

Procedures for Applications

Register Committee

1 December 2012

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**” are the Standards and Guidelines for Quality Assurance in the European Higher Education Area, as adopted by the European ministers responsible for higher education in Bergen on 20 May 2005, or a succeeding document if any were adopted.

“**Europe**” hereinafter refers to all countries participating in the Bologna Process.

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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 Before considering the applicant's compliance with the criteria for inclusion the Register Committee shall assess whether the eligibility requirements (concerning the organisation and the external review process) are fulfilled.
- 1.2 If the eligibility requirements are not fulfilled the application shall be refused without any possibility of additional representation and no fees shall be due.

Eligible organisations

- 1.3 Organisations (or a clearly identified sub-unit thereof) that directly conduct external quality assurance reviews of higher education institutions, their organisational units (faculties, departments, etc.) or study programmes are eligible for registration.

- 1.4 Registration is open to organisations operating in Europe, regardless of whether they are based in Europe or outside, and regardless whether they are national or international in nature. This is, however, notwithstanding the requirements of ESG 3.2.

External review

- 1.5 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.

Coordinator

- 1.6 The review shall be coordinated by a recognised national authority or another organisation that has the necessary professional capacity.
- 1.7 The Review Coordinator shall be independent of the applicant. The review shall be conducted in an unbiased, objective and independent manner.
- 1.8 The Review Coordinator shall provide the review panel with appropriate guidelines for exercising its role.
- 1.9 The Review Coordinator and the applicant should agree on the terms of reference.

Review panel

- 1.10 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.
- 1.11 The review panel members shall represent a range of expertise, covering the different perspectives of the key stakeholders. 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.
- 1.12 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. §8.1 applies respectively.

Self-Evaluation Report

- 1.13 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.

External review report

- 1.14 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.

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- 1.15 The external review report shall provide sufficient evidence of the applicant's compliance with each of the ESG in parts 2 and 3. It should encompass a summary of evidence, an analysis and a conclusion for each of the standards.
- 1.16 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.

Determination of eligibility

- 1.17 Potential applicants may contact the EQAR Secretariat to confirm their organisational eligibility and whether their (planned) external review process adheres to the eligibility requirements. If an applicant opts not to do so eligibility will be determined as first step of the application process.
- 1.18 Organisational eligibility is determined on the basis of a description of the potential applicant's activities.
- 1.19 Eligibility of a planned external review process is decided on the basis of information on the Coordinator and draft Terms of Reference.
- 1.20 Where eligibility can be determined clearly and unambiguously based on the facts, the Secretariat may confirm eligibility or non-eligibility. The potential applicant may, however, request that its case be considered by the Register Committee.
- 1.21 In all other cases, the Register Committee shall consider eligibility.
- 1.22 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.

2. Criteria for inclusion

- 2.1 To be included in the Register, applicants need to demonstrate that they operate in substantial compliance with the ESG, attested through an external review in line with the eligibility requirements.
- 2.2 Parts 2 (2.1 – 2.8) and 3 (3.1 – 3.8) of the ESG shall be directly relevant for inclusion on the Register.
- 2.3 Full membership of ENQA normally constitutes satisfactory evidence for substantial compliance with the ESG.
- 2.4 The Register Committee may adopt policies to explain its understanding and application of these Procedures in specific cases or circumstances. They shall be published. The General Assembly shall be notified of any policies adopted.

3. Application process

- 3.1 Applications shall be submitted to the Secretariat as specified in the Guide for Applicants and the EQAR website.
- 3.2 The Applicant can withdraw the application any time before the stipulated deadline for submission of additional information (cf. art. 9 (2)) or for

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making additional representation to the Register Committee (cf. art. 10 (2)), but not thereafter.

Documents

3.3 All applications shall consist of the following documents in English:

- a. Application form
- b. Terms of reference of the review
- c. No-conflict-of-interest declaration by the Review Coordinator, including full CVs of all Review Panel members
- d. Self-evaluation report that has been submitted for the external review
- e. External review report
- f. Applicant's statement on the external review report, if applicable
- g. Documentation of the applicant's application for ENQA membership including documentation supporting the reasons for approval, if applicable

3.4 Any other documents that are submitted should be only as extensive as necessary and as concise as possible.

3.5 The external review report shall be made available in the public domain by the applicant before application. All other documents shall be treated as confidential by EQAR and shall not be disclosed to any third parties.

Decision making on applications

3.6 The Register Committee shall make its decision based on the documents filed with the application and further information acquired in accordance with these Procedures.

3.7 In case of a substantial lack of relevant information or need for clarification, EQAR may request further 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.

Possible decisions and consequences

3.8 The Register Committee shall decide on every eligible application and either approve or reject the application.

3.9 If an application is approved the Register Committee may flag certain matters for particular attention when considering a potential application for renewal of inclusion.

3.10 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

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additional representation within the deadline shall be deemed as withdrawal of the application.

- 3.11 Applicants shall be notified of all decisions in writing, including an account of the reasons.
- 3.12 Rejected applicants may only reapply after a 3-year period has elapsed from the date of the external review report and such an application shall be based on a new external review. The Register Committee may invite the rejected applicant to reapply earlier or without 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.
- 3.13 The previous does not apply to applications that were withdrawn or that were rejected on the grounds of non-eligibility.

Fees

- 3.14 An application fee shall be charged pursuant to art. 22 (2) of the Statutes to all Applicants. It is payable after an application has been made, unless the application is refused on grounds of non-eligibility.
- 3.15 An annual listing fee shall be charged pursuant to art. 22 (2) of the Statutes to all Registered Agencies..

4. Duration of inclusion and renewal

- 4.1 Following admission, the applicant shall be included in the Register for five years from the date the external review report has been completed.
- 4.2 Provided that an application for renewal is submitted to EQAR before expiry of inclusion, a Registered Agency may remain on the Register until the Register Committee decides on the application for renewal. The Registered Agency has to submit all documents to complete this application for renewal, in particular the new external review report, within three months after expiry of inclusion at the latest; should the Agency fail to do so its entry is removed from the Register until a decision on the application for renewal has been made.
- 4.3 A Registered Agency can withdraw from the Register at any time by notifying the EQAR Secretariat in writing.
- 4.4 When an application for renewal by a Registered Agency is considered the Register Committee shall pay due attention to any flagged matters.

5. Publication of decisions

- 5.1 All decisions by the Register Committee on eligible Applicants (in the sense of §3.8) as well as any decision concerning a Registered Agency (in the sense of §7.4) shall be published including an account of the reasons.
- 5.2 For all Registered Agencies the following information shall be published on the EQAR's website:
 - a. name and contact details of the Registered Agency

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- b. decision of the Register Committee including the main reasons and the duration of inclusion
- c. country in which the agency is established
- d. information on the agency's quality assurance activities
- e. countries within which the agency operates
- f. ENQA membership status of the agency
- g. web links to its external review report
- h. web links to the agency's reports and publications

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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 review of registration.

7. Extraordinary review of registration

- 7.1 The Register Committee shall reconsider its decision to admit a Registered Agency if substantial procedural errors were made in reaching the initial decision, the initial decision was based on false information or evidence, or there are major concerns that the Registered Agency no longer fulfils the criteria for inclusion.
- 7.2 Any concerns shall be based on information provided by the Registered Agency, official third-party complaints or publicly available information.
- 7.3 The Registered Agency shall be notified if a reconsideration is initiated.
- 7.4 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.
- 7.5 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.

8. Conflict of Interest Policy

- 8.1 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 entity¹ currently being reviewed by the applicant;
 - e. any of the above applies to a family member;
 - f. any of the above applied until recently;
- 8.2 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.
- 8.3 In determining whether the members of the review panel are independent, §8.1 applies respectively.
- 8.4 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.
- 8.5 Any disputes shall be settled by the President of the Executive Board in consultation with the Chair of the Register Committee.

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¹ 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.