

Procedures for Applications

Register Committee

June 2022

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.

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Definition of key terms

Europe: all countries part of the European Higher Education Area (EHEA);

ESG: 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;

Register: the register of quality assurance agencies operating in Europe and in compliance with the ESG published by EQAR;

applicant: a quality assurance agency that seeks inclusion on the Register or renewal of registration;

registered agency: a quality assurance agency that has been admitted to the register by the Register Committee;

external review: a review of a quality assurance agency's work by a **review panel**, coordinated by a **review coordinator**;

focused review: a specific form of external review as defined in §3.30; unless specific provisions are made, all provisions for external reviews also apply to focused reviews;

targeted review: a specific forms of external review as defined in §4.7; unless specific provisions are made, all provisions for external reviews also apply to targeted reviews

external review report: the written report that has been agreed by the review panel following completion of the external review;

self-evaluation report: the report compiled by the applicant for consideration by the external review panel;

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1. Eligibility requirements

- 1.1 The fulfilment of the eligibility requirements is a prerequisite for applications to be considered against the registration criteria.
- 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, assessments, 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 that operate in Europe, regardless of whether they are based in Europe or outside, and regardless whether they are national or international in nature.

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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 panel shall consist of at least four persons. For focused reviews (§3.30) and targeted reviews (§4.7), the panel may consist of three persons.
- 1.9 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 stakeholders¹. 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 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.

- 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; the provisions of the EQAR Code of Conduct on conflicts of interest apply accordingly.
- 1.13 The self-evaluation report and the external review report shall address all activities as described in §1.3.
- 1.14 The self-evaluation report shall reflect on the applicant's compliance with each of the ESG in parts 2 and 3, or with the specific elements to be covered in the focused (§3.30) or targeted review (§4.7), respectively. 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 external review report shall provide sufficient evidence of the applicant's compliance with each of the ESG in parts 2 and 3, or with the specific elements to be covered in the focused (§3.30) or targeted review (§4.7), respectively. It shall provide evidence, an analysis and a conclusion for each of the standards.
- 1.16 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. The panel shall interview at least the leadership and key staff of the agency in person.
- 1.17 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.
- 1.18 The review process is described in detail in the tripartite terms of reference agreed between the applicant, the coordinator and EQAR.

2. Registration criteria

- 2.1 Registered agencies 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 – 1.17, as well as §3.30 – 3.31 and §4.7 – 4.10 where applicable).
- 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 The Register Committee shall adopt a policy on the Use and Interpretation of the ESG for the European Register of quality assurance agencies.
- 2.4 The Register Committee may adopt further policies to specify its understanding and application of the ESG and these Procedures in specific cases or circumstances.

- 2.5 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 and Terms of Reference for the review;
 - b. External review of the applicant;
 - c. Consideration and decision by the Register Committee.
- 3.2 Applications shall be submitted to the Secretariat as specified in the Guide for Agencies 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 §3.27, but not thereafter.

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Verification of eligibility and Terms of Reference for the review

- 3.5 Applicants shall submit the official application form, including:
- a. Brief description of all activities of the applicant, indicating which activities the applicant considers to be within the scope of §1.3;
 - b. Information on the coordinator of the external review;
 - c. In case of a targeted review (§4.7), indication of the enhancement area to be pursued in the review process.
- 3.6 Based on the information provided, EQAR verifies the applicant's organisational eligibility and whether the planned external review process adheres to the eligibility requirements.
- 3.7 EQAR confirms eligibility by agreeing to the tripartite terms of reference, confirming which activities are within the scope of §1.3 and thus need to be covered by the review.
- 3.8 In case no agreement can be reached on which activities are within the scope of §1.3, EQAR will confirm eligibility in a unilateral decision; the applicant may appeal that decision.
- 3.9 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.
- 3.10 In all other cases, the Register Committee shall consider eligibility.
- 3.11 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 differed substantially from the agreed Terms of Reference.
- 3.12 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.

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External review

- 3.13 The external review of the applicant takes place under the coordinator's responsibility and based on the agreed tripartite Terms of Reference.
- 3.14 The review coordinator shall inform EQAR of the review panel members it intends to appoint, including their full curriculum vitae. EQAR may raise concerns about the panel composition within one week.
- 3.15 The applicant shall inform EQAR of any substantive changes (as defined in §6.1) that occur between submission of the application and the review documents. Applicants applying for initial registration shall inform EQAR by email; registered agencies shall follow the regular process described in §6.4 ff.
- 3.16 The review coordinator or the applicant shall inform EQAR in case of any changes to the planned schedule, in particular of the time when the report will be finalised and submitted to EQAR.
- 3.17 Any other changes to the planned process should be agreed by way of an amendment to the agreed tripartite Terms of Reference.

Submission of the external review report

- 3.18 Following the external review, the applicant shall submit the following documents:
 - a. Declaration of honour by the review coordinator;
 - b. Self-evaluation report that was submitted for the external review;
 - c. External review report;
 - d. Optionally, applicant's statement on the external review report.
- 3.19 The applicant shall make the external review report available in the public domain.

Basis for decision making on applications

- 3.20 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 the report is submitted.
- 3.21 The report should be submitted no later than 6 months after the site visit and no later than 12 months after EQAR confirmed eligibility of the application. If the report is not submitted within these deadlines the application is considered withdrawn, unless EQAR has explicitly agreed to an extension of these periods in exceptional circumstances.

- 3.22 The Register Committee may request clarification from the review coordinator, the applicant or the review panel. Clarification is obtained with preference in a call with minutes prepared by EQAR staff. Where this is not possible, clarification is requested in writing and an appropriate deadline shall be granted for providing clarification.
- 3.23 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

- 3.24 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.
- 3.25 If the registration criteria 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, notwithstanding §8.3.
- 3.26 If the registration criteria are not fulfilled, the Register Committee shall reject the application.
- 3.27 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, written representation to the Register Committee within an appropriate deadline. Failure on the part of the applicant to make representation within the deadline shall be deemed as withdrawal of the application.
- 3.28 Applicants shall be notified of all decisions in writing, including an account of the reasons.
- 3.29 Following a decision to approve an application, the applicant may make additional, written representation to the Register Committee within 40 days if it considers that specific conclusions are unreasonable or disproportionate in the light of the available evidence. The Register Committee will review its decision based on the representations; the applicant will be notified of the Register Committee's decision.

Focused review

- 3.30 Rejected applicants may reapply based on an additional, focused external review addressing those issues that led to rejection.
- 3.31 The focused review must take place within 18 months from the date of the rejection decision; the 18-month period commences with the original rejection decision, also in case an appeal is made.
- 3.32 If the re-application is successful the agency shall be included for five years from the date of the first, full external review report.

- 3.33 If no focused review is submitted within the 18-month period, a new full external review is required.
- 3.34 The provisions of §3.30 do not apply to applications that were withdrawn or that were rejected on the grounds of non-eligibility.

Fees

- 3.35 An application fee shall be charged pursuant to art. 22 (2) of the Statutes for all eligible applications. It is invoiced and payable after eligibility has been confirmed.
- 3.36 An annual listing fee shall be charged pursuant to art. 22 (2) of the Statutes to all Registered Agencies.
- 3.37 An agency that has not paid its application or annual listing fee for any previous calendar year shall be suspended from the Register until the fees have been paid.
- 3.38 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 of registration

- 4.1 In order to remain registered, agencies have to apply for renewal of registration every five years. The application may be based on a targeted review if the requirements of §§4.7 & 4.8 are fulfilled, or based on a new, full external review otherwise.
- 4.2 An application for renewal of registration is only eligible if any prior substantive changes have been reported in line with §6.1. Should an application for renewal reveal unreported changes, the application will be kept on hold until those changes were reported.
- 4.3 The provisions for initial applications for inclusion on the Register (§§3.1-3.36) also apply to renewals accordingly, unless other provisions are made in this section.

Deadlines

- 4.4 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.
- 4.5 Provided that a registered agency submits an application for renewal before expiry of inclusion and 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.
- 4.6 If the review report is not submitted on time, the agency's registration will be suspended until a final decision on the application for renewal has been made. If the review report is not submitted within the

deadlines specific in §3.21, the application for renewal is considered withdrawn.

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Targeted review

- 4.7 Registered agencies that renewed their registration successfully at least once previously may opt to apply for renewal of registration based on a targeted review.
- 4.8 Registered agencies are only eligible for a targeted review if all substantive changes that occurred since their last renewal of registration have been duly reported by the time the application is made.
- 4.9 A targeted review is required to address at least:
- those standards with a conclusion of “partial compliance” in the Register Committee's last renewal decision;
 - standards 2.1 to 2.7 for activities that were newly launched or changed since the agency's last renewal of registration;
 - standards affected by other substantive changes;
 - standard 2.1 from an enhancement-oriented perspective;
 - at least one further standard, chosen by the agency as an enhancement area;
 - any other matters arising during the review that might affect the agency's compliance with any standard.

The tripartite Terms of Reference specify in detail the standards and issues to be addressed according to items a – e and make provision to address unforeseen matters as described in item f.

- 4.10 Based on the targeted review, the Register Committee deliberates on the agency's renewal as usual. For standards which were not addressed in the targeted review as per §4.9 a – c or, if the case, f, the compliance level is considered to be the same as in the previous renewal decision.
- 4.11 Following a targeted review, the registered agencies is required to undergo a full review again for its next renewal of registration after five further years.
- 4.12 Unless otherwise specified, all provisions for external reviews apply also to targeted review.

Decisions and consequences

- 4.13 If the registration criteria 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.
- 4.14 If the registration criteria are no longer fulfilled, the application shall be rejected; §3.27 applies accordingly.

4.15 Following a rejection decision the agency's registration is first suspended until an eventual appeal has been decided upon or the deadline for appeal has passed. Once the decision has become final, the agency is removed from the Register or reinstated accordingly.

5. Publication

- 5.1 EQAR shall publish on its website a list of all current eligible applications as well as all decisions by the Register Committee on applicant or registered agencies, including an account of the reasons and the full documentation material to the decision.
- 5.2 When an application is withdrawn after the agency was invited to make additional representation, the decision to invite representation is published informatively.
- 5.3 Decisions on complaints that were found to be unsubstantiated shall be published without identifying the agency concerned.
- 5.4 For all registered agencies the following information shall be published on the EQAR website:
- name and contact details of the agency;
 - decisions of the Register Committee and other documents according to §3.18;
 - country in which the agency has its registered address;
 - information on the agency's quality assurance activities;
 - countries where the agency has conducted reviews;
 - ENQA membership status of the agency;
 - 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 or organisational structure,
 - substantial changes in the criteria, process or methodology of activities within the scope of their registration (§1.3), and
 - any new activities or operations, irrespective of whether or not they would fall within the scope of registration.
- 6.2 Changes should be reported as soon as respective decisions have been made. In the case of changed or new activities, this is considered once the official documentation has been amended or adopted, that is after the design and before the implementation phase of the new/changed activity.

- 6.3 The Register Committee may suspend an agency's registration if changes are not reported even after a reminder, until the necessary report has been submitted.
- 6.4 Changes shall be reported using the official form made available by EQAR.
- 6.5 The Register Committee analyses whether the changes have any impact on the agency's fulfilment of the registration criteria. This analysis is limited to what can reasonably be assessed based on written documentation only and does not preempt the analysis of the change in the next regular review of the agency.
- 6.6 The Register Committee shall decide to:
- take note of the report in case there are no major concerns that the agency continues to fulfil the registration criteria, or
 - request corrective action from the registered agency if the changes raise major concerns that the agency continues to fulfil the registration criteria.
- 6.7 In case a. the agency may make additional representation to the Register Committee within 40 days if it considers that specific conclusions are unreasonable or disproportionate in the light of the available evidence. The Register Committee will review its decision based on the representations; the agency will be notified of the Register Committee's decision.
- 6.8 In case b. the agency shall be given an appropriate deadline to respond to the concerns. If the agency fails to respond, its registration is suspended until a response has been received.
- 6.9 If the concerns are addressed, the Register Committee shall take note of the report. If major concerns remain after the response the Register Committee shall proceed to an extraordinary revision of registration in line with §8.1 and §8.4.

7. Third-party complaints

- 7.1 Individuals or organisations that have substantiated concerns about a registered agency's compliance with the registration criteria may bring those to EQAR's attention.
- 7.2 The Register Committee shall decide to:
- reject the complaint if it is not substantiated,
 - issue a formal warning if the complaint is substantiated but relates to an isolated case and does not substantially affect the registered agency's fulfilment of the registration criteria,
 - proceed to an extraordinary revision of registration if the complaint is substantiated and leads to major concerns that the registered agency no longer fulfils the registration criteria.

7.3 Further details shall be specified in a Complaints Policy.

8. Extraordinary revision of registration

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8.1 The Register Committee shall review an agency's registration status if:

- a. substantial procedural errors were made in reaching the decision to admit or renew the agency's registration,
- b. such a decision was based on false information or evidence, or
- c. there are major concerns that the registered agency no longer fulfils the registration criteria, or
- d. the registered agency does not fulfil its obligations arising from the present Procedures.

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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 Register Committee may

- a. declare its decision void ab initio if the registration criteria were evidently not fulfilled when the decision was made; or
- b. exclude a registered agency if it evidently no longer fulfils the registration criteria, as from the date on which it ceased to fulfil the criteria; or
- c. suspend the agency's registration if it temporarily does not fulfil the registration criteria, until compliance has been restored; or
- d. reduce the remaining validity period of the registered agency's inclusion, as appropriate, if the Register Committee considers it impossible to make a judgement without a new review; depending on the nature and gravity of the concerns the agency's registration can be suspended until a new review has taken place; or
- e. close the revision if the initial concerns were allayed.

8.4 The registered agency shall be notified if a revision is initiated and 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. If the agency fails to make representation, its registration is suspended until the representation has been made.

8.5 The registered agency shall be notified of the decision and its grounds.

9. Suspension of registration

9.1 Suspension of registration means that EQAR cannot attest to an agency's fulfilment of the registration criteria with certainty at the moment, but expects that the reason for suspension can be remedied by the agency concerned.

- 9.2 An agency's registration may be suspended in the cases provided for in the present Procedures (see §3.37, §4.6, §4.15, §6.3, §6.7, §8.3 and §8.4).
- 9.3 The registered agency shall be notified of the decision and its grounds, including a clear indication of the conditions for the suspension to be lifted and the agency's registration to be restored. The decision should normally include a deadline by which the conditions need to be fulfilled.
- 9.4 If the agency fulfils the conditions its registration is fully reinstated and deemed to have been valid continuously.
- 9.5 If the agency is unable to fulfil the conditions it is excluded from the Register with effect as from the date the reason for suspension arose.

10. Conflict of Interest Policy

- 10.1 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. The EQAR Code of Conduct defines what constitutes a real or apparent conflict of interest.
- 10.2 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.
- 10.3 In determining whether the members of the review panel are independent, the EQAR Code of Conduct applies accordingly.
- 10.4 Applicants shall notify the President if they consider that a member of the Register Committee has a conflict of interest with regard to their application.
- 10.5 Any disputes shall be settled by the President in consultation with the Vice-Chair of the Register Committee.