University hospital: the dilemma of a new governance model

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Hospital universitário: o dilema de um novo modelo de governança

Hospital universitario: el dilema de un nuevo modelo de gobernanza

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Abstract

Context of the case: This case addresses the decision-making process of a university hospital's adherence to a new governance model through the management contract of the University with the *Empresa Brasileira de Serviços Hospitalares*.
The dilemma of the case: The dilemma of whether to hand over the management of the hospital to the company is faced by Silva, Rector of the University, who experiences the conflicts involved in the process in a context of resistance. It brings the multiple actors involved (rector, academic community, university council, social movements, labor unions, servers, director, and hospital employees), the so-called democratic actions, changes in the economic context and how these reflect on the decision-making process and institutions.
Case closure: Based on the analysis of the narrative and the dilemma, the reader is invited to reflect on the protagonist's decision-making. It can be applied in the disciplines of democratic governance, social mobilization, negotiation, and mediation.

Keywords: Governance, Health Sector Stewardship and Governance, Hospitals, University, Decision, Democracy.

Resumo

Contexto do caso: Este caso aborda o processo decisório de adesão de um hospital universitário a um novo modelo de governança por meio do contrato de gestão da Universidade com a Empresa Brasileira de Serviços Hospitalares.
Dilema do caso: O dilema de entregar ou não a gestão do hospital à empresa é enfrentado por Silva, Reitor da Universidade, que vivencia os conflitos envolvidos no processo em um contexto de resistência. Traz os múltiplos atores envolvidos (reitor, comunidade acadêmica, conselho universitário, movimentos sociais, sindicatos de trabalhadores, servidores, diretor e funcionários do hospital), as ditas ações democráticas, as mudanças de contexto econômico e como estas refletem no processo decisório e nas instituições.
Fechamento do caso: A partir da análise da narrativa e do dilema, o leitor é convidado a refletir sobre a tomada de decisão do protagonista. Pode ser aplicado em disciplinas de governança democrática, mobilização social, negociação e mediação.

Palavras-chave: Governança, Direção e Governança do Setor de Saúde, Hospitais Universitários, Decisões, Democracia.

Resumen

Contexto del caso: Este caso aborda el proceso de toma de decisión de la adhesión de un hospital universitario a un nuevo modelo de gobernanza a través del contrato de gestión de la Universidad con la *Empresa Brasileira de Serviços Hospitalares*.
Dilema del caso: El dilema de entregar o no la dirección del hospital a la empresa lo enfrenta Silva, Decano de la Universidad, quien vive los conflictos que implica el proceso en un contexto de resistencia. Trae los múltiples actores involucrados (rector, comunidad académica, consejo universitario, movimientos sociales, sindicatos, servidores, director y empleados de hospitales), las llamadas acciones democráticas, los cambios en el contexto económico y cómo estos se reflejan en la toma de decisiones, proceso e instituciones.
Cierre del caso: A partir del análisis de la narración y del dilema, se invita al lector a reflexionar sobre la toma de decisiones del protagonista. Puede aplicarse en las disciplinas de gobernabilidad democrática, movilización social, negociación y arbitraje.

INTRODUCTION

José Antônio da Silva, a professor at the Faculty of Medicine of the Federal University of Rio Abaixo, holds a master's and a doctorate in Public Health. In 2017, he was renamed by the President of the Republic as Rector of the University following the dictates of Decree No. 1,916 of 1996.

As head of the rectory, Silva faced multiple challenges daily, requiring coordination with various actors, both from the university and other institutions. Given the dynamics of the University as a training centre for human resources, different practice scenarios were necessary so that, interconnected with the education system, they would subsequently guarantee the provision of quality services to the population. The University Hospital (HU) of the Federal University of Rio Abaixo played a fundamental role in the health sector.

The HU is a human resources training centre for the region's high and medium-complexity health care and supports research and innovation for this sector. For the management of the HU, Silva had the support of Carlos Magno, his great friend from his undergraduate days, whose academic trajectory is very similar to that of the Rector. Since 2013, Magno has been the Director of HU, appointed by Silva. Together, they faced constant clashes from the perspective of the governance of this centre, in which actors, links and rules from two large systems are involved: the Education System and the Unified Health System (SUS).

From this perspective, several elements influence the governance of the HU, ranging from the complexity of these systems and their interactions to the contradictions related to underfunding to integration failures with the healthcare network to the symbolic power of actors to the different disputes and interests of each actor, and to the unique ways in which the HU operates and interacts with the University.

In this teaching case, we focus on the dilemma faced by Silva when choosing a new governance model for the HU of the Federal University of Rio Abaixo, explicitly involving the debate about the adhesion of the University's management contract with the Brazilian Company of Hospital Services (Ebserh), a public company governed by private law linked to the Ministry of Education (MEC) created by Law no. 12,550, of 2011.

During the flight that precedes the decision regarding this dilemma, Silva, the protagonist of this story, recalls the main moments involved in this decision-making process, bringing notes from strategic actors in HU governance: academic community, University Council, social movements, workers' unions, hospital staff and staff. In this sense, governance and social mobilisation are brought to the fore, as well as negotiation and mediation.

The elements brought up in the case's outcome can allow the identification of favourable and unfavourable influencing factors for adhesion to Ebserh in Silva's decision-making process, considering institutions and actors involved, values and beliefs, external events and opportunity structures. Aligning itself with the theoretical bases makes applying and analysing the defence coalition model possible.

Therefore, applying this case in teaching can contribute to identifying the dimensions of governance (vertical, horizontal, and participation) and the characteristics and potential structural limitations of each dimension. Within the scope of the dilemma faced by Silva and the events reported, it is assumed that the reader is induced to reflect on how Silva could actively involve the academic community, the University Council and other actors in the decision-making process so that everyone has a voice and influence on this process. Furthermore, the discussion of the strategies used or not used by the actors in the story to ensure a model of participatory democratic governance can enable the analysis of decision-making to implement complex interventions in stressful environments, considering different contexts (national, institutional and managerial); as well as understanding the importance of communication and other essential elements for implementing organisational changes.

In addition to Silva and Magno, identified by name, in the teaching case, the character Frida, a

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member of the University Council and representative of undergraduate students, stands out, who alludes, in her speech, to essential elements regarding democratic governance and mediation that intertwine this decision-making process. In this sense, using this teaching case, it is possible to promote reflection on the concepts of democratic governance, existing structures and aspects related to their implementation, and the discussion about the composition and representation in councils and their interrelationship in decision-making processes. The approach at this point is associated with the association of the University Council as a democratic institution that should aim at configuring participatory governance, leading to reflection on whether this objective would be fulfilled in the case at hand and which intervening elements.

At the end of the case, the reader is invited to put himself in Silva's shoes to reflect on what the decision taken by the Rector must have been regarding the University's adhesion to Ebserh for the management of the HU, considering the elements analysed, the influencing factors and the tensions involved.

BOARDING

– Mr José Antônio da Silva, last call for flight G59 bound for Brasília. Please be at boarding gate 13.

Silva was so wrapped up in his thoughts, reviewing the countless e-mails and letters he had received in the last few days and which had an impact on the important decision he would need to make in a moment, that he didn't even hear the boarding announcements. When he realised the last call, he hurriedly left for his flight. He was on his way to Brasília, in the Federal District, to meet with the President of Ebserh and discuss the joining of the Federal University of Rio Abaixo to the company for the management of HU.

He had barely been able to sleep last night, just like the previous ones, and the last few months had not been easy for Silva as head of the University's rectory. The academic community, workers' unions, social movements and fronts against privatisation were active, organising demonstrations, meetings and plenary sessions, leafleting at the University and HU, sending messages to academic and civil servant groups on WhatsApp, posting and publishing videos on Facebook and Instagram, against joining Ebserh. Several banners occupied the University campus and the surroundings of the HU: "Against Ebserh", "Health is not a commodity", "Long live the SUS. Out with Ebserh", "Ebserh attacks autonomy", "Say no to this attack on health and education", "We were and will be resistance!". Silva understood that the intense social mobilisation unleashed demonstrated the relevance of HU in the local community and was concerned about the consequences of the decision to join Ebserh.

TAKE-OFF

Sitting in the first seat of the aircraft, Silva organises his notes for the meeting with the President of Ebserh, remembering the entire scenario experienced in the last few days, what brought him there and the tensions involved. Given the severe context of budgetary restrictions and the impossibility of replacing the HU staff, and at the request of Magno, Director of the HU, Silva had resumed studies and discussions at the University about joining Ebserh.

Silva was almost reaching the end of his second term as president of the University. At the beginning of the previous term, in 2013, he had already faced discussions about joining Ebserh, but faced with academic solid pressure, the company's short period of existence and the uncertainty regarding the results that could be achieved with the contracts, he had decided to maintain management of the HU with the University.

More than seven years later, Silva was faced with a different scenario, aggravated by the approval of the Proposed Amendment to the Constitution (PEC) on the spending ceiling (Constitutional Amendment no. 95/2016, which established the freezing of investments in health and education for 20 years) and due to the HU's weaknesses highlighted during the Covid-19 pandemic: difficulties in purchasing processes, reform needs, poor control of inputs and equipment, staff shortages, among others. Thus, it became urgent to resume the debate on the University's accession

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to Eberh.

Despite having discretion over the decision to start negotiations with Ebserh, Silva had called an extraordinary meeting of the University Council, according to him, to make the process more transparent and democratic. A working group was also established to gather information about Ebserh and the results achieved by university hospitals that had already joined the company's management.

The University Council is the highest deliberative body of the University, responsible for outlining university policy. It is chaired by Silva, as Rector, and has as members the Vice-Rector, directors of academic units, representatives of teachers, technical-administrative employees, undergraduate and postgraduate students and society. Based on the report produced by the working group, the information gathered from the HU Director and managers and the discussions presented at the University Council, 30 members voted in favour of starting negotiations with Ebserh, 15 were against, and five abstained from voting. Despite the favourable indication by the majority of members of the University Council for the beginning of negotiations with Ebserh, the academic community questioned and requested their participation in the debate. At the Council meeting itself, Silva recalls that Frida, a nursing student, pointed out:

– This debate cannot end here. We need to talk about participatory democracy at the University! Democracy is not limited to the University Council, the votes of this body, and my right to speak. The university has almost 40 thousand students, and we only have five representatives from this segment. Not the entire university community can enter this space. We must show everyone who Ebserh is, what this proposed new governance model looks like, and its implications. The university community must understand these elements and participate in this debate!

Silva found himself confused by the whole scenario. The promoter of democratic and participatory governance at the University, he felt satisfied with all the involvement of students, professors and other public servants on the different fronts that were being promoted since he had called the extraordinary session of the University Council to decide whether the University would initiate negotiations for HU to join Ebserh. On the other hand, he noticed a specific distortion in the speeches that were emanating from active leaders regarding the new HU governance model that was being proposed. He would have liked to have held a plebiscite with the academic community, but he did not do so. He did not identify any other path besides establishing the management contract. Trying to clarify the process that had been conducted, he published an official note on the University's website.

However, Silva understood that the official note had been a flawed instrument, not very enlightening for all parties. With this, a scenario was established with the community divided regarding the HU governance models.

Adjusting his seat belts, Silva reflects: "I will need to improve my mediation skills given the different perspectives that have been presented. The actors involved in the current governance of the HU have different points of view regarding Ebserh, the advantages and disadvantages of a new model of governance for the HU, and I was unable, in advance, to promote an articulated and enlightening debate on all aspects".

For the HU managers, represented by Magno, the principles that govern Ebserh were much clearer after the intense discussions promoted in recent years and could bring benefits to the SUS, the education system and society, despite initially having doubts about the implications arising from the management contract. The creation of Ebserh in 2011, by Law no. 12,550, sought to address the problems identified in federal university hospitals in both staff hiring and management processes, bringing, through a public company under private law, linked to the MEC, the idea of a model that would bring greater efficiency and excellence in management, assistance, teaching, extension, research and innovation. Magno understood their problems well and hoped this new model could help them.

However, for other employees, teachers, students and hospital employees trust in Ebserh had not yet been gained. These professionals identified a different scenario for joining the company. Like some social movements and student fronts against Ebserh, they understood that the University's management contract with Ebserh would represent the beginning of the privatisation of public health and a threat to the free, quality public university. They highlighted that this

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instrument was associated with a marketing logic and would weaken university autonomy. Workers were also afraid of losing the rights and guarantees they had achieved, not looking favourably at CLT hiring, understanding that the best performance could be obtained from public servants.

Silva also identified other elements in the new governance model with Ebserh that could impact existing institutional arrangements. He recalled his notes in the meetings he had with the rectory team on the topic:

– Although we have the constitutional and legal guarantee of maintaining university autonomy even with membership in Ebserh, this is one of the points that worries me most. With the management contract with Ebserh, the University will hand over the management of the HU to the company, the appointments of the HU managers will be passed to the company, and new consultative and deliberative bodies will be created. I believe that the democratic participation of the academic community in issues affecting the HU could be reduced, given the compositions and formats of the new instances, losing, in a certain way, the recognition of the University as the central axis of the HU.

Despite these concerns, Silva believed that Ebserh could be open to developing new formats that better articulate the University and the community, maintaining the principles of democratic and participatory governance. Considering these issues, Silva recalls: "I will need to put our conditions to the President of Ebserh during the negotiation. I will not be able to give up the involvement of the University and our community in the processes related to the HU".

FLIGHT

Looking out the aircraft window, Silva remembers Magno's words in the conversation the day before the trip:

– The importance of the HU as a practice setting for the training of students, as well as for the community and the SUS, demands a "correct and rapid response" from you, my friend. I know how difficult it is to make this decision now and to oppose the academic community, but nothing can be done. Either we push the demands of the Federal Court of Auditors (TCU) further forward or close more beds. At the same time, we wait for the approval of the public tender, which is not likely to come out, or we have already closed this contract and run after it to resolve these hospital issues and continue with teaching calmly.

Magno was referring to the impacts generated by the HU staff and the TCU's notes. The HU's staff comprises employees of the single legal regime (RJU), outsourced employees hired by the Support Foundation (irregular outsourced workers, in disagreement with Decree No. 9,507 of 2018), and employees of outsourced companies.

– Not calm, because there will still be much to do! – Magno corrected and added:

– University employees have been highly distressed since the Council was convened. Afraid of what lies ahead. Foundation employees no longer want to do anything with the expectation that they will leave. They said they would not teach anyone who arrived.

These were some of the problems that Magno was already facing as head of HU and that Silva knew needed coordinated actions so that the governance transition could occur with the most negligible impact on teaching and care and with the greatest patient safety. Other hospitals had already gone through this process, and the learning obtained could be useful for Silva, Magno and the new governance if the management contract were established.

LANDING

Silva knew it would not be an easy decision and that there was a lot to be done with the HU and the academic community. Many steps would still need to be taken for the new governance model to be established. To start negotiations with Ebserh, Silva must decide on the first step in joining Ebserh: the University's expression of interest in joining the company's management. After that, Ebserh would arrange, together with the University and the HU, the preparation of the HU's restructuring plan and the study on the sizing of services and personnel, which would be sent to

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the Ministry of Economy for approval of the number of vacancies for public competition. Only after these steps would the management contract between the University and Ebserh be signed.

ARRIVAL

– Gentlemen passengers, welcome to Brasília. For safety reasons, remain seated with your seat belts fastened until the seat belt warning is turned off.

9:00 am. Silva still had an hour until the meeting with the President of Ebserh. One question had been pounding in his head throughout the flight: "Would I be making the right choice for the governance of HU?" He was still anxious, but the notes during the flight had been a good exercise for him to feel more comfortable and convince himself of the decision he needed to make. Many developments would follow, and the University had to continue working with the HU.

TERMINAL

Would Silva already express the interest of the "University" and sign the management contract with Ebserh? On the way to Ebserh in the taxi, Silva recorded a few more points to obtain the most "correct and rapid response".

Aimed at discussing a new HU governance model through the management contract of a public university with Ebserh, this teaching case helps to expand the still incipient scientific production related to this topic. It brings a differentiated approach to reflecting on the decision maker's choice and the conflicts he faces in the institutional, managerial and national context.

By applying this case in teaching, we can bring different theoretical approaches involved in the complex decision-making processes in public administration, facilitating the debate and understanding of students, current or future managers, regarding important elements that must be considered in democratic processes. Thus, this teaching case corroborates teaching practice by bringing real aspects of public administration to be used in learning democratic governance, social mobilisation, negotiation and mediation for undergraduate and postgraduate courses in public management, administration, public policies and the like.

When bringing the concept and application of democratic governance to the discussion, it is assumed that the debate involves what the manager should consider in the decision-making process, including the participation of the academic community, the University Council and other actors, as well as important elements of this process, such as transparency, inclusion and communication. In this way, it helps to evaluate the importance and how, in public administration, multiple actors, including users, can be involved in the decision-making process.

In this case, the presence of social movements and workers' unions demonstrates that social mobilisation can influence public opinion and political decisions and must be considered by public managers, evaluating how to deal with these groups constructively and understanding their demands and concerns.

The different points of view regarding adherence to Ebserh presented by the groups in the teaching case point to the fact that the decision-making process involves negotiation between other interested parties and mediation. In this sense, it is believed that the teaching case can promote the expansion of students' ability to identify and recognise the role of public managers as facilitators of negotiations and mediators of conflicts so that acceptable solutions are reached for everyone involved.

In summary, the dilemma faced by Silva concerning HU's adherence to the new governance model is complex and involves a series of theoretical assumptions related to democratic governance, social mobilisation, negotiation and mediation, which must be carefully analysed, taking into account the concerns of everyone involved and the needs of the SUS and the education system.

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TEACHING NOTES

LEARNING OBJECTIVES

This case addresses the complexity of the decision-making process in public administration for adopting a new governance model in institutions that bring together two large systems: health, SUS, and education. The application of this case in teaching aims to lead students to:

- reflect on the concepts of governance and democracy, existing structures and aspects related to their implementation;
- discuss the composition and representation in councils and their interrelationship in decision-making processes;
- identify the governance dimensions (vertical, horizontal and participation), the characteristics and potential structural limitations of each dimension;
- understand the importance of communication and other essential elements for implementing organisational changes;
- analyse decision-making to implement complex interventions in stressful environments, considering different contexts (national, institutional and managerial).

DATA SOURCES

This teaching case is based on public sources of information, including electronic media, news and scientific articles related to the theme of Brazilian federal higher education institutions joining Ebserh to manage national university hospitals. Of these materials used, those listed below used as data sources stand out. It should be noted, however, that the story of this case is not specifically linked to any of these hospitals. The characters, hospital, university and plot are fictional, but they bring elements from different real stories to build the story presented.

Andreazzi, M. de F. S., & Mesquita, L. I. S. (2020). Autonomia universitária e a Empresa Brasileira de Serviços Hospitalares. *Revista de Direito Sanitário*, *20*(2), 90–99. https://doi.org/10.11606/issn.2316-9044.v20i2p90-99

Dalcin, T., Lunardi, G., & Barcelos, C. (2021). Um estudo sobre o impacto da adesão dos hospitais universitários federais à Empresa Brasileira de Serviços Hospitalares (Ebserh). *RAHIS. Revista de Administração Hospitalar e Inovação em Saúde*, *18*(3), 149–169. https://doi.org/10.21450/rahis.v18i3.6617

Gomes, K. K. S., Oliveira, L. C., Zanella, A. K. B. B., & Maia, L. F. R. B. (2015). Novo modelo de gestão para hospitais universitários: Percepção dos profissionais de saúde. *Serviço Social e Saúde*, *13*(2), 283. https://doi.org/10.20396/sss.v13i2.8634910

Krüger, T. R., Sobieranski, C. B., & Moraes, B. V. (2020). EBSERH no HU da UFSC: Da resistência à gestão pela empresa. *Revista Katálysis*, *23*(1), 152–164. https://doi.org/10.1590/1982-02592020v23n1p152

Sodré, F., Littike, D., Drago, L. M. B., & Perim, M. C. M. (2013). Empresa Brasileira de Serviços Hospitalares: Um novo modelo de gestão? *Serv. soc. soc,* 114, 365–380. LILACS. https://doi.org/10.1590/S0101-66282013000200009

Teixeira, J. V., Cruz, C. A. de M., & Lima, R. de C. D. (2018). Trabalhadores estatutários e a Empresa Brasileira de Serviços Hospitalares. *Argumentum*, *10*(1), 213–228.

Universidade Federal do Rio de Janeiro (2021). Nota sobre pauta da possibilidade de negociações da UFRJ com a Ebserh. Recuperado em 24 abril, 2022, de https://ufrj.br/2021/11/nota-sobre-pauta-da-possibilidade-de-negociacoes-da-ufrj-com-a-ebserh/

Universidade Federal do Rio Grande (2014). HU/FURG discute adesão à Ebserh. Recuperado em 24 abril, 2022, de https://www.furg.br/noticias/noticias-arquivo/furg-23525

The authors also used the legislation and the TCU report in Figure 1 as data sources to prepare the case.

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Figure 1

Legislation and report from the Federal Court of Auditors related to Ebserh used to build the case

Type/No.	Data	Usual nomenclature	Amendment
Chamber Bill No. 79	2011	Bill creating Ebserh	Authorises the Executive Branch to create a public company called Brazilian Hospital Services Company - Ebserh; adds provisions to Decree-Law no. 2,848, December 7, 1940 - Penal Code; and takes other measures.
Law no. 12,550	15/12/2011	Ebserh creation law	
Decree no. 7,082	27/01/2010	REHUF Decree	It establishes the National Program for the Restructuring of Federal University Hospitals - REHUF, provides for shared financing of federal university hospitals between education and health, and regulates the global agreement regime with these hospitals.
Decree no. 7,661	28/12/2011	Ebserh Bylaws	Approves Ebserh's Bylaws and provides other measures.
TC 032.519/2014-1. Audit Report	2014	TCU Audit Report to Ebserh	Audit of an operational nature with the objective of evaluating Ebserh's actions aimed at improving the management and infrastructure of federal university hospitals (HUF) and evaluating the replacement of outsourced workers who work with precarious employment in these hospital units. Confirmation of the positive results arising from Ebserh's actions in improving hospital management and the provision of health services offered. Opportunities for improvements. Determinations. Recommendations.

Source: prepared by the authors (2023).

CASE APPLICATIONS

This teaching case can be applied to subjects of democratic governance, social mobilisation, negotiation and mediation for undergraduate and postgraduate courses in public management, administration, public policies and the like.

It is recommended, in terms of prior knowledge, that:

A) students know how to operate the concepts of Zone of Possible Agreement (ZOPA), Best Alternative to a Negotiated Agreement (BATNA) and setback point, if the application is focused on subjects or content related to negotiation and mediation. For applications in this line, we recommend the following references:

Carvalhal, E. R.; Andrade, G. M.; Araújo, J. V.; & Knust, M. (2017). *Negociação e administração de conflitos.* Rio de Janeiro: FGV.

Pinheiro, I. A. (2012). *Negociação e arbitragem.* Florianópolis: Departamento de Ciências da Administração/UFSC; Brasília: CAPES, UAB.

B) students already have some familiarity with the fundamentals of public policies (if the application is directed to this field of study). For applications in this line, we recommend the following references:

Secchi, L. (2016). *Análise de políticas públicas: diagnóstico de problemas, recomendação de soluções.* São Paulo: Cengage Learning.

Secchi, L. (2013). *Políticas públicas: conceitos, categorias de análise, casos práticos* (2a ed. São

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Paulo: Cengage Learning.

C) students have prior knowledge about concepts or the history of social movements, democracy and mobilisation in the Brazilian scenario (if the application is focused on this theme). For applications in this line, we recommend the following references:

Avritzer, L. (2008). *Instituições participativas e desenho institucional: algumas considerações sobre a variação da participação no Brasil democrático*. Opinião Pública, Campinas, vol. 14, n. 1.

Avritzer, L. *Sociedade civil e Estado no Brasil: da autonomia à interdependência política*. (2012). Opinião Pública, Campinas, vol. 18, n. 2.

Santos, B. S. (Org.) (2002). *Democratizar a democracia: os caminhos da democracia participativa.* Rio de Janeiro: Civilização Brasileira.

D) students are familiar with topics such as leadership, strategic planning, integrity, transparency and accountability (if the application is directed to the topic of governance). For applications in this line, we recommend the following references:

Abdalla, M. M.; Conejero, M. A; & Oliveira, M. A. (2019). *Administração estratégica: da teoria à prática no Brasil.* São Paulo: Atlas.

Abreu, J. C. A. (2017). *Gestão de políticas públicas, participação democrática e internet: inovação nos modelos de gestão no setor público.* Brasília: Enap.

MAIN CONCEPTS AND THEORIES MOBILIZED BY THE CASE

Regarding theoretical basis, we assume that democracy is a system of government where the people or their elected representatives exercise political power. It is based on principles such as equal rights, popular participation, respect for human rights and accountability of those in power. In a democracy, the majority's will is respected, but the rights of minorities are also protected (Avritzer, 2008; Santos, 2002).

Another central element in this area involves popular participation. This, in turn, demands a democratic governance structure. How decisions are made in a government, and the public affairs managed in a democratic society directly involve how its governance is structured. This includes respect for democratic principles, transparency in government actions, the active participation of citizens in the formulation of public policies and the accountability of elected leaders (Abreu, 2017; Santos, 2002). Governance systems are porous to social participation and mobilisations from organised civil society.

Social mobilisation involves uniting and organising individuals or groups around a common cause or interest. This can happen through demonstrations, protests, campaigns, petitions or other forms of collective engagement. Social mobilisation seeks to influence social, political or economic changes and is a way of exercising active participation in democracy. This participation sometimes demands dialogic and negotiation processes: unlimited public agendas and finite resources make it necessary to constantly process dialogue and negotiation with the demands of organised groups (Secchi, 2013; Abreu, 2017).

Negotiation is a process of communication and interaction between two or more parties who have divergent interests and seek to reach an agreement or solution to their differences. It is an essential practice in democracy, where different groups and political actors often need to find compromises to achieve the common good and make decisions that reflect the diversity of society. In conflict situations that are difficult to resolve, it is necessary to use mediation methods and techniques (Pinheiro, 2012; Secchi, 2013).

Mediation is a method of conflict resolution that involves the intervention of an impartial and

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neutral third party to help the parties involved reach an agreement. This technique facilitates dialogue and mutual understanding, allowing parties to find consensual solutions to their disputes. In democratic governance, mediation can resolve political, social or community conflicts peacefully and collaboratively (Pinheiro, 2012; Secchi, 2013).

These concepts are interconnected and are fundamental for the construction and maintenance of a democratic society, where citizens have an active voice in decision-making, and the search for collective well-being. Respect for democratic principles, citizen participation, negotiation and mediation are key pieces for promoting stability, justice and equality in a nation (Abreu, 2017).

SUGGESTED QUESTIONS FOR DISCUSSION

The questions for discussion presented below seek to provoke students' reflection on aspects related to democratic governance, social mobilisation, negotiation and mediation to achieve the learning objectives previously listed.

1. What influencing factors can be identified in Silva's decision-making process? List favourable and unfavourable factors to joining Ebserh, considering institutions and actors involved in the decision-making process and intervention, values and beliefs, external events and opportunity structures.
2. Taking the place of Silva and Magno, what strategies were (and what could have been) previously carried out, together with the academic community, hospital employees and society, to ensure a model of participatory democratic governance? Also, present the risks involved in each strategy.
3. Councils and conferences are characterised as democratic institutions that aim to assist in configuring participatory governance. In the case presented, has the University Council fulfilled this objective? Justify and point out the intervening elements.
4. Considering the elements analysed, the influencing factors, and the tensions involved, what must have been the decision taken by Silva regarding the University's accession to Ebserh to manage the HU?

SUGGESTED ADDITIONAL READING TO THE CASE

To improve discussions of the case and questions, the teacher can recommend reading the texts indicated in the topic "Applications of the Case" before class, according to the line of application he wants to follow. Additionally, for knowledge about Ebserh and the context of HU, it is suggested that the teacher recommends reading the following work:

Vieira, K. R. (2016). Uma revisão bibliográfica acerca da gestão de hospitais universitários federais após o advento da Ebserh. *Revista Brasileira de Administração Política*, *9*(1), Artigo 1.

PRESENTIAL CLASS PLANNING

The strategies proposed by Roesch and Fernandes (2007) are recommended for lesson planning. It is recommended that the teacher makes the teaching case available at least one week before the class so that students can read the case individually (without teaching notes), along with the suggested questions and complementary readings to the lesson if indicated in the previous topic.

For the class, it is considered that approximately two hours will be enough to apply the case. Initially, it is suggested that the teacher present the learning objectives and the case in general terms. On this last point, if the teacher deems it convenient, he can delegate the activity to one of the students. Fifteen minutes are planned for this initial part.

Next, it is recommended that the teacher divide the students into groups of three to four members and instruct them to discuss the case through the answers to the suggested questions during 50 minutes. Ask students to take notes of the discussions to help with each group's later presentation. The teacher must circulate between the groups, encouraging discussions and resolving students' doubts. After group discussion and a 15-minute break, bring the class back

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together and debate each question. Forty minutes are planned for the final part.

REMOTE CLASS PLANNING

For the remote format, it is recommended that the text be made available one week in advance in the virtual learning environment (VLE). The case can be worked on in two meetings of one hour each or a single meeting of two hours, depending on the format used in the remote discipline. The recommendation of two meetings is based on the fact that extensive classes may prove unproductive in the remote format.

Along with the text, the teacher must send a preliminary division of the class into three groups: (A) One will first analyse the case from the point of view of adherence to Ebserh and develop arguments in this direction based on the data available from the case; (B) the second group must prepare an analysis from the perspective of the University's non-adherence to Ebserh; (C) finally, the third group will play the role of "University Council" and must listen and deliberate through a reasoned opinion, its final decision (adhesion or not). Groups A and B must prepare their arguments in advance, while Group C will make its opinion after listening to arguments from both sides.

In the first class, the teacher will give a brief presentation of the case (approximately 10 minutes) and give the floor to group A and then to group B, each with a 20-minute speech. At the end, the teacher will leave 10 minutes for group C to ask groups A and B questions to resolve any doubts about the arguments presented.

In the second class, the meeting opens with the positioning and presentation of group C, lasting approximately 20 minutes. Soon after, the teacher promoted an expanded debate with the class about the perceptions within the role that each one assumed in the activity. At this stage, it is recommended to focus on the central characteristics of the governance dynamics, the stages of the decision-making process, and the challenges of equalising the different interests of the groups involved, among other possible topics. For this step, a time of 40 minutes is recommended. This activity can be used to problematise and initiate a more in-depth conceptual discussion about governance at the beginning of a subject (or theme of a programmatic unit) or at the end of a subject to consolidate concepts discussed theoretically in activities in the VLE or forums online.

Alternatively, if the teacher has time and considers it appropriate to apply the case in a single class, the following application format is recommended:

- Using "thematic room" tools (available on Google Meet or Zoom, for example) to divide the class into subgroups for simultaneous discussion, the teacher must organise groups A, B and C to focus their analysis within each theme;
- While groups A and B will discuss and prepare their respective positions (joining Ebserh or not), group C must be provided with data on the topic;
- The professor must "visit" each of the thematic rooms during the remote class to monitor the progress of the debates and provide guidance, if necessary;
- After a pre-determined time of work in the thematic rooms (40 minutes is recommended, but the topic can be adjusted according to the perception of the progress of the discussions), the teacher must bring together groups A, B and C for a discussion in plenary format;
- At this moment, groups A and B must present their positions, and C must present their decision as "University Council".

CASE ANALYSIS

Brief contextualisation

The adhesion of federal higher education institutions to Ebserh for managing federal university hospitals has been a point of discussion since the beginning of the company's creation. Different actors are divided between whether or not to adopt the new governance model for university hospitals, with tense environments that precede such a decision common in hospital units in different regions of the country. Although the reasons that give rise to the debate are much broader

and can also be applied to teaching, the questions suggested to be addressed in this teaching case are directed to the learning objectives related to democratic governance, mobilisation, negotiation and mediation.

Ebserh's competencies are related to the administration of hospital units, the provision of free medical-hospital, outpatient and diagnostic and therapeutic support services to the community within the scope of the SUS, and the provision of support services to federal institutions of higher education, to the management processes of university hospitals. The strategic map of the Ebserh network 2018-2023 establishes the company's vision:

to be a national reference in teaching, research, extension and innovation in the field of health, in humanised and quality public assistance in medium and high complexity, and in-hospital management, acting in an integrated manner with the University and contributing to the development of public health policies (Empresa Brasileira de Serviços Hospitalares [Ebserh], 2018).

The bill relating to the creation of Ebserh indicates that it is a new legal-institutional model for the care services carried out by federal university hospitals to enable a more agile, efficient and compatible management model with the competencies of these institutions and solve operational difficulties previously highlighted by control bodies, including irregular staffing, inadequate infrastructure and management problems (Bill no. 79, 2011).

Membership of Ebserh is not mandatory for federal universities, and it is up to each institution to decide whether to establish a management contract with the company. With the signing of this contract, the management of the university hospital becomes the responsibility of Ebserh, which is now considered an Ebserh subsidiary. In April 2022, there were a total of 37 Ebserh branches (34 university hospitals and three hospital complexes) providing full service to the SUS, linked to 32 federal universities located in 23 units of the federation (Figure 2) (Ebserh, 2022).

Figure 2

Ebserh network units by region of Brazil

Region	Ebserh network unit	Unit acronym
Midwest	Hospital das Clínicas da Universidade Federal de Goiás	HC-UFG
	Hospital Universitário de Brasília da Universidade de Brasília	HUB-UnB
	Hospital Universitário Júlio Muller da Universidade Federal do Mato Grosso	HUJM-UFMT
	Hospital Universitário Maria Aparecida Pedrossian da Universidade Federal do Mato Grosso do Sul	HUMAP-UFMS
	Hospital Universitário da Grande Dourados da Universidade Federal da Grande Dourados	HU-UFGD
North East	Complexo Hospitalar da Universidade Federal do Ceará (Hospital Universitário Walter Cantídio e Maternidade-Escola Assis Chateaubriand)	CH-UFC (HUWC e MEAC)
	Hospital das Clínicas da Universidade Federal de Pernambuco	HC-UFPE
	Hospital Universitário Ana Bezerra da Universidade Federal do Rio Grande do Norte	HUAB-UFRN
	Hospital Universitário Alcides Carneiro da Universidade Federal de Campina Grande	HUAC-UFCG
	Hospital Universitário Júlio Bandeira da Universidade Federal de Campina Grande	HUJB-UFCG
	Hospital Universitário de Lagarto da Universidade Federal de Sergipe	HUL-UFS
	Hospital Universitário Lauro Wanderley da Universidade Federal da Paraíba	HULW-UFPB
	Hospital Universitário Onofre Lopes da Universidade Federal do Rio Grande do Norte	HUOL-UFRN
	Hospital Universitário Professor Alberto Antunes da Universidade Federal de Alagoas	HUPAA-UFAL
	Hospital Universitário Professor Edgard Santos da Universidade Federal da Bahia	HUPES-UFBA
	Hospital Universitário da Universidade Federal do Maranhão	HU-UFMA
	Hospital Universitário da Universidade Federal do Piauí	HU-UFPI
	Hospital Universitário da Universidade Federal de Sergipe	HU-UFS
	Hospital Universitário da Universidade Federal do Vale do São Francisco	HU-Univasf
	Maternidade Climério de Oliveira da Universidade Federal da Bahia	MCO-UFBA
	Maternidade Escola Januário Cicco da Universidade Federal do Rio Grande do Norte	MEJC-UFRN
North	Complexo Hospitalar Universitário da Universidade Federal do Pará	CHU-UFPA
	Hospital de Doenças Tropicais da Universidade Federal do Tocantins	HDT-UFT
	Hospital Universitário Getúlio Vargas da Universidade Federal do Amazonas	HUGV-UFAM

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Region	Ebserh network unit	Unit acronym
Southeast	Hospital das Clínicas da Universidade Federal de Minas Gerais	HC-UFMG
	Hospital Universitário Cassiano Antônio Moraes da Universidade Federal do Espírito Santo	HUCAM-UFES
	Hospital de Clínicas da Universidade Federal de Uberlândia	HC-UFU
	Hospital Universitário Antônio Pedro da Universidade Federal Fluminense	HUAP-UFF
	Hospital Universitário Gaffrée e Guinle da Universidade Federal do Estado do Rio de Janeiro	HUGG-Unirio
	Hospital de Clínicas da Universidade Federal do Triângulo Mineiro	HC-UFTM
	Hospital Universitário da Universidade Federal de São Carlos	HU-UFSCar
	Hospital Universitário da Universidade Federal de Juiz de Fora	HU-UFJF
South	Complexo do Hospital de Clínicas da Universidade Federal do Paraná	CHC-UFPR
	Hospital Escola da Universidade Federal de Pelotas	HE-UFPel
	Hospital Universitário Dr. Miguel Riet Corrêa Jr. da Universidade Federal do Rio Grande	HU-Furg
	Hospital Universitário de Santa Maria da Universidade Federal de Santa Maria	HUSM-UFSM
	Hospital Universitário da Universidade Federal de Santa Catarina	HU-UFSC

Source: prepared by the authors (2022) based on data from Ebserh (2022).

Ebserh's central administration is based in Brasília/DF and is responsible for coordinating actions and establishing guidelines for branches. To this end, it has, in its governance structure, administrative bodies (Executive Board, Board of Directors and Advisory Council) and supervisory bodies (Fiscal Council and Internal Audit), in addition to commissions and committees set up for various purposes.

The Ebserh membership process involves five main steps:

1. an expression of interest by the university in joining the management of Ebserh;
2. preparation of the service and personnel sizing study and the university hospital restructuring plan;
3. sending the service and personnel sizing report to the Ministry of Economy (ME);
4. approval of the number of vacancies for public competition by the ME;
5. signing the management contract between the university and Ebserh (Court of Auditors of the Union [TCU], 2015).

Once the management contract is signed, the activities stipulated in the contract begin to be carried out following the defined plan and agreed goals. The aim is to maintain a uniform organisational structure in the hospitals that make up Ebserh, articulated with the network's value chain, following an alignment with the company's central administration structure, to better coordinate processes. Thus, changes are expected in the governance structures of university hospitals, including decision-making and deliberative bodies (Executive Board, Superintendence, Health Care Management, Teaching and Research Management and Administrative Management), management support bodies (Ombudsman, Advisory Committees) and control and inspection (Audit and Advisory Council), in addition to the organisational units contained in each management at an operational level (Divisions, Sectors and Units).

First question

The first question of the case has the following statement: What influencing factors can be identified in Silva's decision-making process? List favourable and unfavourable factors to joining Ebserh, considering institutions and actors involved in the decision-making process and intervention, values and beliefs, external events and opportunity structures.

Discussion: In the introduction and outcome of the case, the various influencing factors in Silva's decision-making process for a new HU governance model can be identified. Defence coalitions in favour of the university joining the state-owned university are identified based on the best management that can result from restructuring the HU, but, on the other hand, there are groups of actors and institutions opposed to joining and maintaining the company's activities. The application of the defence coalition model helps in the analysis of the decision-making process in public policies by enabling the description and explanation of the various aspects interrelated to the process that influence the elements of the political subsystem.

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Suggested approach: The teacher can start the plenary discussion by presenting a general perspective on the advocacy coalition framework (ACF) developed by Paul Sabatier and Hank Jenkins-Smith in 1980 and its application to public policy analysis. The works of Weible and Nohrstedt (2013) and Cortes (2015) can be useful for theoretical foundation and practical application, respectively. The ACF can be designed so students can discuss it and apply it to the case analysis, and the teacher can fill it out. In the end, the completed model would answer the question.

Another suggested approach is to list the factors on the board as students respond, organising them into categories without using the ACF model.

Discussing the interrelationship between the factors and the challenges faced in conducting democratic processes is recommended. In the end, it is suggested that the debate hook to the next question, focusing on the polarization of social movements and workers' unions, the formation of the University Council, and interference in the decision-making processes of the University Rectory.

Figure 3 demonstrates a possible answer that can be considered. Other external elements, not presented in the case but analysed according to the institutional political situation of the time, can be encouraged and added to the debate.

Figure 3

Factors influencing Silva's decision-making process to join Ebserh

Institutions and actors	Values and beliefs	External events and opportunity structures

• TCU (+)
 • MEC (+)
 • Ministry of Health (+)
 • Ministry of Economy (+)
 • Ebserh (+):
   ○ The President
   ○ Directors
   ○ Advice
 • University:
   ○ The Rector
   ○ Servers (+) (-)
   ○ Students (+) (-)
   ○ Teachers (+) (-)
 • HU:
   ○ The Director (+)
   ○ Servers (+) (-)
   ○ Outsourced employees (+) (-)
   ○ Patients (+) (-)
   ○ Residents (+) (-)
   ○ Researchers (+) (-)
 • Support Foundation (-)
 • University Council (+)
 • Workers' Unions (-)
 • Social movements (-)
 • Fronts against Privatization (-)
 • A working group was established to analyse adherence to Ebserh (+)
	• Health care as a right for all
	 • Free, quality public education
	 • Creation of public companies – managerialist model
	 • Public institutions must have employees
	 • University autonomy
		• Budgetary restriction: Constitutional Amendment nº 95/2016, freezing of investments in health and education for 20 years (+)
		 • HU staff deficit and unfeasibility of replacing staff (+)
		 • Academic and movement pressure (-)
		 • Pandemic of Covid-19 (+)
		 • Deficiencies in the HU: difficulties in purchasing processes, needs for renovations, poor control of inputs and equipment (+)
		 • Importance of HU for the education system and SUS (+)
		 • Management contracts signed with Ebserh by other universities (+)

Source: prepared by the authors (2022) based on Andreazzi (2020), Gomes, Oliveira, Zanella and Maia (2015), Krüger, Sobieranski and Moraes (2020) and Vieira (2016).

In Figure 3, the sign "(+)" indicates institutions, actors, events and structures that could be positive influencers in decision-making for the University's accession to Ebserh. On the other hand, the indication "(-)" points to those who tend to influence this decision-making process negatively. Elements with both signs, "(+) (-)", indicate divided groups, and it is not appropriate to generalise a single position that stands out.

The elements presented in Figure 3 are those referenced in the case, and the indication of their

influence on the decision-making process can be understood based on the understanding and interpretation of the story presented. The studies listed among the data sources reinforce the analysis that was carried out.

Theoretical basis: Weible and Nohrstedt (2013) define the investigation of the political process as the study of public policy over time and the actors involved, contexts and events. The authors cite the ACF as one of the models in this field of research used to describe and explain the various aspects of the political process. Such a model serves as an analytical guide to understanding three issues, which present themselves as theoretical emphases of the model: advocacy coalitions (groups of actors who share fundamental policy beliefs and coordinate their behaviour in a non-trivial way), policy-oriented learning (policy learning) and political change. Among the elements for applying the ACF, the authors recommend considering the actors that are involved in the subsystem relationships, institutions that structure all subsystem interactions and behaviours in specific locations, relatively stable parameters and external events and interdependencies with other subsystems.

Second question

In the second question, we seek to focus on aspects of democratic governance: Taking the place of Silva and Magno, what strategies were (and what could have been) previously carried out, together with the academic community, hospital employees and society, to ensure a model of participatory democratic governance? Also, present the risks involved in each strategy.

Discussion: As pointed out in the case, Silva was seen as a defender of democratic and participatory governance, but during the decision-making process in question, few strategies were mobilised for the active involvement of all actors, with emphasis on academic society, SUS users and employees from HU. Furthermore, those used lacked more effective actions to have the desired effects, as even recognised by Silva in his reflections. Figure 4 presents, in a systematic way, the strategies that were and could have been used in the decision-making process, as well as the risks involved in each of them.

Figure 4

Strategies to ensure a participatory democratic governance model applied to the case and corresponding risks

Strategy	Considerations	Risks
Access to information	Providing and ensuring access to clear information about the subject, history, and all elements involved are fundamental and provide greater transparency to the process. In this strategy, the dissemination of studies, reports and other informative documents can be used as instruments, as well as videos on social networks, live streams, information and discussion sessions, and thematic forums. Based on the analysis of the case, this strategy was used, in part, by Silva through the publication of an official note on the University's website.	Associated with this strategy are the risks of disclosing biased information, not revealing the real situation of the scenario and harming the participants' analysis. Other risks involve information asymmetry, including, on the one hand, misinformation from some parties and, on the other, information overload. Both situations could lead to a mistaken understanding of the scenario.
Public consultations	Carrying out public consultations allows the community to be involved in the process of obtaining opinions and contributions to support decision-making. These can be conducted through different means, such as electronic forms, meetings and public hearings. This strategy was not adopted in the case under analysis, with Silva's unexecuted interest in holding a plebiscite being only pointed out in the narrative.	Depending on how public consultations are conducted, there is a risk of unequal participation by the population, which could trigger non-representative decisions. Furthermore, there is a risk of manipulation of public consultations by interest groups.
Working groups and committees	Creating working groups and committees supports the coordination of the parties involved for the in-depth analysis of problems and discussion of solutions. In the story presented, two established	One of the main risks of this strategy is the composition of groups with a lack of representation, not adequately

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Strategy	Considerations	Risks
	instruments align with this strategy: the University Council and the Working Group established to analyse adherence to Ebserh.	reflecting the diversity of the population. This is one of the elements that Frida, a student representative on the University Council, presents in her speech. Another risk is interest capture, in which certain actors can influence the work group according to their interests, affecting the impartiality of the decision-making process.
Partnerships and collaborations	The formation of institutional arrangements involving partnerships and collaborations between the University and HU with civil society organisations, representatives of SUS users, students and employees makes it possible to increase the trust of these parties in the institutions, as well as promote new perspectives to be discussed and serve as an instrument for decision-making. Due to the social mobilisation presented in the case and the specific actions of the groups, it is believed this was not a strategy used in the HU.	The risk associated with this strategy is that of conflicts of interest, which may negatively affect the impartiality and objectivity of the decision-making process.

Source: prepared by the authors (2023) based on Santos (2002), Silva, Lasmar and Pereira (2013), and Lüchmann (2008).

It is important to highlight that the strategies and risks listed in Figure 4 were not exhaustive, and others could be identified that corroborate the case analysis and learning. It is also important to highlight that the risks presented can and should be mitigated during the planning and implementation of strategies through approaches linked to well-defined, judicious, transparent and inclusive processes.

Suggested approach: It is proposed that the teacher initially promotes student discussion so that the concept of democratic governance is debated and applied to the case context. It is suggested that the dimensions of governance (vertical, horizontal and participation) are then presented, discussing with students what they understand by participatory or democratic governance.

The keywords highlighted in the answers can be written down on the board so the teacher can later discuss the concept and the theoretical foundation with the students. Based on the concept, the students then return to the analysis of the case using the suggested question. Students are expected to point out the University Council and the plebiscite among the strategies mentioned in the case. Among other strategies, aspects regarding the communication of organisational changes, the involvement of different actors in decision-making and the importance of street-level bureaucrats for effectively implementing public policies can be addressed.

Theoretical basis: The concept of governance still lacks consensus, has multiple definitions, is influenced by different actors, and occupies a prominent place in current debates. In the context of development theories, Hyden (1999) defines governance as the direction of the formal and informal rules of the game. The World Bank's definition of governance aligns with this concept and adds to it the elements of actors and power: "the process through which state and non-state actors interact to formulate and implement policies within a predefined set of formal rules and that shape and are shaped by power" (Banco Mundial, 2017). In the context of public sector reforms, Rhodes (1996) includes mechanisms in the definition of governance, referring to self-organised and inter-organizational networks characterised by interdependence, exchange of resources, shared rules of the game and significant state autonomy.

Participatory democratic governance, in addition to being related to these concepts, is embedded in theoretical bases that involve citizen participation, the integration of different actors and collective decision-making (such as democratic theories, citizen participation and network governance) (Peters, 2005). Martins and Marini (2014) state that "collaborative, social, democratic, participatory and responsible governance are related denominations. Collaboration indicates 'with

whom' and 'how' the governance process is established". To expand the foundation regarding the re-democratization process in which the concept is inserted, we recommend reading Santos (2002).

The book Coordination of Public Policies by Souza (2018) can support the discussion of the dimensions of governance through correlation with the forms of coordination of horizontal, vertical, and participatory public policies.

Third question

The objective of the third question is to bring existing democratic institutions to the debate and how they can be used to support or mask decision-making processes. Councils and conferences are characterised as democratic institutions that aim to assist in configuring participatory governance. In the case presented, has the University Council fulfilled this objective? Justify and point out the intervening elements.

Discussion: Frida's speech, student representative on the University Council, demonstrates the character's dissatisfaction with the participation of the academic community in the debate on joining Ebserh, demonstrating, in a certain way, the Council's insufficiency in terms of student representation, which total almost 40 thousand. As mentioned in the case, the members of the Council are the rector, vice-rector, directors of academic units, representatives of teachers, technical-administrative employees, undergraduate and postgraduate students and society. The number of members of each segment is left open. However, the number of student representatives (five) and the total number of votes in the deliberation regarding the start of negotiations with Ebserh (a total of 50) are presented. As pointed out in question 2, creating groups and committees is one of the strategies for promoting participatory governance, but it has risks associated with its implementation. Among these is the risk of lack of representation, not adequately reflecting the diversity of the population involved, which could result in biased decisions or even the interests of certain groups could be overshadowed. Based on the case analysis, this risk may have been incurred.

Suggested approach: It is suggested that the teacher promotes student debate regarding their perception of the University Council as a democratic institution that promotes participatory governance. In the discussions, elements can be raised regarding the form of constitution of the University Council, composition, representation of the academic community and other groups in society (differentiation between participation and representation), criteria and form of choosing members and characterisation of the council (consultative or deliberative).

Theoretical basis: As Lüchmann (2008) points out, given the diversity of civil society, contradictions and conflicts, many difficulties are encountered in achieving expressive representation of different social interests. The aspects of participation and representation in councils and other democratic institutions are, therefore, distinct and influence the participatory governance model. It is recommended that Santos (2002) be read to support the discussion.

Fourth question

In the fourth question, students are invited to reflect on the decision made by Silva: Considering the elements analysed, the influencing factors, and the tensions involved, what must have been the decision taken by Silva?

Discussion: On purpose, the decision taken by Silva is not presented in the teaching case so that students can analyse the dilemma faced by the protagonist and discuss the possibilities of the public manager:

1. return to the University and hold a plebiscite involving the entire academic community;
2. just start negotiations with Ebserh;
3. already express the interest of the "University", following the majority of votes of the University Council;
4. carry out new studies and coordinate actions with actors from external institutions so that other possible alternatives can be discussed.

Suggested approach: It is suggested that the teacher asks students to imagine themselves in Silva's position and reflect on what decision they would make based on the issues discussed

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previously and the elements analysed. Students can have different points of view, which will enrich the debate. If this is not verified, the teacher can bring a different perspective.

According to the possibilities discussed, other questions can be raised by the teacher to promote the understanding of new governance models and how to continue the implementation of public policies in complex systems:

1. How can we better involve the academic community, social movements, workers unions and society in decision-making?
2. How do we present Ebserh to groups opposed to membership, considering their beliefs and the good articulation and strong communication dynamics they have?
3. How do we involve Foundation employees in transferring knowledge and replacing outsourced workers with Ebserh employees without compromising the provision of services?
4. How can we promote good relationships between public servants and Ebserh employees, taking advantage of work processes and good practices already established at HU?

The strategies for implementing a model of participatory democratic governance discussed in the second question can be revisited in these questions.

Negotiation and mediation techniques can also be discussed with students to contextualise these issues and assist in practical application. To this end, we recommend reading the following work: Carvalhal, E. et al. (2017). Negotiation and conflict management. Rio de Janeiro: FGV.

Aspects relating to communication strategies may also be involved.

Theoretical basis: In the topic "Brief contextualisation", normative references related to the creation of Ebserh and operation are presented, which support the discussion on the University's accession to the state-owned University to manage the HU. Vieira's (2016) bibliographic review presents elements about the management of federal university hospitals after the advent of Ebserh that can support students' analysis for decision-making, complementing the other theoretical bases highlighted in the previous questions.

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