives of the general executive offices;
- d) Directing, coordinating and controlling the activity of the offices depending on them and directing, coordinating and controlling administrative proceedings responsible, with substitution powers in case of inertia;
- e) Providing to the staff management, and providing to the management of the financial and instrumental resources assigned to their own offices.

1-bis. Executives, for proved and specific service reasons, can delegate, for a determined time period, with written and motivated act, some competences within the clause 1 letter b), d) and e) functions to other civil servants who hold the highest functional position in the offices entrusted to them. Art. 2013 of the civil code can't be applied in any case.

⁵ ART. 25 D.LGS 165/2001 (*Scholastic institution executives.*)

1. In the field of the scholastic peripheral administration it's instituted the executive qualification for the head of scholastic and educational institutions to which it was given juridical and autonomous personality from art. 21 L. 15 marzo 1997, n. 59, and successive modifications and integrations. Scholastic executives are set in regional list and they respond, in the respect of art. 21, of the results, that are valuated considering functions' specificities and that are valuated on the basis of the verifies made by a valuation group instituted in the region scholastic administration, presided by an executive and composed by experts even not from the administration.

2. Scholastic executive ensures unitarian management of the institution, he has the legal representation, and he is responsible for the financial and instrumental resources management and for service's results. In the respect of the competences of the scholastic collegial organs, scholastic executive has autonomous powers of directing, coordinating and developing human resources. In particular, the scholastic executive organizes the scholastic

management using such phrases as “unitary management of the institution” and later “observing the competencies of the collegiate bodies of the school, managers exercise autonomous powers of direction, co-ordination and enhancement of human resources”.

A brief aside has to be made concerning the discretionary power assigned to headteachers.

Headteachers exercise a discretion which is legally binding and not binding at the same time. The former includes decisions taken under the provisions of art. 3 of Act n.21/1990 “Any administrative decision,

activity according to the formative efficiency and effectiveness criteria, and he manages trade-union relationships.

3. In the exercise of the competences listed in the clause n. 2, scholastic executive promotes the interventions to ensure formative processes quality and the collaboration of the cultural, professional, social, and economic territory resources, for the exercise of the freedom of teaching, intended as freedom of research and methodological and didactic innovation, for the families' exercise of the freedom of educational choice and for the realization of the students' right of learning.

4. In the field of the functions given to scholastic institutions, it's up to the executive the adoption of the resources and staff management measures.

5. In the exercise of their own organizational and administrative functions, the executive can be helped by teachers that he choose, to which can be delegated some specific tasks, and he is helped by the administrative responsible, who is responsible, with operative autonomy, within the limits fixed by the general directives and the aims decided, for the administrative services and for the general services of the scholastic institution, also coordinating the relative staff.

6. The executive presents periodically to the circle council or to the institute council a motivated relation on the direction and the coordination of the educational, organizational and administrative activity, in order to censure the widest information and effective link for the competences' exercise of the bodies of the scholastic institution.

7. Head institute with an undetermined job contract, and the rectors and vice rectors of boarding-schools, principals and vice principals of convent schools, assume the executive qualify, after the frequency to specific training courses, when they are put in charge of scholastic institution with autonomy and juridical personality from art. 21 L. 15 marzo 1997, n. 59 and successive modifications and integrations, safeguarding, if it's possible, the appointment of the of the service centre.

8. The Ministry of Education, by his own ordinance, defines aims, contents and the duration of the formation; He determines the forms of participation to the different formatives modules and to the relative check; he defines each course's certificating and valuating criteria; he decides which scholastic administration organs are responsible for the articulation and the coordination of the corse in the territory, defining the criteria; he decides the forms in which courses will carry out, entrusting them to universities, specialized agencies and public and private institutes, even associated and syndicated each other.

including those concerning administration, public competitions and staff, has to be justified except for the cases listed in the second paragraph. Justification must include factual assumptions as well as the legal reasons which have determined the administrative decision, in relation to the findings of the preliminary enquiry. Justification is not required with acts concerning norms of a general nature.”

Unlike Headteachers, teachers have a technical discretionary power which influences the decisions of the collegiate bodies when choices are to be made. Consequently, the exercise of this discretionary power, which undoubtedly determines the quality of service, limits managerial decisions further, especially as regards the teaching-learning process. It is, therefore, these collegiate bodies that characterise a school’s structure, directly influencing the decision-making process. Obviously, there is no hierarchical relationship between the various actors; on the contrary, there is a need for all the actors to work together towards a common aim. This form of managerial co-ordination is one of the most delicate and, at the same time, most strategic. As we can see, the headteacher is a member of the school board who has many functions, one of which is to assure the legitimacy of its actions.

9. The direction of Academies of music, Academies of art, Superior institutes of artistic industries and National Academies of drama and dance, is equalized to the head institute position. With ordinance of the Ministry of Education are ruled the forms of designations and giving and term of the assignment, safeguarded the positions of the actual role director.

10. At the same time of the attribution of the executive qualify to the rectors and vice rectors of the boarding schools, the correspondent places are eliminated. At the end of the operations the relative lists will be eliminated.

11. Head institute who are also Ministry or under-secretary of state, or are waiting for a parliamentary or administrative mandate or are in union exemption, branched, commanded, used or placed out of list can absolve to the obligation of formation through frequency of specific modules regarding the formation fixed in this article, or the formation fixed in article 29. In this last case the assignment starts, for juridical purposes, from the first assignments application fixed in clause n. 7 and, for economic purposes, from the date of assignment to an autonomous scholastic institution.

The managerial function of the Headteacher as Chairman of the teachers' collegiate body

As chairman of the collegiate body, the headteacher is responsible for the quality of the school's services (*in exercising their competencies, headteachers must act in order to assure the quality of the educational processes and collaboration among the cultural, professional, social and financial resources of the territory; to assure teaching freedom, also seen as freedom in research and in the choice of teaching methods; to assure the parents' right to choose and the pupils' right to education*).

The technical competence of the headteacher as chairman is hereby exercised considering the school system as a global one on a communicative and relational level with a view to fostering commitment.

From a legal point of view, co-ordination is a relatively new instance resulting from the democratic process affecting public administration. Administrative Law considers co-ordination necessary in order to avoid conflicts, contradictions and inefficiency when public powers are exercised. Co-ordination is typical of those societies which pursue their objectives with the support of all their components and all public offices are requested to follow this model.

Co-ordination is also applied to school collegiate bodies, albeit their obsolescence. The presence of a plurality of decisional actors requires the co-ordination of the headteacher in order to guarantee the attainment of this social function. Nowadays, the idea that collegiate bodies merely carry out orders is obsolete; on the contrary, even the draft bill awaiting a decision from the Senate empowers them further.

The competencies of the decision-makers in the school system are still being defined, but it is clear that this system will have to be based on the distinction of the political, decisional and technical roles. The co-ordinating role of the Headteacher will be exercised on different decisional levels in accordance with the definitions provided by Administrative Law, therefore; he or she will not only act as chairman of the teachers' collegiate body but will make use of communication instruments such as guidelines and directives, as well as implementing communicative structures.

In order to fully understand the jurisdictional and organisational value of co-ordination we must first consider the framework and the decisional processes to which it is applied.

The teachers' collegiate body is the most important decision-making body in the school. It does not have supremacy over other actors but, thanks to its technical competence, it constitutes the school's social function. The decisions made by the teachers' collegiate body are based on professional competencies which are amplified by the teachers' knowledge of the school context and of the pupils in particular, including their background, their capabilities and their potential.

This collegiate body, just like any other, guarantees unitary and collective decision-making. The particular aspect of such decisions is that they will shape the didactic professionalism of each individual teacher. There is, at times, a certain gap between decision and action due to freedom of teaching, which allows the individual to diverge from the will of the majority,⁶ but always within the limits of the law. The adoption of a professional code of conduct, without any doubt, would guarantee teaching freedom and, at the same time, the widest respect of learners' rights.

It is in this context that the managerial function should emerge in its twofold value: that of assuring the legitimacy of administrative actions and that of promoting and enhancing innovation and quality.

The dynamics which produce decisions in the teachers' collegiate body are complex, due first of all to the number of actors involved - sometimes almost a small parliament - and secondly due to the intricate interweaving of the professional relationships at work. Such considerations would call for a simpler and more efficient decisional process. One of the first tasks of the Headteacher is that of fostering the structure of the teachers' collegiate body into committees or teams. It is not in his or her power to decide how this body should be organised but he can suggest how it could be structured with regard to its decisional processes. This is of particular importance, because giving the collegiate body a certain organisational structure can influence, among other things, how school funds should be used, with particular regard to teachers' salary supplements. A further managerial function is that of supervising the decisional processes, since committees or teams have a preparatory role in the collegiate body's decisions. If competencies are clearly defined and assigned then decision-making is faster and more transparent.

⁶ Artt. 1, 3 e 4 d.p.r. n. 275/99; art. 1 TU n. 297/94

At this point, it is the Headteacher's prerogative to decide on the items on the agenda, and this is of strategic relevance. As Chairman, he or she must be able to keep debates on a dialectical ground by giving leave to speak, by not allowing members to speak, by asking questions and establishing priorities. The Chairman may not, however, take any disciplinary action against the members but, should it not be possible for the assembly to proceed, it is in the Chairman's powers to call it off. In such an event its members have no right to make decisions and it is not possible to appoint another Chairman. Each member of the collegiate body and its Chairman may propose resolutions about the items on the agenda. Time on the floor can be set, but it is the Chairman who decides when the debate is over and when it is time to vote.

The directives of the Headteacher to teachers' collegiate bodies

The Headteacher's directives concern the fostering of experimentation, research and development, as well as the managerial processes connected to the formal aspects of decision-making. The former often provide practical opportunities for teachers with universities or schools for research purposes.

The resolutions of a Headteacher must not, however, be overtly expressed in such documents; they must, instead, become public by other means. The public issue⁷ of such resolutions may, for example, find

⁷ Art. 6 DPR 275/99 (*Autonomy of research, experimentation and development*)

The school institutions, singularly or associated, exercise the autonomy of research, experimentation and development on account of the requirements of the cultural, social and economic context of the local communities and caring, among other things:

- a) the educational planning and the valuational research;
- b) the education and the cultural and professional update of the school staff;
- c) the methodological and disciplinary innovation;
- d) the didactic research on the different values of the information and communication technologies and on their integration in the educational process;
- e) the educational documentation and its spreading inside the school;
- f) the exchange of information, experiences and didactic materials;
- g) integration between the various articulations of the school system and, in agreement with the competent institutional subjects, between the various educational systems, vocational training included.

expression in the acts of the *Consiglio di Istituto*,⁸ the most important decision-making body in the school.

The main actions of a Headteacher are directed towards innovation. This area regards relationships and the school system at large. What we are interested in here deals with the contents of a headteacher's resolutions and directives.

These formal acts, in the organisational and decisional model of the school system, are the public manifestation of a Headteacher's leadership. However, from a legal point of view, they are not binding since they are addressed at subjects on an equal level. Therefore a Headteacher's resolution or directive addressed to the teachers' collegiate body does not "automatically" produce legal effects; first of all the collegiate body has to debate the issue and then make decisions on the same, stating their grounds. It is only at this point that the procedure can be considered formally complete.

The legitimating points of such procedures are the Headteacher's directive and the collegiate body's decision. The directive must contain an issue which fully pertains to the decisional faculty of the body. For example, all teaching issues are the prerogative of a teachers' collegiate body, and this body has the most ample autonomy in this sense. The decision is taken on technical grounds and judges cannot intervene.

A Headteacher's directives are addressed at influencing the decisional power of the teachers' collegiate body on teaching issues, and from a juridical point of view, great attention must be paid to the body's decision. This act must contain precise formal requisites. The grounds on which the decision is made are of crucial importance as they must unfold the logical

2. If the research and innovation plan demands structural modifications that go beyond the curricular flexibility as provided by article 8, the school institutions propose initiatives finalized to the innovations with the procedures provided by article 11.

3. To the aims of the present article, the school institutions develop and enhance the exchange of documentation and information activating mutual connections, as well as the European Education Centre, the Library of Pedagogical Documentation and the Regional Research Institutes, Educational Experimentation and Modernization; such connections can be extended to Universities and other subjects, private and public, who carry out research activities.

⁸ *Consiglio di Istituto* – decisional board whose members are elected representatives of teachers, parents, students and non teaching staff. Its chairman is one of the parents' representatives and the Headteacher is a member by right.

reasoning which produced a refusal of the headteacher's directive. There is ample ground for justified dissent.

A successful Headteacher's directive is based on the quality of the leadership exerted over the collegiate body; the success of an action does not depend solely on a Headteacher's position if we consider the legal relationship between collegiate bodies and headteachers. Therefore leadership can be exerted only when the social milieu is receptive.

In other words it is a necessary condition that the collegiate body recognises the Headteacher, not only as head of the school with legal competencies, but also as having those technical competencies which will contribute to the best school policy. Leadership is not simply the exercise of a formal position but, instead, the ability to create the conditions to be recognised as an educational leader.

Such a position is not easily reached, as teachers are not fully aware yet of the changes being made with the implementation of school governance. Therefore it is of utmost importance that roles, prerogatives, responsibilities and decisional areas be established. Such transparency is a necessary condition for effective communication between headteachers and collegiate bodies.

Once this pre-requisite has been fulfilled, a continuous dialectical process should be maintained in order to foster what, for over a decade now, has been prescribed by the norms regarding autonomy: freedom of research, experimentation and development.

The Headteacher's responsibilities when exercising leadership and co-ordination.

A headteacher's leadership is exercised, from a juridical point of view, through directives and co-ordinating acts. Although such acts have no immediate relevance, nevertheless they may strongly influence the assessment of a headteacher's performance.

We are here considering the formal aspect of a headteacher's responsibilities. This process is relatively new in the Italian school system, dating back to 1993 when managerial responsibility was introduced as a result of having separated the political function from management. Headteachers are responsible for management, seen as a complex series of

activities which should be codified in, or at least inferred from, a professional profile.

The juridical relevance of results involves various questions, which will not be dealt with here. But results are of utmost importance when considering the introduction of the principle of good administrative practices. Consequently a headteacher should proceed, bearing in mind not only the legal norms, but also purposes of opportunity.

The question is: how to trace a headteacher's leadership and co-ordinating action should managerial responsibility arise on their part.

The action of leadership has not yet been codified into precise mandatory acts but in the case of the *Cosiglio di Istituto*: "... The Educational Plan is formulated by the teachers' collegiate body considering the general educational, managerial and financial principles established by the *Consiglio di Istituto*..." But, in this case, it is the political body which is exercising its function. With regards to headteachers, leadership and co-ordination are exercised towards actors on the same level, as already mentioned.

Therefore, it is only indirectly or in retrospect that we can trace a case of omission of directives, and only thanks an analysis of documents such as minutes, reports, resolutions referring to leadership directives, etc. which are proof of a headteacher's actions.

It must be underlined that the decisional structure of collegiate bodies has now become stable, even if, at last, there is a legal attempt to redefine their competencies and number. In fact, a draft bill by MP Aprea proposes to give more power to the *Consiglio di Istituto*, which would thus become an Executive Board with the Headteacher acting as chairman.

As far as co-ordination is concerned, it is clear that this action involves several actors, each having a degree of autonomy and decisional power, albeit the need for unitary action.

Co-ordination may also consist in more or less formal organisational models. The setting up of a team or managerial staff can be an example of co-ordination, which is then formally made public by means of promulgation

To conclude, in order to outline some of the Headteacher's co-ordinating actions, functional to his/her managerial responsibility, we can list the following activities:

- Implementation of *ad hoc* organisational structures (teams, departmental teaching groups...);
- communicative systems regarding good practices
- agreements on organisational procedures
- preliminary information
- general recommendations, directives, notes, etc.