

Analysis of Register Committee's Decisions

The EQAR Register Committee has taken a number of measures over the past years to ensure a sound management of the register of quality assurance agencies that substantially comply with the European Standards and Guidelines for Quality Assurance in the EHEA: in particular, measures have been taken to increase transparency (i.e. publication of all review documents and Register Committee decisions), consistency in the work and decision making of the Register Committee (i.e. Use and Interpretation of the ESG, judgement on each ESG standard) and the overall improvement in the application process (i.e. introducing the eligibility check before initiating the external review, an online application form, updating the guide for applicants).

The work of the Register Committee and the soundness of the application process is analysed in more depth in the following. In particular, the analysis provides a closer examination of the applications for renewal and initial inclusion and the decisions by the Register Committee including the eligibility check. Further analysis is provided into the changes of registered agency's activities, organisational structure, their mergers and complaints.

1. Applications to the Register

Part 2 and Part 3 of the ESG are those with direct relevance to quality assurance agencies and thus serve as criteria for inclusion on the Register. In reviewing the application the Register Committee does an assessment of each of the thirteen standards and on the agency's compliance with the ESG as a whole.

Since the Register started its work in 2008 the Committee has considered 66 applications of initial inclusion and 34 applications for renewal of registration (see Table. Overview of all applications to the Register). About half of the applications of initial inclusion (2008-2010) were part of the legacy reviews carried out before EQAR was established. The applications for initial inclusion otherwise follow a rate of 5-6 applications a year.

	2008-2010	2011	2012	2013	2014	2015	2016	2017	Total
A Initial Applications	31	5	3	5	8	6	2	6	66
B Approved	25	4	3	5	6	6	2	3	54
C Withdrawn	3	1			1				5
D Rejected	3				1			1	5
E Pending	-	-	-	-	-	-	-	2	2
F Renewal Applications		3	4	1	6	4	4	12	34
G Approved		3	4	1	6	4	4	10	32
H Withdrawn									0
I Rejected								2	2
J Appeals	1					1			2
K Successful	1								1
L Unsuccessful						1			1
M Registration ended/expired		1	2	3	1				7
N Registered	25	28	29	31	37	42	44	46	46
Total number of applications processed by the Register Committee (A+F)									100

Table. Overview of all applications to the Register (2008-2017)

In June 2015, the Register Committee adopted EQAR's Policy on Transition to the ESG 2015 to allow agencies to accommodate to the newly adopted version of the ESG. This change accounts for the lower number of applications that were received in 2016, as most agencies have chosen to benefit from an extension of their registration so as to adapt their processes and procedures to the new version of the ESG.

Following the adoption of the ESG in 2015, EQAR considered a total of 24 applications, of which 8 applications of initial inclusion and 16 applications for renewal of registration. The 24 applications were considered within four different meetings of the Register Committee over a period of one year and a half (6/6/2016 – 16/11/2017).

2. Analysis of Decisions for Renewal and Initial Inclusion (ESG 2015)

The following analysis is based on the 21 of the 24 applications for renewal and initial inclusion on the Register reviewed against ESG 2015. Of the three remaining applications, two were deferred pending additional representation on the grounds for a possible rejection; the final decision on those applications will only be made in June 2018. One application was rejected as it did not adhere to the eligibility provisions of the EQAR Procedures for Applications.

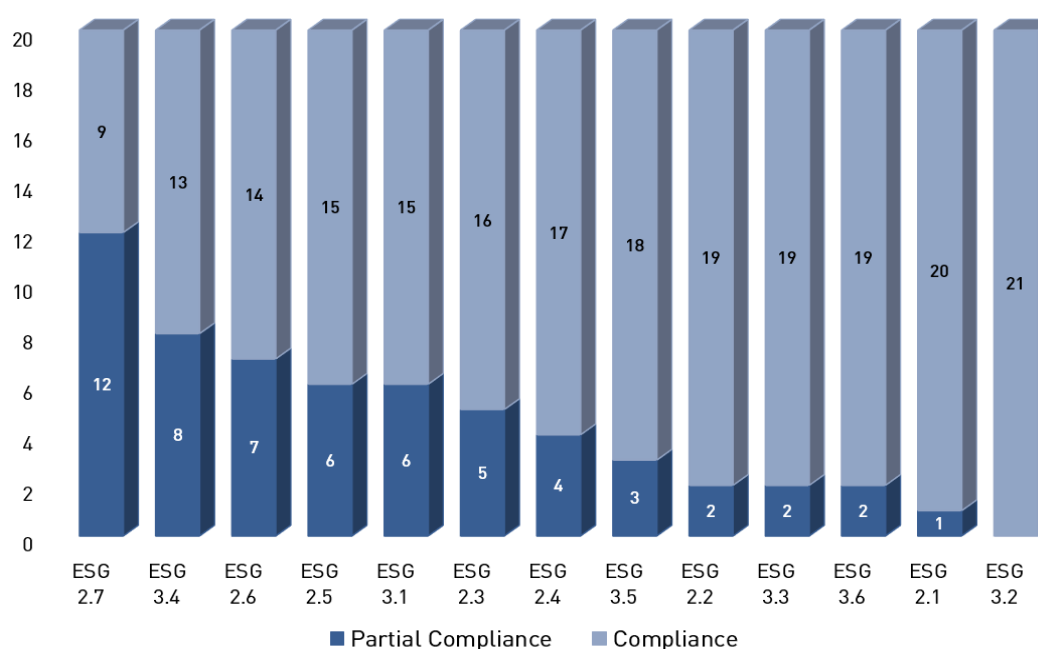
Of the 21 applications, the Register Committee concluded that 19 applications were in substantial compliance with the ESG as a whole. For two applications the Committee was unable to conclude that the agency complies substantially with the ESG and therefore rejected the application.¹

Considering the compliance level with each standard the Register Committee reached the conclusion of:

- *compliance* in 79% of cases,
- *partial compliance* in 21% of cases.

A *non-compliance* judgement was not reached for any of the standards considered in the 21 reviewed applications.

12 of the 21 agencies achieved only partial compliance (PC) with standard 2.7 *Complaints and appeals*. Other areas where the Register Committee found significant shortcomings and concluded for at least six of the 21 agencies that they are only partially compliant (see table below) were the standards (ordered by the no. of PC) 3.4 *Thematic analysis*, 2.6 *Reporting*, 2.5 *Criteria for outcomes* and 3.1 *Activities, policy and processes for quality assurance*



¹See all decisions by the Register Committee at the following link:

https://eqar.eu/fileadmin/agencyreports/2017-06_A29_RejectionDecision_ECCE.pdf

Table. RC decision of compliance and partial compliance for each standard.

2.1 Register Committee and Review Panel Conclusion

Register Committee followed the review panel's conclusions on ESG 2.2 and ESG 3.2. for each of the 21 applications. The Committee's judgement, however, sometimes differed from that of the review panel, in particular when considering ESG 2.3, ESG 2.6, ESG 2.7 and ESG 3.1. In these cases the Committee concluded on *partial compliance* in four different applications, while the panel's conclusion was either full or substantial compliance with the standard. The Committee also concluded differently to the judgement of the review panel in two applications when considering ESG 2.5, ESG 3.3 and ESG 3.4 (see table below).

Decision by / ESG Part 1 & Part 2	Review panel			Register Committee	
	PC	SC	FC	PC	C
ESG 2.1	0	13	8	1	20
ESG 2.2	2	10	9	2	19
ESG 2.3	1	9	11	5	16
ESG 2.4	3	7	11	4	17
ESG 2.5	4	9	8	6	15
ESG 2.6	3	10	8	7	14
ESG 2.7	8	7	6	12	9
ESG 3.1	2	13	6	6	15
ESG 3.2	0	2	19	0	21
ESG 3.3	0	5	16	2	19
ESG 3.4	6	11	4	8	13
ESG 3.5	4	8	9	3	18
ESG 3.6	3	12	6	2	19

Table. Review panel conclusion vs. Register Committee decision.

The Register Committee did not find sufficient grounds to conclude compliance, although the panel considered that compliance was reached in regards to the involvement of stakeholders in the governance of the organisation and in the separation of external quality assurance procedures from other consultancy services offered by the agency (**ESG 3.1**).

On **ESG 2.3** in cases where the Register Committee found issues regarding the lack of consistency in decision-making and the insufficiently developed follow-up processes, the Committee was unable to follow the review panel's conclusion on compliance (substantial or full) and concluded that the agencies were complying only partially with standard (2.3 Implementing processes).

Considering **ESG 2.6** the Register Committee kept the decision of partial compliance if it found that previously flagged issues i.e. the publication and readability of all reports were insufficiently addressed or if the intention of improvement by the agency have not been documented by the panel.

In addressing **ESG 2.7**, the Register Committee was unable to concur with the panel's conclusion of compliance in cases where the appeals and complaints procedure was not sufficiently followed through or a number of failings were identified i.e. impartiality of the process or composition of the Committee.

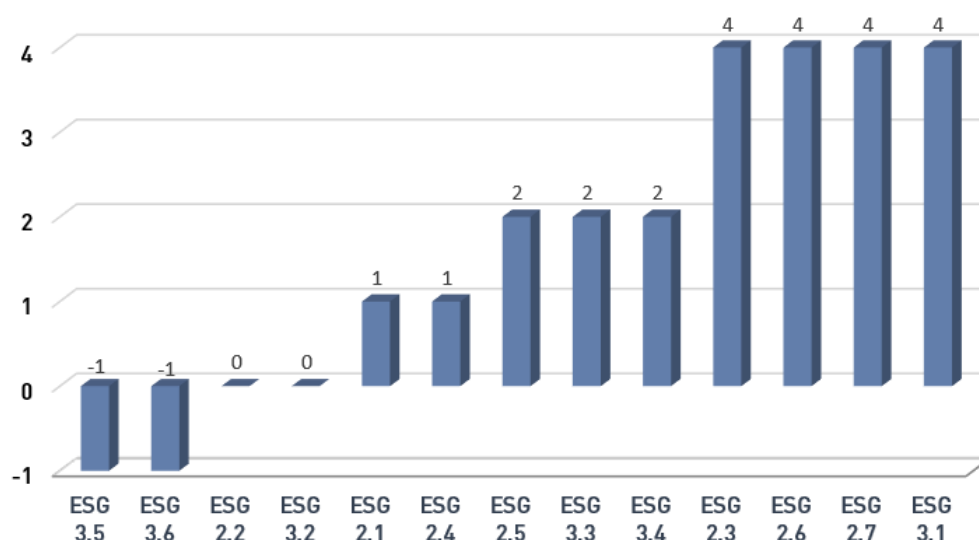


Chart. Comparison of Register Committee and review panel conclusions

In two cases the view of the Committee was in fact more positive. Considering the compliance level with standard **3.5 Resources** and **3.6 Internal quality assurance and professional conduct**, the Committee concluded that the agencies were in fact in compliant, rather than partially compliant with the ESG.

2.2 Analysis of Clarification Requests

The Register Committee addressed a number of follow-up questions mainly to the review panels, but in exceptional cases also to the agency, the review coordinator or third parties (as necessary) in order to clarify certain issues considering the compliance with individual standards and thus contribute to the consideration of the agency's applications.

Of the total number of applications considered (21 applications), 16 clarification requests were addressed in order to clarify issues found within 13 applications. Most queries were referred to the review panel (12 of 16 clarification requests) with the remaining clarifications being sought either from the concerned agency, the review coordinator or the external decision making body of the agency.

Issues that were frequently raised within the clarification requests concerned:

- compliance and mapping of **ESG Part 1** when no detailed comparison between the agency's criteria and ESG Part 1 were available (**ESG 2.1**);
- information on whether some activities fall within the scope of the ESG and if they have been addressed by the panel (**ESG 3.1**);

- clarifications on how the agency ensures a clear distinction between regular external QA activities and other fields of work (**ESG 3.1**);
- questions referring to how the agency ensures its organisational and operational independence (**ESG 3.3**).

Further questions also addressed follow-up processes (**ESG 2.3**), the publication of criteria and the clarity and consistency of decision making processes (**ESG 2.5**) or the publication of some of the agency's reports (**ESG 2.6**).

Clarification requests in relation to individual standards:	No. of requests
ESG 3.1 Activities, policy and processes for quality assurance	9
ESG 2.1 Consideration of internal quality assurance	4
ESG 3.3 Independence	4
ESG 2.3 Implementing processes	2
ESG 2.5 Criteria for outcomes	2
ESG 2.6 Reporting	2
ESG 2.4 Peer-review experts	1
ESG 3.6 Internal quality assurance and professional conduct	1

Table. Overview of clarification requests

3. Analysis of change reports, mergers and complaints

All registered agencies are expected to inform EQAR about changes to their legal form and status, amendments to their statutes and substantial changes in their process or methodology. The Register Committee received a total of 30 change reports since the Register was set up.

Following the adoption of the ESG 2015, the Register Committee received 22 substantive change reports. After considering these cases the Register decided to take note of the information provided. Committee published the reports and

Most agencies reported changes in their external quality assurance activity, either changing existing procedures or introducing new type of activities (see table below). The highest number of changes were reported in 2016, with 14 agencies submitting change reports. The high number of reports is explained by the change in the agencies' procedure following their transition to the ESG 2015 (see table and chart below).

Considering fundamental changes in the structure of agencies (organisational changes) three of the registered agencies reported such changes. Two of the listed agencies merged with each other (VLIR and VLHORA merged into VLUHR QA) and one agency merged into a new entity (FINHEEC to FINEEC). Reviewing

the merger procedure the Register Committee found the agencies met the requirements for provisional registration and were therefore granted temporary registration.

Type of change	Number of registered agencies
Changes in the organisational identity	3
Changes in the organisational structure	8
New external quality assurance activities	11
Changes in existing external quality assurance activities	12
Discontinuation of existing activities	7

Table. Summary of change reports (Sept. 2015 – Dec. 2017)

Since the Register was set up, EQAR received four complaints concerning three of the listed agencies. Of these four complaints, only one was formally admissible according to the Complaints Policy and the Register Committee decided to issue an official warning, which was communicated to the agency and published on the Register entry of the concerned agency.

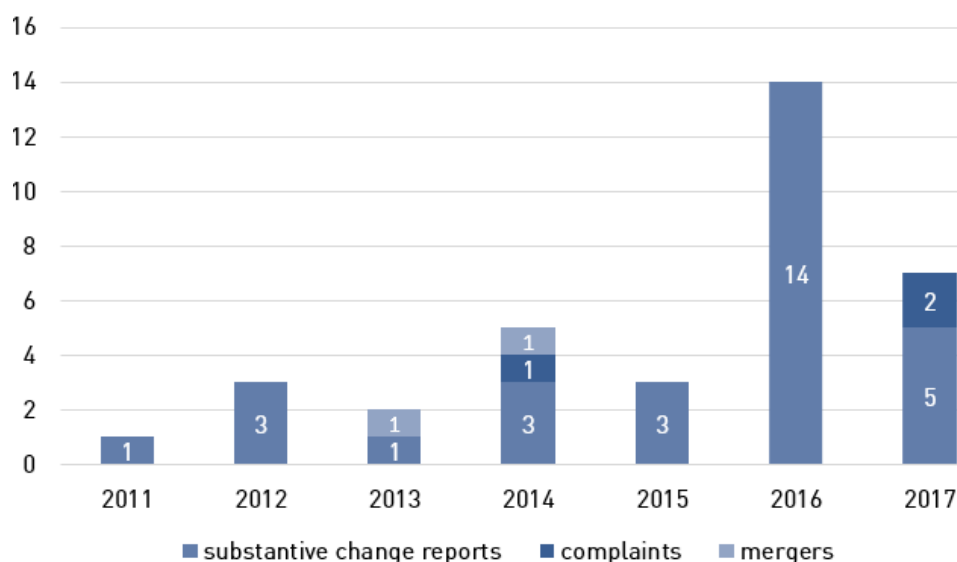


Chart. Evolution of the submission of Substantive Change Reports, Mergers and Complaints.

4. Eligibility confirmations (Sept 2015-Dec 2017)

Starting with August 2015 all applications for inclusion or renewal of registration on EQAR begin with an eligibility stage. Agencies are requested to describe their full range of activities and to state which activities they

themselves consider to be within the scope of the ESG. The applications are submitted via an online form.

Over the course of more than two years (September 2015- Dec 2017) the Register Committee received and processed 39 eligibility applications, of which 15 applications of initial inclusion and 24 applications for renewal of registration.

The main coordinator of the external reviews of these applications is ENQA (31 applications), followed by GAC (6 applications) and two additional coordinators, each with one application.

78% of the applications were considered within or under the standard timeline of three to four weeks. A number of applications needed further time for processing due to a prolonged correspondence where further information was requested about the agency's activities or due to holidays (i.e. application was submitted the week before Christmas). One fifth of eligibility applications required further clarifications regarding their external QA activities. Since June 2017, all requests for clarifications of eligibility applications are addressed to the agency via a minuted telephone conversation. This has decreased the processing time for applications that required further clarifications.

According to the information provided by applicant agencies 77% of them stated they recognise activities or decisions of other QA agencies and 25% of the applicant agencies stated they make external QA decisions based on reviews carried out by other QA agencies.

A number of other aspects surfaced in examining the eligibility applications:

- In two thirds of the applications for eligibility, quality assurance agencies included one or more of their activities outside the scope of the ESG (and therefore EQAR-registration) that were considered by the Register Committee to be within the scope of the ESG or included some activities that the Register Committee found to be outside the scope of the ESG. Activities included outside the scope of the ESG, that were viewed by the Register Committee as relevant to the agency's registration had a much higher rate of occurrence.
- One in six applicant QA agencies declared different forms of consulting activities, either as part of their regular activities or as part of the subsidiary's activity. In such situations the Register Committee asked the review to also cover the way in which the agency separates between consultancy and external quality assurance activities.

5. Conclusions

The continuous increase in the number of applications (both initial and renewal of registration) shows that EQAR registration continues to serve as a standard

for quality assurance agencies and their compliance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area. The robustness of procedures are also visible in the low number of appeals (two appeals resulting from the 12 rejected / withdrawn applications).

The change reports allowed EQAR to take note and respond to a large number of agencies and their changes in activity or organisational structure before the expiry of their registration. This allowed to avoid situations where the information on agency's activities would have differed substantially from when the agency was last reviewed against the ESG and admitted to the Register. The analysis also showed that during the transition to the revised ESG, substantive change reports provided a good instrument to monitor registered agencies' work to adopt the ESG 2015.

The inclusion of activities within the scope of the ESG and the clear separation of external quality assurance activities and other related fields of work i.e. consultancy has been identified as a recurrent issue in both eligibility and follow-up clarification questions. The Register Committee has addressed these issues in additions to the Policy on the Use and Interpretation of the ESG, clarifying the scope of the ESG for the purpose of registration on EQAR and adding a new annex with guiding principles for the clear separation between external quality assurance and other activities. **The Register Committee could further follow-up on this matter by monitoring the extent to which the separation of external quality assurance activities and other related fields of work has been addressed in the upcoming external reviews.**

Generally the Register Committee follows the view of the panel for most of the standards, although a number of differences in interpretation were observed for specific instances i.e. ESG 2.3, ESG 2.6, ESG 2.7 and ESG 3.1. In cases where the Register Committee conclusion on the standard differed to that of the panel, the Committee sought clarifications from the chair of the review panel to inform its judgement. Given the fact that the ESG 2015 are still relatively new, such differences of conclusions on these standards should not be considered unusual. **It could be expected that they reduce over time following the communication with the coordinators and the training of review panel members before an external review.**

The most challenging standards for QA agencies (partial compliance in more than 25% of cases) were related to appeals procedures (2.7), thematic analyses (3.4), reporting (2.6), criteria for outcomes (2.5), involvement of stakeholders/separation between QA and other activities (3.1).

Many agencies seemed to have difficulties in complying with those standards that undoubtedly have become more demanding in the ESG 2015 compared to the ESG 2005:

- **Standard 2.6** specifies that full reports should be published, including any decisions taken on the basis of the report. Not publishing negative reports or decisions, or only publishing summary reports would not be sufficient to be in compliance with the standard.
- **Standard 2.7** is a newly introduced standard referring to appeals procedure and complaints processes. In the previous version of the ESG, appeals procedure was only part of a guideline (ESG3.7, 2005), having less of an impact on the compliance with the standard. If such processes and procedure have not been (sufficiently well) established, ensuring compliance with standard 2.7 was problematic.
- **Standard 3.4** has become more demanding, requiring agencies to prepare and publish reports that describe and analyse the general findings of their external QA on a regular basis (ESG 2015), instead of an occasional undertaking (ESG 2005).

Some agencies also had difficulties complying with the ESG although there was little to no change in standards:

- **Standard 2.5** despite not being a new standard, review panels found shortcoming in the agency's transparent decision-making (i.e. publication of the criteria for all procedures) or in ensuring consistency in the application of criteria.
- Compliance with **standard 3.1**, referring to stakeholder involvement in the governance and work of the agencies and the clear separation between their external QA and other fields of work has been a challenge for one in four agencies. The change to ESG 2015 is only related to a definition of stakeholders as all actors within an institution, including students and staff, as well as external stakeholders such as employers and external partners of an institution. Agency's understanding of stakeholder involvement has often had a more narrow interpretation. Ensuring a clear and transparent separation between activities within and outside the scope of the ESG to avoid confusion or prevent conflict of interest has often not been addressed by agencies or review panels. **In this respect, the Use and Interpretation of the ESG has been amended with guiding principles that would assist agencies to address this matter** (see above explanation as well).

Review reports have also brought up situations where the existing legal framework makes it difficult for agencies to comply with the ESG. Notable cases involve complying with standard 2.2 (designing methodologies fit for purpose) as agencies have a limited involvement in determining the criteria they work with, as this is already defined in detail by the legal framework or by the ministry. Similarly, complying with ESG 2.7 is made difficult for some agencies as the appeal system is regulated by the ministry and it is not under the responsibility

of the QA agency. In some higher education systems strict privacy laws mean that the reports can only be published with the expressed permission of the institution in question, therefore making it hard for agencies to publish all reports, especially those with a negative outcome.

Public authorities should in such cases adapt the legal frameworks so as to ensure that legislation is not a barrier to implementing the ESG and thus to ensure that QA agencies can meet the expectations of compliance for EQAR-registration².

²See also results of the EQUIP study: Enhancing quality: from policy to practice
http://www.eua.be/Libraries/publications-homepage-list/equip-publication_final.pdf?sfvrsn=2