

Position document following the 2022 research assessment Erasmus School of Law

In November 2022, an external review panel, chaired by Professor Vanessa Mak (Leiden University), visited Erasmus School of Law to assess its research 2016-2021. In March 2023 we received their final report with valuable observations and recommendations. Subsequently, we have discussed the findings and suggestions of the panel with the members of the Erasmus School of Law Board of Research and during the May 2023 professor's meeting. In this note we summarize the main findings of the external review panel and present our approach to implementing the recommendations.

Beneficial findings of the external research panel

The external review panel has provided a very positive evaluation of the research conducted at Erasmus School of Law based on the three assessment criteria of the Strategic Evaluation Protocol 2021-2027, including research quality, relevance to society, and viability. Erasmus School of Law has been considered to perform very well across the board with several researchers and research lines standing out as excellent and some even as world leading. For example, the external research panel has emphasised the impressive research conducted on organized crime, access to justice, and corporate law and sustainability. The results regarding relevance and impact have equally been assessed as "impressive" and the impact case studies included in the Erasmus School of Law self-assessment report as "compelling". Erasmus School of Law is particularly delighted that the external research panel has considered diversity management as one of the strengths of the school, thereby referring to the Diversity Council, the Diversity Officer, and the attention dedicated to diversity in research and teaching practices. The fact that the external research panel members have considered that "Erasmus School of Law is already further ahead in thinking and in actions than many other law faculties in the Netherlands" is a recognition of the success of the school's commitment to the implementation of its long-term research strategy.

Moreover, the external research panel has considered the new organisational structure of Erasmus School of Law, consisting of four departments that clearly highlight the school's foci in research and education, as an opportunity for the further profiling of research. Finally, we were delighted to learn that the external research panel had compliments for the good working atmosphere and great care for

PhD researchers at Erasmus School of Law and within Erasmus Graduate School of Law, and that the committee did not have specific recommendations for the graduate school.

The external research panel has also provided the following very valuable recommendations, emphasising that these recommendations are geared towards further *improving* the high-quality research that is already being performed.

Recommendations by the external research panel

1. To reconsider the naming of some departments. The overlap in names makes distinction difficult and also the naming does not seem to cover the research conducted well.
2. To promote more cohesion and cooperation within and between departments. One could hereby think of organising an annual research day as an effective way to create interaction within and between departments.
3. To critically review existing structures (what is their function, added value and embedding) and considering whether and how departments, institutes and centres are connected and fit in the general overall organisational structure.
4. A minor point of concern relates to internationalisation and international partnerships. Setting up an ESL-wide international relations committee could strengthen international strategy and outreach.
5. During the site visit, best practices emerged in dealing with challenges faced by multiple departments. By increasingly and consciously sharing these best practices across departmental boundaries, each department does not have to reinvent the wheel. For example, how best to deal with independence in third-stream research funding.
6. Like other law faculties, the workload is high, which will be further exacerbated by increasing tightness in the labour market. The committee recommends developing internal indicators to gauge the collective and individual workload of faculty members and institutionalising compensation mechanisms for extra work (monetary or non-monetary, such as a reduction of obligations in the following year or, for permanent staff, the possibility to take research leave for one semester or a whole year).

7. Erasmus School of Law is actively working on a well-functioning HR policy. The committee thinks this policy could be sharpened on aspects, e.g., division of responsibilities between coach and department head, transparency regarding career opportunities for assistant professors and PhD candidates. By providing clear frameworks, a balance between transparent guidelines and custom-made opportunities for individual researchers can be obtained. The committee is positive about the ambitions for implementing different career paths although it is too early to assess the impact and effectiveness. The committee therefore recommends close monitoring and evaluation of the implementation of the plans.

Follow up by Erasmus School of Law

Ad 1. Designation of departments

In 2021, the names of the departments were chosen with great care in consultation with relevant stakeholders within the school and with the aim to better profile and distinguish Erasmus School of Law as a “Law and...” school, in which law is studied in its economic and social context. The extensions “Business”, “Markets”, “Society & Crime”, and “Tax” represent the four broader areas in which Erasmus School of Law conducts research and provides education, rooted in a university that has a strong economic signature. What is more, with the establishment of four departments an important step is taken to make the organisational structure of Erasmus School of Law leaner and – through the merging of hitherto separate specialist groups - to create even better conditions for methodological cross-fertilisation. It needs to be noted that the self-evaluation report covers the period 2016-2021, whereas the new organisational structure has only been in effect since 2022.

We recognise the external research panel’s observation that the 2016-2021 research cannot be fully placed under the headers of the new departments. In fact, in the review period the research at Erasmus School of Law was carried out within the framework of five distinct research programmes that have since emerged into the four departments.

From 2022 onwards the four departments have started giving further substance to their research profile based on business plans they have been required to develop. This includes more steering in the choice of research projects conducted and the profile of their research staff, for example in defining new

PhD projects and in selecting candidates. The sectorial plans for law and SSH, the starter and incentive grants, as well as ongoing University-wide research initiatives such as *Convergence EUR*, *Erasmus MC*, *TU Delft*, provide further incentives for this profiling, which is continuously monitored by the Board of Research of which the research portfolio holders of the departments (see also Ad 2) are an integral part. What is more, further work has to be done on branding the profile of the four departments, for example via the website, which we continue to invest in. At the same time, it should be noted that the new departments are not designed as 'closed shops' with sharp boundaries. We take the recommendation of the external research panel to heart to pay attention to the substantive profiling of the four departments. In monitoring this process, for the time being, there is no immediate reason to change the designations of the departments.

Ad 2. More cohesion and cooperation within and between departments

The Board of Erasmus School of Law considers cohesion and cooperation within and between the four departments as a strategic priority. As such, it welcomes the recommendations of the external research panel. As the new organisational structure has only just come into place, only a few more recently initiated collaborations between and within the new departments could be mentioned during the site-visit in November 2022. However, a more intensive collaboration across departments is the explicit aim of the strategic choice to move to four departments. To promote this, for each department research portfolio holders have been appointed in 2022 that are – as observed above - are an integral part of the Board of Research. Their tasks include identifying shared research opportunities, to make proposals to stimulate collaboration and, more broadly - to determine a departmental research strategy that contributes to the shared research strategy of Erasmus School of Law. One such initiative to stimulate contacts and cooperations of researchers of different departments has been to open departmental research activities to the participation of interested researchers from other departments. Recently, researchers from different departments working on research about sustainability have created their own cross-departmental community.

Moreover, upon the recommendation of the external assessment panel, the departmental research portfolio holders have taken the initiative to introduce reoccurring school-wide research days, the first of which is planned, together with the co-chairs of the overarching research line “Public and Private Interests”, on 22 June 2023. There are also plans to organise school-wide meetings to promote a common research culture.

Ad 3. Reviewing existing structures of departments, research lines, and centres

Erasmus School of Law has a matrix structure of departments, research initiatives, and several research centres. Importantly, researchers are organisationally embedded in one of the four departments. In addition, they can also take an active part in one or more cross-departmental or cross-school research initiatives and thematic research centres. The latter primarily act as research networks and focus on external profiling of distinct cross-disciplinary and cross-departmental or -school research foci. The portfolio holders research ensure that research activities of the members of the department conducted in the context of research initiatives and research centres also contribute to the departmental research profile. In all cases, the department is in the lead when it comes to HR matters.

Following the external research panel's observations, this matrix structure will be internally reviewed and any unclarity for research staff, in particular with regard to the management and supervision of the employee, will be addressed. Moreover, the external presentation of and communication about this matrix structure will be further improved.

Ad 4. Internationalisation and international partnerships

Internationalisation and international partnerships in research are considered an integral part of the research strategy of Erasmus School of Law. The Board recognises the observation by the external research panel that the school's international strategy and outreach can be further strengthened by a broader involvement of research leaders. It is for this reason that in 2021, a Dean of Impact and Reputation has been appointed. In consultation with the four departments and in collaboration with the school's Coordinator for Internationalisation, it is the task of the Dean of Impact and Reputation to draw up quality criteria for the selection of a limited number of beneficial international partnerships. To this end, also a dedicated budget line has been created. For example, one ambition is to somehow strengthen the school's participation in UNIC. The establishment - in addition to the above-described measures - of a permanent committee for internationalisation, as recommended by the external assessment panel, is still under consideration.

Ad 5. Sharing best practices across departments

The new organisation structure has significantly reduced the number of organisational entities at Erasmus School of Law. Through the membership of the portfolio holders research (from 2022 onwards) on the Board of Research (also including the Director of Erasmus Graduate School of Law and the Vice Dean Research) and the initiatives to increase the cohesion and cooperation within and between departments described in Ad 2, an infrastructure and culture is currently built that facilitates the share of best practices and new ideas. This approach is currently bearing fruit, as, for example, a joint effort to collaborate in an application for the National Growth Fund has been set up. Moreover, regarding the Code of Conduct for Scientific Research, observations of the Ethics Review Committee that are important for every researcher are exchanged.

In promoting best practices throughout the school, Erasmus Graduate School of Law has developed a template for contracts with third parties for (externally funded) PhD positions. In addition, an internal FLAT check has come into force for all research obligations of more than 10,000 euros.

Also, a school-wide Open and Responsible Science programme has been established. In the kick-off workshop of Dr Abby Onencan, winner of the EUR Open Science Award, experiences of comprehensive collaboration with non-academic stakeholders on topics such as risk management were shared.

Finally, the scheduled research day (see Ad 2) will focus on success factors for impact, taken into account best practices in safeguarding independent and responsible science.

Ad 6. Internal indicators to gauge the collective and individual workload of school members and institutionalising compensation mechanisms for extra work

The workload is a going concern for Erasmus School of Law and Erasmus University Rotterdam as a whole. The challenges in this regard for research time have also been recently identified by the Dutch Minister for Education, Culture and Science, Robbert Dijkgraaf, promoting the government to initiative a 300 million euros investment in starting grants and incentive grants for creating more space for research. Erasmus School of Law welcomes this initiative and consequently intends to utilise any funds to increase the research capacity and to reduce the (individual) teaching load. As regards the starter grants resources allocated to Erasmus School of Law for 2022/2023, five-year PhD positions with 20% teaching time will be created, to be assigned to qualifying assistant professors.

Moreover, the Board of Erasmus School of Law is allocating available own resources to create some additional PhD positions with 20% teaching time that are allocated to departments without or with limited qualifying assistant professors. It is envisaged – subject to the University rules currently under development – that the upcoming Incentive Grants will also be aimed at reducing workload.

Ad 7. Clear frameworks for HR policy

During the site visit the external research panel discussed a first draft of Erasmus School of Law's framework for Recognition & Rewards. The greater emphasis on individual talents and the envisaged possibility of the customisation of career paths has been welcomed by the panel. The panel's recommendations regarding ensuring transparency on career opportunities for assistant professors have been addressed in the final version of the framework for Recognition & Rewards. This framework is given shape through three central elements: (1) the (individual) Recognition and Rewards interview, (2) the promotion procedure, and (3) the formal procedure for changing the focus profile. On all three aspects, corresponding indicators and responsibilities have been incorporated in the framework that has recently been approved by the Faculty Council, after which the policy has come into force.

Erasmus School of Law sees Recognition and Rewards as part of Science in Transition and will incorporate new developments into its framework, for example by taking into account the national Road Map for Recognition & Rewards.¹ Currently, Erasmus School of Law is developing a position document on Open and Responsible Science, whereby links with the Recognition and Rewards framework will be made.

Erasmus School of Law will continue to develop its HR policy in the light of the Recognition & Rewards initiative, for example, on aspects of career opportunities for PhDs, Postdocs and Lectures [WDs]. To the extent possible, the new funds for starter and incentives grants, as well as the SSH funding, will be utilised to support this ambition. Finally, a broader vision on research staff composition will be presented in an upcoming Faculty Strategic Talent Management Plan.

¹ <https://recognitionrewards.nl/wp-content/uploads/2023/04/Room-for-everyones-talent-in-practice-Road-map-Recognition-Rewards.pdf>