

# Procedures for Applications

Register Committee

Definition of terms:

“**Register**” hereinafter refers to the register of quality assurance agencies operating in Europe published by EQAR;

“**applicant**” hereinafter refers to a quality assurance agency that seeks inclusion on the Register;

“**registered agency**” hereinafter refers to a quality assurance agency that has been admitted to the register by the Register Committee;

“**external review**” hereinafter refers to a review of a quality assurance agency’s work by a “**review panel**”, coordinated by a “**review coordinator**”;

“**external review report**” hereinafter refers to the written report that has been agreed by the review panel following completion of the external review;

“**self-evaluation report**” hereinafter refers to the report compiled by the applicant for consideration by the external review panel;

“**ESG**” hereinafter refers to the Standards and Guidelines for Quality Assurance in the European Higher Education Area, as adopted by the European ministers responsible for higher education in Yerevan on 15 May 2015, or any succeeding document;

“**Europe**” hereinafter refers to all countries part of the European Higher Education Area (EHEA).

Ref. RC/01.1

Ver. 3.0

Date 2015-06-11

Page 1 / 9

In accordance with article 16 b. of the EQAR Statutes the Register Committee, in consultation with the General Assembly, adopted the following Procedures for Applications:

## 1. Eligibility requirements

- 1.1 The fulfilment of the eligibility requirements is a prerequisite for applications to be considered against the criteria for inclusion.
- 1.2 If the eligibility requirements are not fulfilled the application shall be refused without any possibility of additional representation; no fees shall be charged.

## Eligible activities and organisations

- 1.3 Registration pertains to all external quality assurance activities within the scope of the ESG, i.e. reviews, audits, evaluations or accreditations of higher education institutions or programmes that relate to learning and teaching in higher education, including the learning environment and

relevant links to research and innovation. This is regardless of whether these activities are carried out within or outside the EHEA, and whether they are obligatory or voluntary.

- 1.4 Organisations (or a clearly identified sub-unit thereof) that directly conduct external quality assurance according to §1.3 are eligible for registration.
- 1.5 Registration is open to organisations regardless of whether they are based in Europe or outside, and regardless whether they are national or international in nature.

### External review

- 1.6 The applicant's substantial compliance with the ESG needs to be evidenced through an external review by an independent expert panel according to the provisions of these Procedures.
- 1.7 The review shall be coordinated by an organisation that has the necessary professional capacity and is independent of the applicant. The review shall be conducted in an unbiased, objective and independent manner.
- 1.8 The review coordinator and the applicant should agree on the terms of reference. The terms of reference shall specify that all activities according to §1.3 will be analysed by the external review.
- 1.9 The review panel shall consist of at least four persons. The panel members shall possess the knowledge, experience and expertise required to understand, analyse and judge the applicant's activities against the ESG. The review coordinator shall provide the review panel with appropriate training and guidance for its role.
- 1.10 The review panel members shall represent a range of expertise, covering the different perspectives of the key stakeholders<sup>1</sup>. The panel shall include at least (at the time it is composed):
  - a. one academic staff member of a higher education institution;
  - b. one student of a higher education institution; and
  - c. one individual from a country other than that of the applicant.
- 1.11 The coordinator shall select and appoint the panel members according to a fair and transparent selection process, to be specified in the terms of reference.
- 1.12 The panel members shall be independent from the applicant and exercise their role objectively and without conflict of interest. It is the coordinator's responsibility to ensure the panel's independence; §9.1 applies accordingly.
- 1.13 The self-evaluation report and the external review report shall address all activities as described in §1.3.

### Register Committee

Ref. RC/01.1

Ver. 3.0

Date 2015-06-11

Page 2 / 9

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<sup>1</sup> Stakeholders are understood to cover all actors within an institution, including students and staff, as well as external stakeholders, such as employers and external partners of an institution.

## Register Committee

Ref. RC/01.1

Ver. 3.0

Date 2015-06-11

Page 3 / 9

- 1.14 The self-evaluation report shall reflect on the applicant's compliance with each of the ESG in parts 2 and 3. It should be a critical reflection on the activities, strengths and weaknesses of the applicant and the added value they provide for quality improvement of higher education institutions.
- 1.15 The main basis for the Register Committee's decision making is the external review report. The facts on which the report is based have to still reflect reality at the time of application.
- 1.16 The external review report shall provide sufficient evidence of the applicant's compliance with each of the ESG in parts 2 and 3. It shall provide evidence, an analysis and a conclusion for each of the standards.
- 1.17 The external review panel shall prepare the external review report based on the self-evaluation report and a site visit to the applicant. During the site visit, the external review panel shall interview the relevant stakeholders of the applicant.
- 1.18 The external review report shall be agreed upon by all external review panel members. It shall be submitted together with all annexes and dissenting opinions where such exist.

## 2. Criteria for inclusion

- 2.1 To be included in the Register, applicants need to substantially comply with the ESG in all eligible activities (see §1.3). Compliance shall be demonstrated through an external review of the applicant (in accordance with §1.6 – 1.18).
- 2.2 Parts 2 (2.1 – 2.7) and 3 (3.1 – 3.7) of the ESG shall be directly relevant for inclusion on the Register, whereas ESG 2.1 includes consideration of how Part 1 of the ESG is addressed.
- 2.3 Full membership of ENQA normally constitutes satisfactory evidence for substantial compliance with the ESG.
- 2.4 The Register Committee shall adopt a policy on the Use and Interpretation of the ESG for the European Register of quality assurance agencies.
- 2.5 The Register Committee may adopt further policies to specify its understanding and application of the ESG and these Procedures in specific cases or circumstances.
- 2.6 All policies shall be published. The General Assembly shall be notified of any policies adopted.

## 3. Application process

- 3.1 The application process includes the following steps:
  - a. Verification of eligibility;
  - b. External review of the applicant;
  - c. Submission of the external review report;
  - d. Consideration and decision by the Register Committee.

- 3.2 Applications shall be submitted to the Secretariat as specified in the Guide for Applicants and the EQAR website.
- 3.3 All documents have to be submitted in English.
- 3.4 The applicant can withdraw the application any time before the deadline according to §3.19, but not thereafter.

## Register Committee

Ref. RC/01.1

Ver. 3.0

Date 2015-06-11

Page 4 / 9

### Verification of eligibility

- 3.5 Applicants are required to verify before undergoing an external review their organisational eligibility, whether their (planned) external review process adheres to the eligibility requirements and to ensure that the external review covers all activities within the scope §1.3.
- 3.6 In order to verify eligibility, applicants shall submit the following documents:
  - a. Application Form;
  - b. Brief description of all activities of the applicant, indicating which activities the applicant considers to be within the scope of §1.3;
  - c. Information on the coordinator of the external review;
  - d. Draft terms of reference according to §1.8.
- 3.7 Where eligibility can be determined clearly and unambiguously based on the facts, the Secretariat may confirm eligibility or non-eligibility. The applicant may, however, request that its case be considered by the Register Committee.
- 3.8 In all other cases, the Register Committee shall consider eligibility.
- 3.9 When confirming eligibility, EQAR shall confirm which activities are within the scope of §1.3. The applicant shall then complete its self-evaluation and undergo an external review covering at least those activities.
- 3.10 Confirmation of eligibility shall not be binding if it is revealed later that the applicant's activities differ substantially or if the actual review process differs substantially from the draft Terms of Reference.
- 3.11 The Register Committee may accept an application that already includes an external review report, if the review covers all activities in the scope of §1.3 and fulfils all other requirements of the present Procedures.

### Submission of the external review report

- 3.12 Following the external review, the applicant shall complete the application by submitting the following documents:
  - a. Agreed terms of reference of the review;
  - b. Declaration of honour by the review coordinator, including full CVs of all review panel members;
  - c. Self-evaluation report that was submitted for the external review;
  - d. External review report;

- e. Optionally, applicant's statement on the external review report;
- f. If applicable, documentation of the applicant's ENQA membership, including documentation on the reasons for approval.

## Register Committee

Ref. RC/01.1

Ver. 3.0

Date 2015-06-11

Page 5 / 9

3.13 The applicant shall make the external review report available in the public domain.

### Basis for decision making on applications

3.14 The Register Committee shall make its decision based on the external review report, other documents filed with the application and further information acquired in accordance with these Procedures.

3.15 The Register Committee may request clarification from the review coordinator, the applicant or the review panel. An appropriate deadline shall be granted for providing clarification. Failure on the part of the applicant to submit requested information within the stipulated deadline shall be deemed as withdrawal of the application.

3.16 Information provided by the applicant agency is taken into account only as far as appropriate, given that it has not been reviewed by an independent panel.

### Decisions and consequences

3.17 If, based on the documentation and information referred to in §3.14, the criteria for inclusion are fulfilled, the Register Committee shall approve the application for inclusion on the Register and the agency shall be included in the Register for five years from the date of the external review report.

3.18 If the criteria for inclusion are not fulfilled, the Register Committee shall reject the application.

3.19 Before a decision to reject an application is made, the applicant shall be notified of the grounds for possible rejection and have the possibility to make additional representation to the Register Committee within an appropriate deadline. Failure on the part of the applicant to make additional representation within the deadline shall be deemed as withdrawal of the application.

3.20 Applicants shall be notified of all decisions in writing, including an account of the reasons.

3.21 Rejected applicants may reapply within 18 months from the date of the rejection decision based on an additional, focused external review addressing those issues that led to rejection. The Register Committee may invite the rejected applicant to reapply without an additional external review, if it can be verified on the basis of documentation submitted by the applicant itself whether the issues that led to rejection have been satisfactorily addressed. If the re-application is successful the agency shall be included for five years from the date of the first, full external review report. The 18-month period commences with the original rejection decision, also in case an appeal is made.

- 3.22 If no focused review is submitted within the 18-month period, a new full external review is required.
- 3.23 The provisions of §3.21 do not apply to applications that were withdrawn or that were rejected on the grounds of non-eligibility.

**Fees**

- 3.24 An application fee shall be charged pursuant to art. 22 (2) of the Statutes for all eligible and complete applications. It is payable after submission of the external review report.
- 3.25 An annual listing fee shall be charged pursuant to art. 22 (2) of the Statutes to all Registered Agencies.
- 3.26 A registered agency can withdraw from the Register at any time by notifying the EQAR Secretariat in writing, however without any right for refund of any paid fees.

**4. Renewal**

- 4.1 In order to remain registered, agencies have to apply for renewal of registration every five years, based on a new external review.
- 4.2 The provisions for initial applications for inclusion on the Register (§§3.1-3.25) also apply to renewals accordingly, unless other provisions are made in this section.

**Deadlines**

- 4.3 A registered agency should apply for renewal of registration sufficiently early so that the external review of the agency is completed before expiry of inclusion.
- 4.4 Provided that a registered agency submits an application for renewal before expiry of inclusion as well as submits the new external review report within three months after expiry of inclusion at the latest, the agency shall remain on the Register until the Register Committee has decided on the application for renewal.
- 4.5 If the review report is not submitted on time, the agency will be removed from the Register until a decision on the application for renewal has been made.

**Decisions and consequences**

- 4.6 If the criteria for inclusion continue to be fulfilled the application for renewal shall be approved and registration renewed for five years from the date of the external review report.
- 4.7 If the criteria for inclusion are no longer fulfilled, the application shall be rejected and the agency shall be removed from the Register; §3.19 applies accordingly.

**5. Publication**

- 5.1 EQAR shall publish:

- a. A list of all eligible and complete applications for inclusion on the Register and for renewal of registration;
- b. All decisions by the Register Committee on those applications, including an account of the reasons for approval or rejection, the external review report and all documentation submitted with the application or obtained by EQAR according to §§3.15 and 3.19;
- c. Substantive Change Reports made by registered agencies (§6.1);
- d. Formal warnings according to §7.2;
- e. Decisions concerning a registered agency according to §8.4.

## Register Committee

Ref. RC/01.1

Ver. 3.0

Date 2015-06-11

Page 7 / 9

5.2 For all registered agencies the following information shall be published on the EQAR's website:

- a. name and contact details of the agency;
- b. decisions of the Register Committee and other documents according to §5.1;
- c. country in which the agency has its registered address;
- d. information on the agency's quality assurance activities;
- e. countries where the agency has conducted reviews;
- f. ENQA membership status of the agency;
- g. web links to the agency's reports .

## 6. Substantive changes

6.1 A registered agency shall notify EQAR of its own accord about changes to its legal form and status, amendments to its statutes and substantial changes in its process or methodology.

6.2 The Register Committee shall consider whether these changes warrant an extraordinary revision of registration.

## 7. Third-party complaints

7.1 Individuals or organisations that have substantiated concerns about a registered agency's compliance with the criteria for inclusion may bring those to EQAR's attention. The Register Committee shall consider whether a complaint is substantiated.

7.2 If the complaint is substantiated but relates to an isolated case and does not substantially affect the registered agency's fulfilment of the criteria for inclusion, the Register Committee shall issue a formal warning to the registered agency.

7.3 If the complaint is substantiated and leads to major concerns that the registered agency no longer fulfils the criteria for inclusion, the Register Committee shall initiate an extraordinary revision of registration.

7.4 Further details shall be specified in a Complaints Policy.

## 8. Extraordinary revision of registration

- 8.1 The Register Committee shall review its decision to admit a registered agency if substantial procedural errors were made in reaching the initial decision, if the initial decision was based on false information or evidence, or if there are major concerns that the registered agency no longer fulfils the criteria for inclusion.
- 8.2 Any concerns shall be based on information provided by the registered agency, official third-party complaints or publicly available information.
- 8.3 The registered agency shall be notified if a revision is initiated.
- 8.4 The Register Committee may
  - a. declare its decision void ab initio if the criteria for inclusion were evidently not fulfilled when the decision was made; or
  - b. exclude a registered agency if it evidently no longer fulfils the criteria for inclusion, as from the date on which it ceased to fulfil the criteria; or
  - c. reduce the remaining validity period of the registered agency's inclusion, as appropriate, if there are serious concerns about the applicant's fulfilment of the criteria and the Register Committee considers it impossible to make a judgement without a new review.
- 8.5 The registered agency concerned shall be granted the right to make representation to the Register Committee before any decision is taken with an appropriate deadline of not less than 30 days. The registered agency shall be notified of the decision and its grounds.

### Register Committee

Ref. RC/01.1

Ver. 3.0

Date 2015-06-11

Page 8 / 9

## 9. Conflict of Interest Policy

- 9.1 A member of the Register Committee who has a conflict of interest with regard to a particular application may not take part in processing or making decisions on it. A member is assumed to have a conflict of interest if, for example:
  - a. s/he receives financial compensation from the applicant as an employee, consultant or subcontractor;
  - b. s/he holds a position, whether paid or unpaid, with the applicant, for example as a member of a commission or board;
  - c. s/he was involved in the external review of the applicant;
  - d. s/he holds a position in an entity<sup>2</sup> currently being reviewed by the applicant;
  - e. any of the above applies to a family member;
  - f. any of the above applied until recently;

<sup>2</sup> The term "entity" may refer to any functional or organisational unit that is subject to quality review, such as a higher education institution, a department or a study programme; it does not necessarily refer to a legal entity or require any particular degree of organisation.



- 9.2 A member is expected to declare a conflict of interest of his/her own accord, or raise any potential conflict of interest related to another member.
- 9.3 In determining whether the members of the review panel are independent, §9.1 applies accordingly.
- 9.4 Applicants shall notify the President of the Executive Board if they consider that a member of the Register Committee has a conflict of interest with regard to their application.
- 9.5 Any disputes shall be settled by the President of the Executive Board in consultation with the Chair of the Register Committee.

## Register Committee

**Ref.** RC/01.1

**Ver.** 3.0

**Date** 2015-06-11

**Page** 9 / 9