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ANNEX: PROCEDURES FOR APPLICATIONS

Version 3.0 – January 2013
In 2008, EQAR officially opened for applications from quality assurance agencies for inclusion on the Register and published its first Procedures for Applications, as well as a Guide for Applicants.

Based on four years of experience and taking into account the recommendations by the international expert panel that evaluated EQAR externally in 2011, the Procedures have been revised in 2012.

Substantial compliance with the European Standards and Guidelines for Quality Assurance (ESG) is the main criterion for inclusion on the Register. The Register Committee makes its decisions on the basis of an external review, organised by a third party. It is thus crucial that this review is independent and reliable, and the Procedures thus stipulate a number of important eligibility requirements that concern the conduct of an external review.

Only when these eligibility requirements are fulfilled does the Register Committee consider the core question of whether an applicant quality assurance agency is in substantial compliance with the ESG.

This Guide for Applicants is intended to serve as an explanation of EQAR’s official documents and procedures, gathering all relevant information for applicants and review coordinator in one place. The Guide for Applicants is, however, not a formal document and only EQAR’s Statutes, Procedures for Applications (see Annex, p. 25) and Appeals Procedure (available on the EQAR website) are binding for its bodies.

This Guide is not a static document: it is updated as appropriate, based on the feedback received from applicants and EQAR’s own experience in dealing with applications.

Readers are thus invited to make any comments and suggestions for improvement of this Guide, either via the regular feedback questionnaires or directly to the EQAR Secretariat.

Please check the EQAR website regularly for updates of the Guide as well as to consult the Frequently Asked Questions (FAQ), which are updated more frequently than the Guide:

http://www.eqar.eu/application/faq-for-applicants.html

All official documents, this Guide and further information on EQAR are available on the EQAR website: http://www.eqar.eu/
Background

EQAR was founded in March 2008 by the E4 Group (European Association for Quality Assurance in Higher Education, ENQA, European Students’ Union, ESU, European University Association, EUA, and European Association of Institutions in Higher Education, EURASHE) and is managed jointly by European governments and stakeholder organisations.

The idea of a European register of quality assurance agencies was welcomed by the ministers of the Bologna signatory countries in 2005 at their Bergen summit, as part of the “Standards and Guidelines for Quality Assurance in the European Higher Education Area”, and developed further by the E4 Group thereafter. In 2006, the European Parliament and the Council of the European Union endorsed the idea to establish a European register of quality assurance agencies in a joint recommendation.

At the London ministerial meeting (2007) ministers endorsed the final proposal and operational model prepared by the E4 Group, and mandated the four organisations to establish EQAR.

Structure of EQAR

EQAR is an international non-profit association under Belgian law (AISBL/IVZW) with the objective of independently operating the register of quality assurance agencies.

Members of the association are the four founders (ENQA, ESU, EUA and EURASHE), BUSINESSEUROPE, Educational International and European governments that have decided to support the operation of EQAR and become involved in its governance.

The EQAR Association has been structured to allow the Register Committee, the body that decides on inclusion of quality assurance agencies on the register, to operate independently, and to ensure appropriate checks and balances between the different bodies responsible for running the association.

The Register Committee is composed of ten independent quality assurance experts, who by-elect their own chair. They are nominated by the various stakeholder organisations, but serve in their personal capacities and are not allowed to hold representative functions with the nominating organisations. Representatives of five governments observe the Committee’s proceedings.
1. Eligibility

The eligibility requirements address two sets of issues: the applicant’s type of activities, and the external review of the applicant.

Only if all these eligibility requirements (Procedures §1.1 – 1.16) are fulfilled, does the Register Committee proceed to consider the applicant’s substantial compliance with the European Standards and Guidelines (ESG, see chapter 2).

Determination of Eligibility

It will be verified as a first step when an application is considered whether the applicant is eligible in terms of its activities and whether the external review adhered to all requirements. Should the application not be eligible, it is refused without making any judgement on the applicant’s substantial compliance or not with the ESG.

Potential applicants may choose to confirm their organisational eligibility as well as the adherence of a planned external review to the requirements before making an actual application. This is to avoid the risk of undertaking a costly external review process that cannot be used for an application afterwards.

In order to confirm eligibility, potential applicants should address a request to the EQAR Secretariat (by email), including a description of the applicant’s activities or information on the planned external review process (coordinator, draft Terms of Reference), depending on what the request concerns. There are no specific forms for these requests.

If eligibility can be determined clearly and unambiguously on the basis of that information, the EQAR Secretariat will confirm eligibility or non-eligibility.

Otherwise, the case will be considered by the Register Committee. A potential applicant may also specifically request that its case be considered by the Register Committee.

A confirmation of eligibility before an actual application is not binding if it is later revealed that the applicant’s activities or the actual external review process, respectively, differ substantially from the information that was submitted.

Activities

The introductory sections to the ESG and the standards themselves indicate that parts 2 and 3 of the ESG are applicable to organisations whose core activity (or one of their core activities) is to review,
evaluate, accredit or audit higher education institutions, organisational units or individual study programmes.

Thus, only organisations (or sub-units thereof) that carry out such activities themselves are eligible for inclusion on the Register. Organisations that do not directly perform such activities will not be considered for inclusion on the Register.

The complex realities of different systems may not always allow a sharp distinction between bodies with direct responsibility for external quality assurance and meta-level bodies with standard-setting or other similar responsibilities. Eligibility is always considered carefully based on the individual applicant’s own merits.

External Review

Applicants are required to provide evidence of their substantial compliance through an independent external review of their activities. Such reviews are organised by third parties and are not under EQAR’s supervision.

The nature of the European Standards and Guidelines (ESG) makes it difficult to assess an agency’s compliance based just on papers, application forms or correspondence. Reaching a decision on whether or not an activity, or a certain way of doing things, can be considered substantially compliant with the ESG is a complex process and the external review is the main basis for the Register Committee’s judgements.

It is of utmost importance that the external review is sound and reliable, and provides the Register Committee with sufficient information. The external review process must therefore adhere to some important requirements, which are set out in the Procedures for Applications and explained in the following.

In addition to the formal requirements the Register Committee, in November 2010, has published a set of Recommendations for External Reviews in order to assist all those involved in the conduct of external reviews of quality assurance agencies. The Recommendations are included at the end of this chapter.

Terms of Reference

The Terms of Reference for an external review should normally be agreed between the applicant and the review coordinator (see below) in advance. This ensures that all parties involved are clear about their roles and responsibilities and that the review process is properly defined.
The Terms of Reference should at least define the purpose of the external review, the composition of the review panel and outline key steps in the review process.

The EQAR Secretariat is at applicants’ disposal to answer questions with regard to EQAR’s rules and requirements that may arise when planning an external review.

**Purpose**

An assessment of the level of compliance with the ESG should be clearly defined as one purpose of the external review.

It is further advisable that explicit reference is made in the Terms of Reference to the fact that the review report will be used for an application for [renewal of] inclusion on EQAR. This will help to avoid misunderstandings during the process.

In some cases a review might have other, additional purposes, such as an independent overall assessment of the applicant’s performance. Such a review with additional purposes might as well be used for an application to EQAR, as long as compliance with the ESG is addressed.

**Principle of Independence**

The external review needs to be conducted in an objective and unbiased manner. The review coordinator and the review panel need to be completely independent from the applicant. It has to be ensured that neither the review coordinator nor any review panel member has a conflict of interest.

EQAR attaches high importance to the independence of the external review, as it has to rely on the evidence and analysis set out in the review report and the judgements made by the review panel.

The review coordinator has an important responsibility in that respect and is required to sign a No-Conflict-of-Interest Declaration (see Application Documents below).

**Review Coordinator**

The review coordinator is the organisation that conducts the practical organisation of the review process and is sometimes also referred to as “sponsor”. EQAR does not coordinate reviews itself.

The applicant itself or the commissioner of the review (for example a national authority, such as the ministry of higher education) has to identify a suitable review coordinator. A common example is a review coordinated by ENQA.
The review coordinator plays an important role in developing Terms of Reference, recruiting an independent review panel and being responsible for the overall management of the review process. The coordinator also has to provide appropriate guidance to the review panel throughout the whole process.

Therefore it is crucial that the review coordinator is completely independent from the applicant, to guarantee an unbiased and objective process. Furthermore, the coordinator must have the necessary professional capacity to organise an external review, so that it can adequately fulfil all its responsibilities.

Review Panel
The review panel must consist of at least four persons. Those need to be fully independent from the applicant and should possess the knowledge, expertise and experience required to review the applicant’s compliance with the ESG. The roles of Chair and Secretary are often foreseen amongst the review panel members.

The review panel should comprise of members who represent a broad range of expertise and cover the perspectives of the different stakeholders in higher education. There must always be at least one student and one academic staff member of a higher education institution on the review panel.

To ensure an international dimension at least one review panel member must come from a country other than the applicant’s.

In order to safeguard the independence of review, review panel members must have no conflict of interest in exercising their role. The coordinator is responsible for ensuring that in recruiting the panel and throughout the process. The CVs of the panel members have to be submitted to EQAR with the application.

Review Report
The external review report needs to provide sufficient evidence of the applicant’s substantial compliance with the ESG. The Register Committee’s decisions are primarily based on the external review report, the quality and reliability of which are therefore of crucial importance.

The report should clearly address each relevant ESG (standards 2.1 to 2.8 and 3.1 to 3.8) and reflect on the agency’s compliance with it.

In reviews that will be used for renewal of an agency’s registration, it is expected that the review report explicitly addresses the issues that
were flagged when the agency was admitted to the Register (see Flagged Issues in chapter 4).

Further guidance on the content of the external review report is contained in the Recommendations for External Reviews below.

The review report should be agreed amongst all review panel members, although it might well contain majority judgements or opinions on certain issues.

The review panel should provide the applicant with the draft report for comment on factual errors before it is finally agreed upon. Should the applicant still have comments on the final report, those may be submitted to EQAR with the application.

The review report should be submitted to EQAR including all annexes and dissenting opinions, where such exist.
The following recommendations have been drawn from ‘good practice’ evident in the applications considered by the Register Committee. These recommendations aim to be useful to all those involved in the external review of quality assurance agencies, and the Register Committee invites them to take these recommendations into account.

The recommendations express what the Register Committee has considered helpful in making a judgement on an agency’s compliance with the European Standards and Guidelines (ESG). Their aim is to promote the development of clear and comprehensive external review reports that form a reliable basis for fair and consistent decision-making on applications.

The recommendations do not aim to be exhaustive. External reviews of quality assurance agencies frequently have additional, other purposes than assessing compliance with the ESG and serving as a basis for inclusion on EQAR, and these additional purposes may require other features.

The recommendations should be seen as good practice which might require adaptation depending on the profile and context of the individual agency under review. They should not narrow the room for different approaches and methodologies to give effect to the ESG.

1. While the review might have various purposes, it should be clear that evaluating the extent to which the agency complies with the ESG is one of the review’s purposes. The ESG should be clearly mentioned as a reference point of the review.

2. Where an agency also performs activities that might not be considered external quality assurance in the sense of the ESG, this should be pointed out in the review report. In order to enhance transparency the review report should specify all activities which were not considered “ESG-relevant” by the panel and thus were disregarded in the review.

3. Where an agency operates in several countries, the review report should normally address the agency’s activities in all countries, and not be limited to its “home” country. For the sake of clarity the review report should specify which activities
in which countries the panel took into account, and if any were disregarded for specific reasons.

4. The review report should explicitly address all standards of parts 2 and 3 of the ESG. It benefits readability and comprehensibility if the report contains for each standard:
   - A summary of the evidence reviewed
   - A weighing analysis of the agencies’ activities in the light of the standard
   - An argued conclusion as to the agency’s substantial compliance with the standard

For those standards that refer to activities rather than organisational aspects (ESG 2.1 to 2.7 and ESG 3.7), the report should address each activity/quality assurance scheme separately.

5. If an agency is already registered on EQAR, it should ensure that the review panel is informed of the matters flagged in the approval decision. These should be addressed in the review report.

These recommendations should be considered in conjunction with and in addition to the mandatory requirements for external reviews, as set out in the Procedures for Applications:

- The review has to be coordinated by an organisation that is independent of the applicant. The coordinator has the responsibility to appoint an independent review panel. (see §§1.7, 1.12)
- The review panel has to include at least four persons who possess sufficient knowledge, experience and expertise. The panel has to include at least one academic staff member, one student and one international member. (see §§1.10, 1.11)
- The self-evaluation report has to be a critical self-reflection on the applicant’s compliance with the ESG. (see §§1.13)
- The review report has to be agreed by all panel members. It has to provide sufficient evidence for substantial compliance with the ESG. (see §§1.14 – 1.16)

(November 2010, Summary Report of the First Register Committee)
2. Criteria for Inclusion

Quality assurance agencies that wish to be included on the register need to demonstrate that they operate in substantial compliance with the European Standards and Guidelines (ESG). Compliance with the ESG will only be considered if the application fulfils all eligibility requirements (see chapter 1).

European Standards and Guidelines (ESG)


They consist of three parts, addressing:

1. Internal quality assurance within higher education institutions
2. External quality assurance of higher education
3. External quality assurance agencies

Naturally, parts 2 and 3 thereof are those with direct relevance to quality assurance agencies and thus serve as criteria for inclusion on the Register.

It should, however, be noted that standard 2.1 expects part 1 of the ESG to be considered in external quality assurance activities. The extent to which part 1 is reflected in the agency’s work with higher education institutions and programmes thus plays an important role, too.

This Guide assumes that the reader is familiar with the ESG. Please consult [http://www.eqar.eu/application/requirements/esg.html](http://www.eqar.eu/application/requirements/esg.html) for further information and the text of the ESG.

Substantial Compliance

Since the ESG aim to be “applicable to all higher education institutions and quality assurance agencies in Europe, irrespective of their structure, function and size, and the national system in which they are located”, they focus on principles rather than on prescribing procedural details:

“It has not been considered appropriate to include detailed “procedures” in the recommendations of this chapter of the report, since institutional and agency procedures are an important part of their autonomy. It will be for the institutions and agencies themselves, co-operating within their individual contexts, to decide
Bearing this in mind, the ESG can obviously not be used as a checklist. EQAR expects applicants to be in substantial compliance with the ESG: that is, if a standard is not fulfilled by the letter of the law, the applicant might still be considered substantially compliant if the stipulated principle is appropriately respected in practice.

The different standards are often linked to each other and there is sometimes considerable overlap between them. Furthermore, some standards are much broader than others. The Register Committee therefore makes a holistic judgement on an applicant’s substantial compliance with the ESG, rather than following any numerical rules.

Geographical Scope

Several quality assurance agencies also operate in other countries than their base country. Users of the Register will assume that all registered quality assurance agencies always work in substantial compliance with the ESG.

Therefore, as a rule, applicants are expected to comply substantially with the ESG (in their evaluation, audit and accreditation activities) wherever they operate within or outside the European Higher Education Area (EHEA).

ENQA Membership

Full membership of ENQA is normally considered as satisfactory evidence for substantial compliance with the ESG, since agencies also need to evidence their substantial compliance with the ESG in order to become full member of ENQA.

Considering that those agencies and their external review processes have undergone sound scrutiny by ENQA, the Register Committee can sometimes build upon ENQA’s considerations: for instance, if ENQA has already addressed certain questions, EQAR might use that information and be able to solve certain issues more efficiently.
The Register Committee decides on inclusion of a quality assurance agency following a formal application. The Procedures for Applications set out the application process described below. It aims to be clear, transparent and fair.

Application Documents and Forms

A complete application comprises of the following documents:

1. Application Form
   Please make sure that the Application Form is duly completed and signed by a person authorised to engage legally the applicant vis-à-vis third parties.

2. Further Information Sheet
   The Further Information Sheet should be completed to provide EQAR with all necessary information to be published on the Register in case the application is successful.

3. No-Conflict-of-Interest Declaration
   The No-conflict-of-interest Declaration needs to be duly completed and signed by the review coordinator, with the full CVs of all review panel members attached.

4. Terms of reference of the external review

5. Self-evaluation report provided for the external review
   Only the report proper needs to be submitted (and thus be available in English). There is no need to submit all appendices.

6. External review report
   The external review report is expected to be published by the applicant before making its application.

The following documents should be included where applicable:

- Applicant’s statement on the external review report
- For ENQA full members, a confirmation letter (or equivalent proof of ENQA membership); including prior correspondence between the applicant and ENQA

EQAR will publish the Register Committee’s decision on the application, see chapter 5 on publication. Otherwise, EQAR will treat all documents, except the external review report and the Further
Information Sheet, confidentially and will not disclose them to third parties, unless obliged to do so by law.

All forms are available from the EQAR website at:

http://www.eqar.eu/application/forms.html

**Supplementary Documentation**

In addition to the documents mentioned above, applicants might wish to include supplementary documents in their application for inclusion on the Register. This might be appropriate especially where changes have been introduced after the completion of the external review on which the application is based, or where recommended improvements have already been implemented.

Applicants should, however, bear in mind that, as a rule, the external review report serves as the main basis for EQAR’s decision making. Therefore, supplementary documentation should only be as extensive as necessary, and remain as concise as possible. Supplementary documentation should add to the analysis in the external review report, and should not replace it.

**Language**

Please note that all documents mentioned above have to be submitted in English. If original documents are in another language the applicant is expected to arrange for their translation.

**Format and Submission of Applications**

All application documents should be sent by email to:

application[at]eqar.eu

In order to ensure proper readability across all platforms and to prevent any unintentional modifications, all documents should be sent as PDF files (Portable Document Format). Please do not use other formats.

**Deadlines**

The Register Committee convenes twice a year. Before each meeting there is a deadline for which complete applications must have reached the Secretariat in order to be considered at that meeting. The deadlines are published on EQAR’s website.

**Requests for Information or Clarification**

Rapporteurs are assigned to each application in order to prepare the Register Committee’s deliberations. In some cases, rapporteurs
might request additional information or clarification from the applicant or the external review panel before the Register Committee considers the application at its meeting.

This happens if a request can be plausibly answered in a 2–3 week period. If such a request is made, it usually reaches the applicant about 3–4 weeks after the application deadline.

If a request is referred to the review panel or coordinator, the applicant will always receive a copy for information.

Response and Possibility of Withdrawal

Following consideration of its application by the Register Committee, the applicant will receive an official response by EQAR, normally about two months after the application deadline.

There are three possible responses:

1. The Register Committee approves the application and the applicant is admitted to the Register.

2. The Register Committee requests further information or clarification from the applicant, the review panel or coordinator (the applicant receives a copy of any requests to the review panel or coordinator).

3. The Register Committee considers rejecting the application. The applicant receives an account of the grounds for which rejection is considered and is invited to make additional representation before the Register Committee takes a final decision.

In cases 2 and 3, the application is deferred to the next meeting of the Register Committee. Applicants will have 2–3 months to submit additional information or make additional representation, respectively.

The applicant has the possibility to withdraw the application before the stipulated deadline. Should EQAR not receive any notice by the deadline this will be deemed a withdrawal of the application.

The Register Committee will not take any decisions on withdrawn applications, and no decision will be published.

Rejection

If an application is rejected, the applicant receives a reasoned rejection decision in writing. The rejection decision will only be published once it is final, i.e. after the deadline for appeal has passed.
and all appeals have been dealt with (see chapter 9) for details on the possibilities of appeal.

A re-application will normally only be possible after a 3-year period and has to be based on a new external review. If the issues that have led to rejection can likely be addressed within a shorter period of time, or if it can be verified on the basis of documentation submitted by the applicant itself whether they have been satisfactorily addressed, respectively, the rejected applicant will be invited to re-apply earlier or without a new external review. This will be specified in the rejection letter, if the case.

**Fees**

There are two types of fees, a one-time application fee and an annual listing fee.

After submission of an application you will receive an invoice for the application fee. The application fee is not refundable.

If the application is approved, the annual listing fee must be paid for each year of inclusion on the register.

Agencies will receive an invoice for each calendar year (for the first time a few weeks after their inclusion, then in the beginning of each year) requesting payment of the listing fee for full months included on the register in the respective year.

As an example, an agency included from 15.4.2013 until 31.5.2015 would receive the following invoices (excl. VAT):

- **2013:** 8 full months (May – December) 688,00 €
- **2014:** full year 1 032,00 €
- **2015:** 5 full months (January – May) 430,00 €

Applicants that have their registered office in a state party to the European Cultural Convention will be charged the reduced “EHEA” fee. All other applicants will be charged the “Others” fee.

The following fees [in EUR] will be charged:

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<th>EHEA</th>
<th>Others</th>
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<td>ex. VAT</td>
<td>incl. VAT</td>
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<tr>
<td><strong>application fee</strong></td>
<td>1 032,00</td>
<td>1 248,72</td>
</tr>
<tr>
<td><strong>listing fee</strong></td>
<td>86,00</td>
<td>104,06</td>
</tr>
</tbody>
</table>
If an application is approved, the agency is admitted to the Register for a period of five years, counted from the date of the external review report.

The ESG themselves specify that agencies have to undergo a “mandatory cyclical external review of [their] activities at least once every five years” (see ESG 3.8).

Application for Renewal

The renewal of registration every five years follows the same process as for initial applications, as set out in this Guide. Each application for renewal must be based on a new external review.

In order to ensure an uninterrupted registration on EQAR, a registered agency has to submit an application for renewal before expiry of its registration. The agency then has a period of maximum three month to submit an external review report and all other required documents.

Only if these deadlines are respected, the registration will remain fully active and valid until a final decision is made on the application for renewal.

Please note that there is no possibility to grant any exceptions. Registered agencies are advised to plan their periodic reviews with sufficient spare time. The three-month period is intended to cater for timing difficulties or unexpected delays.

Flagged Issues

In its approval decisions, the Register Committee frequently flags certain issues for particular attention at the time of renewal of registration.

Such flags relate to areas in which compliance with the ESG is not obvious, potentially at risk or where changes are to be expected. These issues are clearly indicated in the approval decision.

Registered agencies are expected to ensure that the review coordinator and panel are informed of these matters, and address them in the external review report that will serves as a basis for renewal of registration.
5. Publication of Decisions

The EQAR Procedures for Applications foresee that all decisions by the Register Committee on eligible applications are published. This has been decided in the interest of greater transparency and to avoid misinformation about the reasons for the Register Committee’s decisions.

Both approval and rejection decisions are published, including the same account of the reasons that the applicant receives.

Only decisions on eligible applications [see chapter 1] are published. That is, a refusal for reasons of the external review process not complying with EQAR’s requirements, or the applicant not being considered eligible due to the nature of its activities, will not be published.

Rejections will only be published once they are final, i.e. when the deadline for appeal has passed or all appeals have been dealt with [see also chapter 9 on appeals].

Register Entry

In case of approval, the applicant will be admitted to the Register of quality assurance agencies at http://www.eqar.eu/register.html

The information will be published as provided on the Further Information Sheet.

A specimen entry is shown on the following page.
Specimen agency for accreditation in Central Europe (SPACE)

Musteragentur für Akkreditierung in Zentraleuropa

Website: www.space.com
Admission valid until: 2013-02-28 (listed since 2009-07-07)
Based in**: Slovenia

Contact details

Address: Celovska cesta 10
1000 Ljubljana
Slovenija
Contact Person: Anna Mustermann
Phone: +386 1 225 21 00
+386 1 225 21 01
Fax: +386 1 225 99 99
Email: anna@space.com

Information on the agency's work

SPACE was founded in 1992 as a regional agency for quality assurance in Central Europe. After initially operating in Austria, Czech Republic and Slovenia SPACE has since widened its activities to numerous additional countries.

Agency operates in**: Germany; Austria; Bosnia and Herzegovina; Croatia; Czech Republic; Hungary; Liechtenstein; Switzerland; Slovakia; Slovenia
Specialisation: SPACE is specialised on higher education programmes in the sector of aeronautics.
Types/Methods of quality assurance used: SPACE normally provides accreditation (based on self-evaluation and peer review) of the level of study programmes. For departments or institutions that already had at least one programme accredited by SPACE it also provides institutional accreditation.

Review reports: www.space.com/review/programme/reports.html
ENQA membership: ENQA full member since May 2008
Report(s): [back]

* This is the country which the agency has its registered address in. Information on the formal status of the agency in the country's education system as well as on the formal impact of the agency's decisions, if any, should be obtained from the competent national authorities.
** This is a list of countries provided by the agency for informational purposes. It does not imply any official recognition of the agency's quality assurance results or decisions by the competent authorities in these countries, for whatever purpose.

This is a specimen page to illustrate how entries on the register look. All information is entirely fictional. Should there be any similarities to (an) existing establishment(s), these are completely coincidental and unintentional. No prejudice on future (non-)inclusion of any agency shall be constituted.
All registered agencies are expected to notify EQAR about changes to their legal form and status, amendments to their statutes and substantial changes in their process or methodology.

It is the registered agency’s responsibility to inform EQAR of substantive changes that have occurred or are going to occur. Changes should be reported as soon as the changes are sufficiently clearly defined to allow providing comprehensive information on their nature and impact. This may be before or after the changes actually take effect.

EQAR may also become aware of substantive changes in other ways. This may be either by third-party information received under the Complaints Policy, or on the basis of any information that is in the public domain.

**Objective of Substantive Change Reports**

Registered agencies are requested to inform EQAR of substantive changes so that EQAR will become aware of situations were an agency’s current practice differs substantially from the situation when it was reviewed against the ESG and admitted to the Register.

The requirement to report substantive changes is not intended to discourage change and innovation among registered agencies, and EQAR aims to minimise the burden on registered agencies.

EQAR therefore suggests that registered agencies keep their information on substantive changes as brief as possible, while giving a comprehensive picture of the nature and impact of the changes.

EQAR will normally merely take note of substantive change reports and update information on the Register, if necessary. Only in cases of serious concerns whether a registered agency continues to comply substantially with the European Standards and Guidelines (ESG) will the Register Committee consider further action, see chapter 7.

**Procedure and Template**

Please refer to the EQAR website for additional guidance on reporting substantive changes, including a report template:

7. Extraordinary Review of Registration

There are two possible reasons for an extraordinary review of an agency’s registration before the 5-year period has elapsed:

1. The initial decision to admit an agency was substantially flawed, either by a substantial procedural error or by being based on false information or evidence.

2. Substantive changes (see chapter 6) in the agency’s status or operation have led to a situation in which the agency no longer substantially complies with the European Standards and Guidelines (ESG).

If the Register Committee initiates a review of registration, the agency concerned will be notified and invited to make representation on the matters of concern before any decision is taken.

Possible Consequences

The Register Committee may take one of the following decisions:

1. If the criteria for inclusion were not fulfilled when the initial decision (to include the agency) was made, the inclusion may be declared “void ab initio”. That is, the agency is removed from the Register immediately and is deemed to have never been rightfully included.

2. If the criteria for inclusion are evidently no longer fulfilled (for example, due to a substantial change of the agency’s methodology that is in obvious contradiction with the ESG’s principles) the agency may be removed from the Register.

3. If there are substantial concerns about the agency’s compliance with the ESG, but it is not possible to judge clearly whether or not the agency still fulfils the criteria, the remaining period of inclusion on the Register may be reduced, thus triggering a need for an earlier external review.

4. If the concerns reveal to be unsubstantiated or minor, the Register Committee may conclude the extraordinary review with no further action.
8. No-Conflict-of-Interest Policy

EQAR attaches high importance to avoiding any conflict of interest of review panel members, review coordinators and members of its own decision-making bodies.

The EQAR Procedures stipulate that the review coordinator, the review panel and the Register Committee members considering an application need to be independent and without conflict of interest.

The Procedures refer to a few examples of who might be considered having a conflict of interest:

- Employees or consultants of an applicant, as well as members of an applicant’s statutory bodies
- Members of the review panel reviewing an applicant
- Those holding a position in a higher education institution or programme currently under review by the applicant

These are examples and there might be further circumstances that constitute a conflict of interest. Also, a person who has been in a situation as mentioned above until very recently or has a close relative who is in such a situation might have a conflict of interest.

As a general rule, EQAR expects all involved parties (applicants, review coordinators, review panels and members of its statutory bodies) to address (potential) conflicts of interest of their own accord.

**Review Coordinators and Panels**

In cases where the applicant itself initiates or commissions its external review, it is the applicant’s responsibility to identify a review coordinator who is sufficiently independent and without conflict of interest. In cases where a national authority coordinates the review or commissions an organisation to coordinate the review, it is the authority’s responsibility to ensure independence.

In their Application Form, applicants will be requested to declare in writing that the review coordinator is sufficiently independent from them.

The review coordinator bears the responsibility to ensure the independence of all review panel members. It is expected to take appropriate measures to prevent appointing any review panel members who might have a conflict of interest.
The review coordinator will be required to declare, using the No-Conflict-of-Interest Declaration, that appropriate measures to avoid any conflict of interest of the review panel were taken and that the coordinator has no conflict of interest itself. The full CVs of all review panel members have to be attached to the Declaration.

**EQAR Decision-Making Bodies**

Members of EQAR’s decision-making bodies who have a (potential) conflict of interest are expected to refrain from taking part in the decision-making process and to declare this of their own accord.

Should an applicant, a review coordinator or a review panel member consider a member of an EQAR body to have a conflict of interest, this should be addressed to the President of the EQAR Executive Board, either directly or via the EQAR Secretariat.

**Addressing Conflicts of Interest**

Despite the general rule that a conflict of interest should be addressed of the person’s own accord, there might be cases where an applicant or person involved in the review considers an involved person or a member of an EQAR body to have a conflict of interest.

If that is the case, the person may bring this to the attention of the EQAR Secretariat or the President of the EQAR Executive Board.
9. Appeals Procedure

Applicants may appeal decisions of the Register Committee on procedural grounds or in case of perversity of judgement. The Appeals Committee has the responsibility to consider appeals.

Grounds of Appeal

The possible grounds of appeal are limited to procedural errors and perversity of judgement. Mere disagreement with the Register Committee’s judgement does not constitute a valid ground of appeal.

An appeal on procedural grounds may be lodged if EQAR’s Statutes, Procedures or other regulations, any applicable legislation or generally accepted principles of fair and equal process were violated.

Perversity of judgement may be claimed if a decision is clearly unreasonable or disproportionate in the light of the available evidence, for example in that evidence that was at EQAR’s disposal had not been duly considered.

Possible Consequences

If the Appeals Committee accepts the appeal, the Register Committee’s decision is voided and the case referred back to the Committee. The Register Committee will take due account of the grounds of appeal and the reasoning of the Appeals Committee in taking a new decision.

An appeal is rejected if it is either unsubstantiated or not based on valid grounds.

Process

Appeals need to be submitted to EQAR in writing within 90 days of being notified of the rejection of an application. The appeal has to clearly specify on which grounds it is lodged. The Appeals Committee will decide on the appeal within 120 days.

Before taking a decision the Appeals Committee might request clarification or comments on the grounds of appeal from the Register Committee, the review coordinator, the review panel or the applicant.