

Rejection of the Application by Enhancing Quality in the Arts (EQ-Arts) for Inclusion on the Register

Register Committee
18/19 June 2019

Ref. RC24/A63
Ver. 1.0
Date 24/06/2019
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Application of:	14/12/2017
External review report of:	14/09/2018
Review coordinated by:	ECA - European Consortium for Accreditation
Review panel members:	Rolf Heusser (chair), Dr Nick Harris (secretary), Merja Salo (academic expert), Barbara Jura (student)
Decision of:	19/06/2019
Absented themselves from decision-making:	Ann Verreth, Izabela Kwiatowska-Sujka
Attachments:	<ol style="list-style-type: none"> 1. Confirmation of eligibility, 07/02/2018 2. External Review Report, 14/09/2018 3. EQ-Arts' statement on the report, 14/08/2018 4. Request to the Review Panel, 24/10/2018 5. Clarification by the Review Panel, 19/11/2018 6. Additional representation, 12/03/2019

1. The application of 14/12/2017 adhered to the requirements of the EQAR Procedures for Applications.
2. The Register Committee confirmed eligibility of the application on 07/02/2018 having considered clarification received from EQ-Arts on 22/12/2017 and 30/01/2018.
3. The Register Committee considered the external review report of 14/09/2018 on the compliance of EQ-Arts with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG, 2015 version).
4. The Register Committee sought and received clarification from the chair of the review panel.
5. The Register Committee invited EQ-Arts to make additional representation on the grounds for possible rejection on 20/12/2018. The Register Committee considered EQ-Arts's additional representation of 12/03/2019.

6. The Register Committee underlined that its decisions on registration are based on policy and practice of an agency. The external review has the purpose to analyse how the agency's policies are implemented in actual practice. That is, trust indeed needs to be earned through actual practice and it does not suffice alone to enshrine the ESG in the agency's policies and processes as long as these are only theoretical.

7. Moreover, the Register Committee underlined that the application by EQ-Arts is considered solely on its own merits.

Analysis:

8. In considering EQ-Arts's compliance with the ESG, the Register Committee took into account:

- *EQ-Arts Institutional Accreditation and Programme Assessment;*
- *Joint accreditations in partnership with (national or sectoral) EQAR-registered agencies;*
- *Institutional & Programme "critical friend" Enhancement Reviews.*

9. The Register Committee considered that the report could only provide limited evidence on EQ-Arts's level of compliance with most standards of Part 2 of the ESG, which was mainly due to the short time span for which EQ-Arts has existed as an independent organisation and due to the fact that only three reviews had been completed by EQ-Arts itself at the time of the site visit.

10. The Committee therefore sought and received clarification from the review panel on the extent to which EQ-Arts' prior track record under the auspices of ELIA supports the panel's analysis and conclusions; the clarifications kindly provided by the panel were taken into account as regards standards 2.2, 2.3, 2.4, 2.5 and 2.6 below.

11. With regard to the specific European Standards and Guidelines, the Register Committee considered the following:

ESG 2.2 – Designing methodologies fit for purpose

12. Having considered the panel's clarification (see above) and the track record of stakeholder consultation, the Register Committee concurred with the panel's conclusion that EQ-Arts complies with the standard.

ESG 2.3 – Implementing processes

13. While the Register Committee acknowledged the track record of implementing the key features mentioned by the standard under the ELIA structure, it considered that evidence on their implementation by EQ-Arts as an independent agency was scarce. In particular, due to the recent

establishment, the approach to follow-up was not yet implemented in practice.

14. The Register Committee considered EQ-Arts' track record in follow-up reviews that stems from the prior work under ELIA, as further elaborated in the additional representation by EQ-Arts.

15. Having considered the additional representation and the confidence expressed by the panel, the Register Committee concurred with the panel's conclusion that EQ-Arts (substantially) complies with the standard.

16. Given the large number of reviews conducted in cooperation with other agencies, the Committee further underlined that EQ-Arts "remains responsible for ensuring a consistent follow-up even if the formal decision is taken by another body or another body carries out the actual follow-up", as set out in the EQAR Policy on the Use and Interpretation of the ESG.

ESG 2.4 – Peer-review experts

17. The Register Committee noted that, according to the panel's report, EQ-Arts had trained four students as potential panel members by the time of the site visit, but that students had not been involved in the panels for enhancement reviews previously.

18. The panel noted that students would be involved in review activities during 2018. The panel's clarification confirmed that student involvement on panel's was not yet a fully established practice across all reviews, but that students *will* be part of all future procedures.

19. In its representation, EQ-Arts provided an overview to demonstrate that it had consistently included students on its review panels since 2018/19.

20. The Register Committee welcomed the progress made. The Committee, however, noted that the December 2018 review of the Royal Academy of Fine Arts (KASK) in Ghent did not include a student panel member; with a note in the report that "contrary to EQ-Arts' policy and practice, it was the decision and request of School of Art KASK that a student panel member was not included in this review process".

21. The Register Committee concluded that EQ-Arts was apparently ready to make such exceptions, which are in contradiction to ESG standards. The Committee underlined that such exceptions are incompatible with the spirit of a predefined quality assurance process that is implemented consistently.

22. As EQ-Arts does not stringently implement its policy as regards student panel members, the Register Committee remained unable to concur with the panel's conclusion, but considered that EQ-Arts only partially complies with the standard.

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ESG 2.5 – Criteria for outcomes

23. The review panel gave a general account of the steps taken by EQ-Arts to ensure consistency.

24. The Register Committee considered that there was a limited body of practical experience, even considering the track record built up under ELIA, as EQ-Arts has so far – as pointed out in the panel’s clarification – in its evaluations only “applied criteria in collaborative agreement with those of other bodies in all except the single enhancement carried out in 2017”. Moreover, EQ-Arts (and neither ELIA) has never made any formal assessment decisions itself.

25. The Committee noted the panel’s discussion of the one review carried out in Kazakhstan (see under ESG 3.3), which raised questions whether the agency had applied criteria in a consistent manner.

26. In its representation, EQ-Arts emphasised the number of critical friend reviews that were carried out in addition to the formal assessments.

27. The Register Committee, however, concluded that EQ-Arts did not allay the concerns that stem from the review in Kazakhstan. Despite EQ-Arts’ certainly larger track record of critical friend reviews, the review in Kazakhstan represents half of EQ-Arts’ total track record in terms of formal assessments.

28. Given the limited evidence for formal assessments and the fact that the review panel appeared to have had concerns in one out of the two formal assessments carried out so far, the Register Committee remained unable to concur with the panel’s conclusion, but considered that EQ-Arts only partially complies with the standard.

ESG 2.6 – Reporting

29. Having considered the panel’s clarification (see above) and the demonstrated practice of publishing reports, the Register Committee concurred with the panel’s conclusion that EQ-Arts complies with the standard.

ESG 3.1 – Activities, policy and processes for quality assurance

30. The guidelines to standard 3.1 note that “when the agencies also carry out other activities, a clear distinction between external quality assurance and their other fields of work is needed”; the EQAR Policy on the Use and Interpretation of the ESG sets out that this should be demonstrated in the external review of the agency.

31. The review panel noted in its report that it “was concerned that if EQ-Arts were to become an accreditation agency within EQAR it would need to consider how it would guarantee separation of its consultancy activities

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associated with preparations for accreditation from any subsequent accreditation that it might be asked to undertake”.

32. The Register Committee sought clarification from the panel as to the clear separation between reviews and consultancy.

33. The panel considered that it was “clear from EQ-Arts procedures and documentation, and confirmed during the site-visit – and, importantly, ‘ethos’ - [...] that those involved in any consultation activities cannot be involved in any assessment/ reviews nor in the making of any accreditation decisions nor involved in any related appeals procedures” (letter by the panel).

34. In its additional representation, EQ-Arts elaborated on the nature of its enhancement-oriented reviews and formal assessments, respectively. The Register Committee, however, underlined that the question related to the clear separation between consultancy activities, i.e. activities outside the scope of the ESG, and either of the two types of reviews (enhancement-oriented and formal assessment) offered by EQ-Arts. While it might be regarded more crucial for formal assessments, the Register Committee underlined that safeguards should be in place to avoid conflicts of interest in both types of reviews.

35. Having considered the panel's clarification and EQ-Arts' additional representation, the Committee remained unable to identify a specific provision in EQ-Arts' suite of documents that rules out the possibility of reviewing an institution or programme that was previously consulted by EQ-Arts.

36. The Register Committee therefore remained unable to concur with the panel's conclusion, but considered that EQ-Arts only partially complies with the standard.

ESG 3.3 – Independence

37. The Register Committee obtained clarification from the panel as to the modalities of appointing EQ-Arts Board members and took note of the new version of the Statutes annexed to the panel's clarification.

38. The review panel found appropriate that “Potential Board members are identified / appointed by the Board not by public competition but [...] through informed ‘networking’”.

39. Especially considering that there are no rules as to the Board's composition otherwise (i.e. profiles or backgrounds of members to be appointed), the Register Committee considered that such an approach did not ensure sufficient transparency and did not provide a safeguard against one-sided third-party influence.

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40. In its representation, EQ-Arts referred to the “skills audit” of its Board members and various documents that codify its independent status and that of its Board members. It further described how potential candidates are identified and appointed.

41. The Register Committee noted that EQ-Arts relies on the Board effectively recruiting its own successors, but without a public call. The Committee saw a risk in the fact that, due to the absence of any nominations by other bodies or a public competition, potentially suitable candidates cannot propose themselves unless contacted.

42. Bearing in mind the guideline to standard 3.1, i.e. “to ensure the meaningfulness of external quality assurance, it is important that institutions and the public trust agencies”, the Register Committee considers that the requirement of independence also implies a need for transparency and accountability.

43. The Register Committee underlined that most agencies ensure independence, transparency and accountability by receiving nominations to their Boards from different stakeholders. Such nomination rights exercised by different bodies constitute certain checks and balances, and prevent one single interest group from gaining full control.

44. The Register Committee considered that the absence of a nominations system paired with the informal approach to recruiting candidates did not ensure sufficient transparency and accountability to the agency’s sector.

45. The Committee further underlined that the standard does not rule out that one or some of an agency’s Board members may be politicians, as long as the government (or any other single stakeholder) does not have a controlling stake in the Board.

46. The Register Committee had considered that, due to the small number of reviews carried out so far, the independence of EQ-Arts’ outcomes could only be demonstrated to some extent.

47. In its representation EQ-Arts reiterated its view that the number of reports should be considered sufficient to demonstrate compliance with the standards. The Register Committee accepted the argument considering the previous experience under the auspices of ELIA and the number of critical friend reviews that EQ-Arts carried out in addition to the formal assessments reviews; it considered that these indeed were sufficient to judge the independence of outcomes.

48. Given the concerns regarding the recruitment and appointment of EQ-Arts Board members the Register Committee, however, remained unable to concur with the panel’s conclusion, but considered that EQ-Arts only partially complies with the standard.

ESG 3.4 – Thematic analysis

49. The Register Committee understood that, at the time of the site visit, EQ-Arts Board had yet to make proposals and decisions to carry out thematic analyses, and to establish a list of topics for those.

50. While the panel understood that such discussions had begun and the sector representatives clearly saw a considerable value of potential thematic reports, the Committee noted that no concrete steps or results based on EQ-Arts review activity were available thus far.

51. In its additional representation, EQ-Arts referred to its ongoing work in the area and to an array of past ELIA reports. While the latter were not all directly pertinent, the Register Committee was satisfied that EQ-Arts is currently undertaking thematic analyses as understood by the ESG.

52. Given that the results of those are not (yet) published the Register Committee, however, concurred with the panel's conclusion that EQ-Arts partially complies with the standard.

ESG 3.5 – Resources

53. In its additional representation, EQ-Arts provided updated financial figures for 2018 and a prognosis for 2019. While the Register Committee welcomed the positive development and outlook, it considered that EQ-Arts financial situation remained volatile and that it would require additional time to demonstrate full sustainability.

54. The Register Committee therefore concurred with the panel's conclusion that EQ-Arts partially complies with the standard.

55. For the remaining standards, the Register Committee was able to concur with the review panel's analysis and conclusion without further comments.

Conclusion:

56. Based on the external review report and the considerations above, the Register Committee concluded that EQ-Arts demonstrated compliance with the ESG (Parts 2 and 3) as follows:

Standard	Review panel conclusion	Register Committee conclusion
2.1	Substantial compliance	Compliance
2.2	Full compliance	Compliance
2.3	Substantial compliance	Compliance
2.4	Substantial compliance	Partial compliance
2.5	Full compliance	Partial compliance
2.6	Substantial compliance	Compliance

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2.7	Substantial compliance	Compliance
3.1	Substantial compliance	Partial compliance
3.2	Full compliance	Compliance
3.3	Substantial compliance	Partial compliance
3.4	Partial compliance	Partial compliance
3.5	Partial compliance	Partial compliance
3.6	Substantial compliance	Compliance
3.7	(not expected)	Compliance (by virtue of applying)

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57. Also after duly considering EQ-Arts's additional representation, the Register Committee concluded that EQ-Arts only achieved partial compliance with a number of standards. Partial compliance with standard 3.5 reflects that EQ-Arts was recently established and volatile resources are to be expected for a young agency. The issues raised under standards 2.4, 2.5, 3.1 and 3.4 reflect that EQ-Arts has not yet been able to demonstrate in all areas that the ESG are not only enshrined in its policies, but also implemented consistently in practice. Partial compliance with standard 3.3 relates to questions of transparency and accountability to the sector.

58. Given that EQ-Arts thus fails to meet some key requirements of the ESG, in its holistic judgement the Register Committee remained unable to conclude that EQ-Arts complies substantially with the ESG as a whole.

59. The Register Committee therefore rejected the application.

60. EQ-Arts has the right, according to §3.21 of the Procedures for Applications, to undergo a focused review addressing those issues that led to rejection, and to reapply within 18 months based on that focused review.

61. EQ-Arts has the right to appeal this decision of the Register Committee in accordance with the Appeals Procedure (available on the EQAR website at <http://www.eqar.eu/application.html>). Any appeal must reach EQAR within 90 days from receipt of this decision.

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Enhancing Quality in the Arts (EQ-Arts)

Sally Mometti

Beulingstraat 8

1017 BA Amsterdam

Netherlands

Brussels, 7 February 2018

Confirmation of Eligibility: Application for Inclusion on the Register

Application no. A63 of 14/12/2017

Dear Sally,

We hereby confirm that the application by EQ-Arts for inclusion on the Register is eligible.

Based on the information and draft terms of reference provided, the external review coordinated by the European Consortium for Accreditation (ECA) fulfils the requirements of the EQAR Procedures for Applications.

We thank you for the clarification provided on EQ-Arts' activities in our telephone conversations of 22/12/2017 and 30/01/2018.

We confirm that the following activities of EQ-Arts are within the scope of the ESG:

- *EQ-Arts Institutional Accreditation and Programme Assessment;*
- *Joint accreditations in partnership with (national or sectoral) EQAR-registered agencies;*
- *Institutional & Programme "critical friend" Enhancement Reviews.*

Please ensure that EQ-Arts's self-evaluation report covers all the aforementioned activities, carried out within or outside the European Higher Education Area.

We confirm that the following activities are not within the scope of the ESG:

- *Collaborating in International Research Projects;*
- *National Higher Arts Education workshops*

The ESG relate to predefined external quality assurance processes concerning individual higher education institutions¹. While workshops have an important supportive and auxiliary role, they are

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¹ See: Policy on the Use and Interpretation of the ESG, section 4, p. 3

not activities to be separately evaluated against each standard of ESG Part 2.

- *Training Programme for art sector peers for accreditation reviews*

The training programme is not a separate external quality assurance activity to be evaluated itself against each standard of the ESG, but an auxiliary and transversal activity supporting all of the above. It will thus be relevant in relation to ESG standard 2.4 (Peer Review Experts) for all ESG activities.

- *Institutional & Programme consultancy*

The ESG relate to predefined processes in which an entity is assessed/evaluated against predefined standards or other reference points². Tailor-made consultancy services are not quality assurance activities within the scope of the ESG.

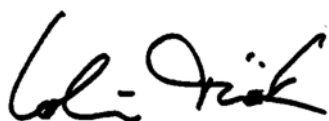
While these activities are not relevant to your application, it is EQ-Arts's choice – in agreement with the review coordinator – whether those activities should be commented upon by the review panel.

EQ-Arts' self-evaluation and the external review report should, however, address how the agency ensure a clear and transparent separation between its consultancy activities and those within the scope of the ESG, taking into account Annex 5 to the [Policy on the Use and Interpretation of the ESG](#).

We will forward this letter to ECA in its capacity of the coordinator of the external review. At the same time, we underline that it is EQ-Arts's responsibility to ensure that the coordinator and review panel take account of the present confirmation, so as to ensure that all activities mentioned are analysed by the panel.

This confirmation is made according to the relevant provisions of the EQAR Procedures for Applications. EQ-Arts has the right to appeal this decision in accordance with the Appeals Procedure; any appeal must reach EQAR within 90 days from receipt of this decision.

Yours sincerely,



Colin Tück
(Director)

Cc: ECA (coordinator)

² Idem, characteristic (a)

Application by Enhancing Quality in the Arts (EQ-Arts) for Inclusion on the Register

Register Committee

Minutes of Telephone Conversation

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Date 2018-01-30
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Date of the conversation:	22/12/2017 and 30/01/2018
Representative of EQ-Arts:	Sally Mometti, General Manager
Representative of EQAR:	Colin Tück

1. EQ-Arts has submitted on 14/12/2017 an application for inclusion on the European Quality Assurance Register for Higher Education (EQAR).
2. In order to prepare the deliberations of the Register Committee on the eligibility of the application and EQ-Arts's activities within the scope of the ESG, EQAR contacted EQ-Arts via telephone to clarify the matters below. EQ-Arts agreed to clarify the matters by means of a telephone conversation.
3. EQAR underlined that a sufficient body of experience – at least 5 to 10 completed external quality assurance (EQA) procedures – is required for a panel to analyse EQ-Arts's activities not only in theory, but also in practice. EQ-Arts noted that it has operated as a separated organisation since 2015, whereas its activities are in direct continuation of the reviews previously (2004 - 2015) carried out under the auspices of ELIA.
4. EQ-Arts explained that some further "critical friend" reviews and one formal assessment – in cooperation with MusiQuE – were expected to be carried out before the external review, planned for May 2018.
5. EQAR noted that – based on the description in the application form – the nature of "critical friend" reviews required clarification.
6. EQ-Arts clarified that "critical friend" reviews followed the same methodology and standards as formal assessments, but do not result in a formal decision. EQ-Arts also offered consultancy (in institutions and programmes), but this was considered a different activity and was usually more limited in scope, focused on specific topics.
7. EQAR underlined that – if considered an EQA activity within the scope of the ESG – "critical friend" reviews would have to comply with the ESG, including the requirement to publish reports (ESG 2.6).
8. EQ-Arts requested to keep the application on hold to consult on the status of "critical friend" reviews internally. EQ-Arts later confirmed that it wished to proceed with the application and indeed considers "critical friend" reviews as an activity within the scope of the ESG.

Amsterdam, 14th August 2018

Dear Dr Rolf Heusser, Chair, ECA Review Panel,

On behalf of EQ-Arts I would like to thank the Review Panel for what we perceive is a largely positive and supportive report.

We hope the findings and conclusion of the Review Panel, namely **that EQ-Arts is in substantial compliance with the ESG**, is received and the judgement by EQAR is equally as positive and we are accepted to be on the Register.

We would like to take this opportunity to address and comment on your observations and the outcomes in your judgement on our compliance with the European Standards and Guidelines (ESG) 2015.

Typos and factual errors are made visible ~~in red and crossed through~~ and we have added the correct spelling and data, suggested rephrasing and some preferable terminology we would politely request is adopted ~~in blue~~. In case a factual error needed more explanation, a comment box was added.

In the Report we have also added comment boxes which we believe better inform the reader, provide more evidence and better present EQ-Arts activities and policies, which in turn we hope will encourage you to review some judgements.

The overarching impression of the report is the substantial compliance of EQ-Arts to the majority of the ESG Standards and this is frequently related to, and commented on, the limited number of formal assessment reviews (with published reports) EQ-Arts has carried out. This is mentioned not only in the Panel's conclusions for each Standard but also a considerable number of times in the report narrative. EQ-Arts believes that by reiterating this point several times throughout the report, rather than addressing it once in the introductory section, it sends an implied message to the EQAR Board and leaves them with a level of interpretation that we in our reports seek to avoid as we hold the principle that an external review report should provide a clear and unambiguous advice to those on the receiving end. EQ-Arts acknowledges the fact that EQ-Arts has participated in a finite number of institutional and programme formal assessments, either under the auspices of a national QA agency or another EQAR registered QA agency, but over a twenty-year period we have demonstrated a commitment to enhancement-led quality assessment. Continuously we have developed our principles and methodology in close liaison with the Higher Arts Education (HAE) sector and aligned them to the on-going European Quality Assurance principles and practices. That they have been carried-out under the auspices of

'critical friend' reviews has been a deliberate EQ-Arts strategy, as we have continually been approached by higher arts institutions to accredit their awards, especially from Southern and Central Eastern European countries – as a sort of fast-track to international recognition. EQ-Arts made a policy decision that we would not seek to offer this service until we had been officially recognised by EQAR.

We hope the Panel is able to look at the Report recently completed of EQ-Arts Institutional and Programme review of UMPRUM Prague in the Czech Republic (see notes on page 53), which is based on its report template (Annex 29), which is fully aligned to the EQ-Arts Standards and demonstrates EQ-Arts ability to align its 'Critical Friend' reviews to formal assessments.

Throughout this period EQ-Arts has been operating as an independent international QA agency (see notes on page 59), with the limitations (both financial and political) this carries, which is far longer than the new developments and policy coming from the Bologna process. As you state in the report "*This commitment to an international and cross disciplinary approach when leading innovative developments in higher arts education is being maintained through EQ-Arts.*" (see ECA report page 80). EQ-Arts is totally reliant on its activities and cannot turn to a national ministry for support – this is both our strength and our challenge factor.

In addressing ECA conclusions and recommendations against the specific ESG Standards EQ-Arts would like to make the following comments:

EQ-Arts believes that in addressing *Standard 2.3 Implementing Processes* it fully complies with the first three ESG bullet-points for this standard and regarding the fourth bullet-point it has carried out a rigorous follow-up process on its 'critical friend' reviews (see notes on page 44) and has introduced templates for feedback from the experts and the host institution (see Annexes 10 & 11).

Regarding the Panel's findings on *Standard 2.4 Peer Review Experts* commenting on the training of experts, the under-use of QA administrators and the low number of students, we hope the notes highlighted in blue on pages 46-48 will encourage the Panel to review its judgement.

EQ-Arts believes the process for addressing *Standard 2.7 Complaints and Appeals* using experts on our register ensures an independent process utilising highly experienced senior managers/teachers/administrators fully capable to carry out this process (see notes on page 56).

Relating to *Standard 3.1 Activities, Policy and Processes for Quality Assurance* the review panel expresses a concern that EQ-Arts might be "*teaching to the test*". We would like to point out that just very recently we received an e-mail invitation concerning an *ENQA Seminar for agencies preparing to undergo an initial external review*. In a 2,5 day training ENQA prepares agencies for their upcoming review, (possibly performed by ENQA) and during the training 'some of the challenges in meeting the expectations of the ESG 2015 will be explored, and ideas on how to approach them will be exchanged.' If this procedure is considered good practice, we kindly request ECA to reconsider the remark.

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Similarly relating to the *Standard 3.4 Thematic Analysis* we hope the notes on page 66 demonstrate that EQ-Arts has clearly identified the subjects of review and give a clear message on their value to the EHAE sector.

We hope our comments are not seen as critical of ECA's findings but hope you recognise we are keen that you fully understand our principles and practice. We fully appreciate your predicament regarding the number of formal assessment reports available for you on which to base your judgements, but you will understand the chicken and egg conundrum, in which we find ourselves. We believe there is considerable evidence of our ability to fulfil these Standards.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'John Butler', is located below the 'Yours sincerely,' text. The signature is written on a light blue rectangular background.

Professor John Butler
CEO EQ-Arts
On behalf of The EQ-Arts Board and Executive Group

EQAR | Aarlenstraat 22 rue d'Arlon | BE-1050 Brussels

Rolf Heusser

Chair of the review panel for EQ-Arts

– by email –

Brussels, 25 October 2018

Application by EQ-Arts for inclusion on EQAR

Dear Rolf,

Enhancing Quality in the Arts (EQ-Arts) has made an application for initial inclusion on the European Quality Assurance Register for Higher Education (EQAR).

We are contacting you in your capacity as chair of the panel that prepared the external review report of 13/09/2018 on which EQ-Arts's application is based.

The EQAR Register Committee's rapporteurs have been considering the application and the external review report. We would be obliged if you could clarify, in consultation with the panel members as necessary, some matters in order to contribute to the consideration of EQ-Arts's application:

1. You noted that EQ-Arts as such carried out one enhancement review and took part in two formal assessments, in cooperation with other agencies, since its establishment as a separate organisation in 2015.

In the introduction, the report also mentions the track record on which EQ-Arts work is based, constituted by the numerous activities carried out under the auspices of ELIA prior to 2015.

As there is, however, no explicit reference in the panel's analysis and conclusions per the various standards, could you please elaborate whether and how the panel took into account this track record, in particular with regard to:

1. how stakeholders were involved in the development of EQ-Arts' external quality assurance processes and criteria under the auspices of ELIA (re. ESG 2.2);
2. the consistent implementation of the key features mentioned in ESG 2.3;

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EQAR Founding Members:



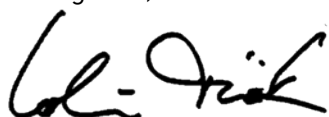
3. the composition of review panels in line with ESG 2.4;
 4. the consistency in applying criteria (re. ESG 2.5);
 5. the reporting practices (re. ESG 2.6).
2. Did the panel consider any specific precautions taken by EQ-Arts to avoid conflicts of interests given the possible close relationships within the field of Arts (re. ESG 2.4)?
 3. With regard to ESG 3.1, please elaborate on EQ-Arts policies reviewed by the panel that ensure a clear distinction between consultancy and assessment/reviews, and that prevent conflicts of interest as set out in Annex 5 to the EQAR Policy on the Use and Interpretation of the ESG.
 4. Did the panel consider the modalities of appointing the members of the EQ-Arts Board and the Executive Group, and how did the panel judge their impact on EQ-Arts' independence (re. ESG 3.3)?
 5. In light of the remarks about the EQ-Arts assessment undertaken in Kazakhstan (in cooperation with MusiQuE), please elaborate further on the panel's considerations in concluding that there was no "influence of the local context" (re. ESG 3.3).

We would be grateful if it was possible for you to respond **by 21 November 2018**, and we would appreciate if you get in contact with us should that not be feasible.

Please note that EQAR will publish this request and your response together with the final decision on EQ-Arts's application. We, however, kindly ask you to keep information related to the application confidential until the final decision has been published.

We acknowledge that it might not be possible to clarify all of the above. However, we appreciate your assistance and I shall be at your disposal if you have any questions in relation to this request.

Kind regards,



Colin Tück
(Director)

Cc: Nick Harris
ECA (coordinator)
EQ-Arts

Response to EQAR Rapporteurs' requests re Report on EQ-Arts

From EQAR:

The EQAR Register Committee's rapporteurs have been considering the application and the external review report. We would be obliged if you could clarify, in consultation with the panel members as necessary, some matters in order to contribute to the consideration of EQ-Arts's application:

1. You noted that EQ-Arts as such carried out one enhancement review and took part in two formal assessments, in cooperation with other agencies, since its establishment as a separate organisation in 2015.

In the introduction, the report also mentions the track record on which EQ-Arts work is based, constituted by the numerous activities carried out under the auspices of ELIA prior to 2015.

As there is, however, no explicit reference in the panel's analysis and conclusions per the various standards, could you please elaborate whether and how the panel took into account this track record,

The Panel took the primary view that it was evaluating EQ-Arts' application for registration on EQAR on the basis that its capacities as an independent QA agency and not under another body / legal entity. Never the less, in reaching its conclusions the Panel did, of course, consider the extensive experience and expertise of the senior officers both individually and, most importantly, their collective and extensive work within ELIA on QA/QE within their 'arts sector', and the genesis and early independent establishment of EQ-Arts. The Panel's Report includes several statements relevant to this general query within, for example:

4.3 EQ-Arts and its relationship with ELIA (pages 20-21 of the Panel's Report);

4.4 EQ-Arts as an independent organisation (pages 22-23 of the Panel's Report);

5.4 ESG-2.4 Peer review experts;

5.5 ESG-2.5 Criteria for outcomes

.. etc.

The Panel also noted that the development of the standards now used by EQ-Arts was a direct result of the long and detailed work undertaken within ELIA and including extensive stakeholder consultations (see also below).

.. in particular with regard to:

(1) 1. how stakeholders were involved in the development of EQArts' external quality assurance processes and criteria under the auspices of ELIA (re. ESG 2.2);

The Panel's Report states "The EQ-Arts' SER justifiably and successfully addresses this standard [ESG 2.2] at some length. Both within ELIA, and more recently as a separate organisation, EQ-Arts has put considerable effort into developing and framing its procedures within the contexts that it prioritises, namely the diverse professional and practice fields from which it has emerged, its keenness to engage in a shared 'voice' with its sector, yet with rigour, and emphasising the importance of considering and promoting international perspectives."

The evidence presented in EQ-Arts' SER regarding this standard is extensive, detailed and was confirmed through various site-visit sessions and summarised in, for example, p18-19 of the Panel's Report. The Panel refers the Rapporteurs to the relevant section of the SER rather than reiterating it all here, and also to relevant material on page 56 of the Panel's report under ESG 3.1.

That EQ-Arts continues to involve stakeholders in these matters is addressed directly in its SER, see page 26 for details of the current satisfaction surveys (attached as Annexes to the SER) and how feedback from these surveys is used.

(1) 2. the consistent implementation of the key features mentioned in ESG 2.3;

It is clear from EQ-Arts' SER and the Panel's Report that EQ-Arts' procedures were subject to a progressive and logical series of developments whilst associated with ELIA, and that such developments are highly likely to continue with EQ-Arts as an independent QA agency. Within EQ-Arts' limited time frame and number of evaluations as an independent body it is *not possible* to certify 'consistency of all key features in ESG 2.3'. Based on the fact that in the previous structures of EQ-Art follow ups have been pursued and based on the individual and collective experience and expertise of the senior members of EQ-Arts and the evidence from the site-visit, the panel is convinced that EQ-Arts will be able to meet this criteria in due course.

(1) 3. the composition of review panels in line with ESG 2.4;

EQ-Arts' comments on its reviewers, their training and actions/roles within review panels in various sections of the SER. The Panel's Report notes confirmation of these aspects and in particular the considerable efforts placed in reviewer training and selection.

EQ-Arts continues, as when under ELIA, to place emphasis on aligning subject specialists with institutional / programme foci for its assessment / review panels.

EQ-Arts indicated in its SER its problems in recruiting sufficient suitable student reviewers, however from the site-visit discussions it was clear that this is being addressed as a priority during 2018 and that students will be part of the panels in future procedures. The site visit provided evidence that EQ-Arts already begun to review its approaches to Panel membership. In light of the Panel's confidence in EQ-Art's commitment the Panel concluded that it was in Substantial Compliance with this standard.

(1) 4. the consistency in applying criteria (re. ESG 2.5);

At the time of the site-visit the evaluations that EQ-Arts had been involved with, either as an independent organization or under the auspices of ELIA, had applied criteria in collaborative agreement with those of other bodies in all except the single enhancement carried out in 2017. The Panel discussed at length whether the judgement against this standard should be Substantial or Full Compliance. In particular it weighed recognised important evidence from many of the site-visit sessions confirming, for example: the priority being given to transparency and consistency in all of its developed and developing activities, the extensive experience and (international) expertise of EQ-Arts' senior officers; the excellent reviewer training; the guidance for panel members and particularly concerning 'triangulation of evidence'; and the ways in which Reports are developed and dealt with by the organisation. In light of this track record' the Panel concluded, on balance, with a judgement of Full Compliance.

(1) 5. the reporting practices (re. ESG 2.6).

The Panel discussed at some length its conclusion on the level of compliance against this Standard. In this case, and with somewhat less 'track record' components to 'weigh', the Panel concluded that EQ-Arts SUBSTANTIALLY complies with ESG 2.6 for all three activities.

The Conclusion sought to reflect the very limited number of Reports published by EQ-Arts to date (only one Enhancement Review and two for accreditation decisions made by others) but also the Panel's recognition of the context set out in the SER, the extensive experience gained organizationally through its ELIA activities and, in particular, the site-visit discussions through which the Panel recognised that EQ-Arts understands the expectations of this Standard and has procedures and intentions to meet it Fully in due course.

2. Did the panel consider any specific precautions taken by EQ-Arts to avoid conflicts of interests given the possible close relationships within the field of Arts (re. ESG 2.4)?

The Rapporteurs' attention is drawn to the last sentence on page 43 of the Panel's Report:

"All (peer review experts) are required to complete a 'no conflict of interests' statement". This is included as Annex 18 to EQ-Arts' SER and its rigorous application was confirmed during the site-visit both with those organising and participating in reviews.

The Rapporteurs might also note that the '[no] Conflict of Interest Disclosure Form' (Annex 18) is part of a suit of documents that also includes:

Annex 16: Code of conduct

Annex 17: Code of ethics

Annex 19: Equal opportunities statement.

3. With regard to ESG 3.1, please elaborate on EQ-Arts policies reviewed by the panel that ensure a clear distinction between consultancy and assessment/reviews, and that prevent conflicts of interest as set out in Annex 5 to the EQAR Policy on the Use and Interpretation of the ESG.

Section 8: Findings of the Panel on other activities undertaken by EQ-Arts, notes under Institutional & programme consultancy, that "EQ-Arts "offers consultancy in areas such as Quality Enhancement, student-centred learning, Learning & Teaching and Research in Higher Arts Education". With EQ-Arts' particular areas of expertise in mind, preparation for a national accreditation, the development of a new programmes and, in particular, the relationship between learning outcomes and their assessment (and their related QA/QE) are identified as specific examples that may be of interest to the sector."

"The Panel remained unclear as to whether it was EQ-Arts that was, as an organisation, offering and, for example, managing / quality assuring, the consultancy activity or whether it was merely acting as a 'broker' between individuals (with considerable expertise to offer) and institutions / programmes seeking advice and support." However what is clear from EQ-Arts procedures and documentation, and confirmed during the site-visit – and, importantly, 'ethos' - is that those involved in any consultation activities cannot be involved in any assessment/ reviews nor in the making of any accreditation decisions nor involved in any related appeals procedures. The Panel is clear that there is no conflict of interest as set out in Annex 5 of EQAR Policy.

4. Did the panel consider the modalities of appointing the members of the EQ-Arts Board and the Executive Group, and how did the panel judge their impact on EQ-Arts' independence (re. ESG 3.3)?

At the time of submission of its SER EQ-Arts' statutes were under revision and thus not attached as an Annex. The revision was however completed in April 2018 and the Panel provided with an English translation prior to the site-visit.

Article 4 of the Statutes sets out considerable detail concerning the 'Board of Directors, composition, method appointment; it was also revised to include some important changes concerning the relationship between the Board and the CEO.

Rather than reiterate the extensive details here a copy of the 2018 Statutes is attached as Addendum 1. Rapporteurs may wish to note in particular that within its 14 Articles the Statutes include:

- Article 5 Board tasks and authorities
- Article 6 Board meetings
- Article 7 Board decision-making processes

The Executive Group includes the 'founding members' – inevitably and rightly so at this very early stage in the evolution of EQ-Arts as an independent body.

Some of this Group are also members of the Board that also includes an increasingly wider range of members appointed from within the 'arts' community but with particular discipline interests and also significant organizational expertise. The Chair is independent of the 'arts discipline' community. Potential Board members are identified / appointed by the Board not by public competition but, much more appropriately, through informed 'networking'.

During the site-visit the Panel explored various aspects of 'independence' including that of Board members in particular (since they will be the Accreditation body). It is clearly stated in the statutes that :*"All members of the Board sit on personal title and do not represent their organisation or higher arts education institution in any way."*

It was very clear to the Panel during various of the site-visit meetings that the Statutes are taken and acted upon seriously, particularly with the regard to the appointments to, and roles and powers of the Board (which is the Accreditation Body). The Panel noted particular emphases on: the appointment of new Board members and invitees to Board meetings, with appropriate experience and expertise; clear guidance that Board members are appointed as qualified individuals and not as representatives of their organisations; the independence of actions both individually and collectively; measures to ensure that conflicts of interest are not allowed to arise.

5. In light of the remarks about the EQ-Arts assessment undertaken in Kazakhstan (in cooperation with MusiQuE), please elaborate further on the panel's considerations in concluding that there was no "influence of the local context" (re. ESG 3.3).

The 'Kazakhstan report' was the subject of singular interest to the Panel. In addition to various positive findings / comments the Report also contains some potentially serious criticisms. The Panel was keen to explore the relationship between various, rather critical comments within the Report concerning the institution's / programmes' internal QA (systems). In summary, the Report, whilst recognising an institutional level internal QA system was critical of that at programme level. The accreditations were, however, granted at programme level.

Context in this case is important. EQ-Arts provided the expert panel that undertook the review of 17 programmes, against the *MusiQuE - EQ-Arts Standards & Guidelines for Programme review*, jointly agreed on by MusiQuE & EQ-Arts. The EQ-Arts Report was to include recommendations upon which MusiQue would base the final accreditation decisions. As anticipated by Panel members, EQ-Arts confirmed during the site-visit discussions that a failure in accreditation would likely result in closure of a programme.

The topic was raised (rigorously) by the Panel in meetings with the Board, the Executive and the Reviewers and was also raised by a key stakeholder during their meeting.

In light of all of the evidence presented it was clear to the Panel that EQ-Arts had acted independently and that their (firm) recommendations were both appropriate and provided the best basis for improvement / enhancement within the context of the institution and its programmes.

Summary to points raised by the Rapporteurs:

The Panel assessed EQ-Arts, for inclusion within the EQAR, as an independent body, although in reaching its conclusions and recommendations drew extensively on the demonstrable earlier, wide-ranging and international experience, expertise and 'track record' particularly of the founding members, both individually and collectively within ELIA. The Panel noted the extensive (and continuing) stakeholder involvement in the development of EQ-Arts' criteria, processes and outcomes, and draws attention to the important revisions to the Statutes in April 2018.

ADDENDUM – attached as separate file

Amendment to EQ-Arts' Articles of Association – April 2018

[provided as a delayed Annex 1 to the SER, and particularly relevant to the Rapporteurs' queries concerning:

4. Did the panel consider the modalities of appointing the members of the EQ-Arts Board and the Executive Group, and how did the panel judge their impact on EQ-Arts' independence (re. ESG 3.3)?

File: 18.29625

AMENDMENT TO THE ARTICLES OF ASSOCIATION

On this day, April twenty-sixth two-thousand eighteen, there appeared before me, mr. Leendert Cornelis Kok, former civil-law notary, hereafter referred to as deputy of mr. Barbara Jennifer van Ligten, civil-law notary practising in Amsterdam:

Mr. Lars Ebert, residing on 1017 BP Amsterdam, Herengracht 401 2, born in Heidelberg on April fifth nineteen seventy-six, proving his identity with passport number CAVRT554F, issued in Amsterdam on June twelfth two-thousand twelve, valid until June twelfth two-thousand twenty-two, unmarried and not a registered partner in the sense of registered partnership;

in the capacity of authoritative representative of the foundation Stichting EQ-Arts - Enhancing Quality in the Arts to be established in Amsterdam and to have its registered office in Amsterdam on the address: 1017 BA Amsterdam, Beulingstraat 8, listed in the trade register since July twenty-first two-thousand fifteen under file number 63775751, hereafter referred to as "the Foundation."

INTRODUCTION

The person appearing, acting in the aforementioned capacity, stated that:

- during the meeting of the foundation' s board held on March the third two-thousand eighteen (03-03-2018), the decision was made to partly amend the articles of association;
- as evidenced by article 12, 2nd paragraph, of the Foundation' s articles of association, each member of the board is individually authorised to execute the deed;
- the foundation' s articles of association have been laid down in a deed of incorporation on July twentieth two-thousand fifteen (20-07-2015), executed in the presence of Bart Voorwinde, at the time civil-law notary practising in Amsterdam, and that they have not been amended ever since.

AMENDMENT TO THE ARTICLES OF ASSOCIATION

Pursuant to the above, the person appearing stated that he wishes to amend the Foundation' s articles of association as follows:

The existing article 4.1.c. shall be removed and replaced by the new article 4.1.c. reading as follows:

Article 4

1. c. EQ-Arts' Chief Executive Officer shall be appointed by EQ-Arts' board of directors.

The existing article 4.1.d. shall be removed and replaced by the new article 4.1.d. reading as follows:

Article 4

1. d. The Foundation' s chairman is the line manager of the Chief Executive Officer and the Chief Executive Officer is the line manager of the General manager.

The existing article 5.1 shall be removed and replaced by the new article 5.1 reading as follows:

Article 5

1. The board is responsible for managing the foundation. The board approves of the policy drawn up by the Executive Group. The board acts as accreditation board with regard to the formal assessments performed by EQ-Arts. The board approves of the annual report and the annual accounts. The board approves of a strategic five-year plan. The board receives an operational plan from the Executive Office. The board appoints the annual accountants. The board designs and approves of the operational regulations, reviewing them on a regular basis.

The existing article 6.1 shall be removed and replaced by the new article 6.1 reading as follows:

Article 6

1. Board meetings are to be held in the Netherlands at a location determined in the convening notice. Digital meetings are possible. The existing article 6.7 shall be removed and replaced by the new article 6.7 reading as follows:

Article 6

7. The General Manager shall take minutes during the meeting. In the General Manager' s absence, a minutes taker shall be designated by the chairman of the meeting. The minutes shall be adopted and signed by the chairman of the meeting and the minutes taker. The minutes shall then be saved by the General Manager.

FINAL STATEMENT:

The person appearing stated as follows:

All other articles of the current articles of association shall remain in full force.

FINAL CLAUSE

THIS DEED was executed in Amsterdam on the date stated in the preamble to this deed.

The person appearing has proven his identity to me, civil-law notary. The substance of the deed has been presented and explained to him. The person appearing agreed to a limited reading of the deed and confirmed that he has received a draft version of the deed and also that he has taken note of it on time prior to its execution.

After a limited reading of this deed, it was signed immediately by the person appearing and by me, civil-law notary, at ten o' clock and thirty-four minutes.

(Signatures)

ISSUED AS A TRUE COPY

Continuous text of the articles of association of Stichting EQ-Arts – Enhancing Quality in the Arts, established in Amsterdam, as they read subsequent to the deed of amendment to the articles of association dated April twenty-sixth two-thousand eighteen, executed in the presence of a deputy of mr. Barbara Jennifer van Ligten, civil-law notary practising in Amsterdam.

Name and registered office

Article 1

1. The foundation is called: Stichting EQ-Arts - Enhancing Quality in the Arts.
2. It has its registered office in the municipality of Amsterdam.

Objects

Article 2

1. The objects of the foundation are the following:
 - a. to evaluate, promote and develop the standard and the quality of higher arts education in Europe.
 - b. to perform all further acts relating to the above in the broadest sense of the word or which might be conducive to it.
2. The foundation seeks to reach its target by attending quality assurance and quality development processes among other things within higher arts education in Europe. EQ-Arts shall act as an independent agency. The agency shall deliver services in accordance with the standards defined within the "European Higher Education Area" , such as the ESG (European Standards and Guidelines for Quality in Higher Education in Europe) and other similar policy documents in the future.

Capital

Article 3

The foundation' s capital shall consist of the following:

- subsidies and donations;
- gifts, inheritances and bequests;
- all other acquisitions and incomes.

Board of directors: composition, method of appointment

Article 4

1. The foundation' s board consists of at least five (5) members determined by the board:

- a. The foundation' s board may appoint no more than four (4) additional members in addition to the minimum number of five (5). They shall be appointed for a period of three (3) years and may extend this period three (3) more times up to no more than nine (9) years. The members appointed first shall resign on a phased basis.
 - b. The chairman, treasurer and secretary shall be appointed by EQ-Arts' board. They shall be appointed for a period of three (3) years. This period may be extended once up to no more than six (6) years. The chairman is responsible for managing and developing EQ-Arts.
 - c. EQ-Arts' Chief Executive Officer shall be appointed by EQ-Arts' board.
 - d. The foundation' s chairman shall be the line manager of the Chief Executive Officer and the Chief Executive Officer shall be the line manager of the General Manager.
 - e. EQ-Arts' board shall invite no more than three (3) sectoral organisational representatives (e.g. ELIA - The European League of Institutes of the Arts) to attend board meetings, however these representatives shall have no voting rights.
 - f. The quorum is at least fifty percent (50%) of the board.
2. Upon the appointment of the first board, elections and re-elections shall be held in co-option. Job vacancies are to be fulfilled as soon as possible. EQ-Arts shall designate a chairman, a secretary and a treasurer from its members. One person can be a chairman and secretary at the same time.
 3. Board members shall be appointed for a period of three (3) years. This period may be extended up to no more than nine (9) years.
 4. In the event of one or several board vacancies, the board may retain its authorities.
 5. If one or several members are not available within the board whatever the reason may be, the remaining board member shall form a statutory board nevertheless, without prejudice to the provision of article 9.
 6. All board members are entitled to compensation for any reasonable costs incurred in fulfilling their duties.

Board: task and authorities

Article 5

1. The board is responsible for managing the foundation. The board shall approve of the policy drawn up by the Executive Group. The board shall proceed as accreditation board with regard to the formal assessments performed by EQ-Arts. The board shall approve of the annual report and the annual accounts. The board shall approve of a strategic five-year plan. The board shall receive an operational plan from the Executive Office. The board shall appoint the annual auditors. The board shall design and approve of the operational regulations, reviewing them on a regular basis.
2. The board may decide to enter into agreements regarding the acquisition, alienation and encumbrance of property subject to registration, provided the decision accepted unanimously by all board members holding office.

3. The board is authorised to conclude agreements, whereby the foundation commits itself as guarantor or as joint debtor, commits itself to third parties or commits itself as guarantor for third parties' debts, provided the decision is taken unanimously by all board members holding office.
4. The board may appeal against third parties in the event of an act inconsistent with the 2nd and 3rd paragraph.

Board: meetings

Article 6

1. Board meetings are to be held in the Netherlands at the location determined in the convening notice. Holding meetings digitally is possible.
2. A board meeting (the annual meeting) shall be held within six (6) months after the end of each financial year, to discuss at least the adoption of the balance sheet and the state of assets and expenditures.
3. Meetings shall also be held each time a the board member calls a meeting.
4. Meetings shall be convened in writing, at least seven days in advance, not including the day of the convening notice and the day on which the meeting is to be held. In case of an emergency, meetings may also be convened by telephone or email.
5. The convening notice shall state the place and time of the meeting, but also the subjects to discuss.
6. Meetings shall be chaired by the chairman. If the chairman is not present, the attending board members shall chair the meeting. Until then, the meeting shall be chaired by the oldest board member attending the meeting.
7. The General Manager shall take the minutes of the meeting. In the General Manager' s absence, a minutes taker shall be designated by the chairman of the meeting. The minutes shall be adopted and signed by the chairman of the meeting and the minutes taker. The minutes shall then be saved by the General Manager.
8. Board meetings may be attended by board members holding office and those who have received the board' s invitation.

Board: decision-making process

Article 7

1. During a meeting, board members may only take decisions provided half or three (3) of the board members holding office are either present or represented. Any board member may have another member represent him at the meeting provided a written proxy has been issued which the chairman of the meeting deems sufficient. A board member may only represent one of the other board members.
Board members may attend meetings held by telephone or online.

2. If a meeting is not attended or represented by half of the members holding office, a second meeting shall be convened and held no sooner than two and no later than four weeks after the first meeting. During this second meeting decisions regarding subjects scheduled for the first meeting can be taken regardless of the number of board members either present or represented.
The notice convening a second meeting must state that and why decisions can be taken regardless of the number of board members either present or represented.
3. As long as all board members holding office are attending the meeting, valid decisions can be taken regarding all subjects discussed, provided decisions are taken unanimously, even if the prescriptions for convening and holding meetings referred to in the articles of association have not been observed.
4. The board may also unanimously take decisions outside the meeting. The secretary shall prepare records of such decisions, and saved as minutes after these records have been co-signed by the chairman of the board.
5. Each member of the board may cast one vote.
To the extent these articles of association do not prescribe a greater majority, board decisions shall be taken by absolute majority of the valid votes. In the event of votes being equally divided, the proposal shall be rejected.
6. All votes shall be cast orally at the meeting, unless one or several board members require a written vote prior to the voting.
A voting in writing shall be cast using unsigned, sealed ballots.
7. Blanc votes shall be deemed not to have been cast.
8. The judgement of the chairman expressed at the voting and regarding the results of the voting, shall be decisive. The same applies to the contents of the decision made, insofar votes were cast on a proposal not laid down in writing.
In case the correctness of the judgement is challenged immediately after it has been expressed by the chairman of the meeting, votes shall be cast once again if the majority of the meeting or, in case the original voting was not conducted by roll-call or by ballot, an attending member who is entitled to vote requires as such. The legal consequences of the original voting shall expire due to this new voting.

Board: end of the term of office

Article 8

The board member's term of office shall end:

- a. Upon his death or in case the board member is a legal entity, upon its dissolution or in case it ceases to exist;
- b. Upon losing the free disposal over his assets;
- c. Upon his resignation;
- d. Upon dismissal granted by all the other board members;
- e. Upon dismissal by virtue of article 2:298 of the Dutch Civil Code.

Representation

Article 9

1. The board represents the foundation.
2. The representative authority shall also be vested in two (2) board members acting jointly.
3. The board may issue a proxy to one or several members of the board, and also to third parties, to represent the foundation within the limits of that proxy.

Financial year and financial statements

Article 10

1. The foundation' s financial year is the same as the calendar year.
2. The board shall keep records of the foundation' s assets position and everything regarding the foundation' s activities, as well as save any relevant books and documents as well as other data carriers, in such a manner that the foundation' s rights and obligations remain visible at all times.
3. The board shall prepare and lay down in writing the foundation' s state of assets and expenditures on an annual basis within six months after the expiry of the financial year.
The balance sheet and the state of income and expenditures are to be audited by a designated registered auditor or account-administrative consultant assigned by the board, or by any other expert in the sense of article 2:393 of the Dutch Civil Code.
This expert present the audit report to the board and explain his audit in a statement regarding the accurateness of the documents referred to in the previous paragraph.
4. The board shall save the books, documents and any other data carriers referred to in the previous paragraphs for a period of seven years.
5. Any data provided on the data carrier, with the exception of the written balance sheet and state of income and expenditures may be transferred to and saved on another data carrier, provided these data can be fully and correctly fully transferred and provided these data are available throughout the storage period and can be made accessible within a reasonable amount of time.

Regulations

Article 11

1. The board may adopt regulations, in which subjects are laid down which require (further) regulations according to the board.
2. These regulations may not be inconsistent with the law or these articles of association.
3. The board may amend or cancel these regulations.
4. Adoption of, amendment to and cancellation of the regulations is subject to the provision of article 12, 1st paragraph.

Amendments to the articles of association

Article 12

1. The board is authorised to amend these articles of association. The decision to amend the articles of association shall be taken unanimously during a meeting at which all members are present or represented. The provision of article 7 paragraphs 3 and 4 shall apply mutatis mutandis to the decision to amend the articles of association, on the understanding that if a decision is taken outside the meeting this decision must be evidenced by a document signed by each member of the board.
2. The amendment shall take effect under penalty of nullity by a notarial deed.
Each member of the board is individually authorised to execute the deed concerned.
3. The members of the board shall deposit an authentic copy of the amendment and the amended articles of association at the trade register.

Dissolution and liquidation

Article 13

1. The board may dissolve the foundation.
2. The provision of article 12, 1st paragraph, shall apply mutatis mutandis to the board's decision to dissolve the foundation.
3. Upon dissolution, liquidation shall be seen to by the board members, unless other liquidators have been assigned upon while deciding to dissolve the foundation.
4. Subsequent to liquidation, any books or documents concerning the dissolved foundation shall be stored by the person assigned by the liquidators, for a period of time prescribed by law.
5. Liquidation is subject to the provisions of Part 1, Book 2 of the Dutch Civil Code.

Final provisions

Article 14

1. The board shall take a decision in all cases not covered by the law or these articles of association.
2. In these articles of association, *in writing* also means legible and reproducible messages sent out electronically.
3. The foundation's first financial year shall end on December thirty-first, two thousand fifteen.

EQ-Arts additional representation to EQAR - March 2019

Introduction

EQ-Arts is grateful for the opportunity to respond to the EQAR Report and the opportunity this provides us to address three key areas of particular concern in respect of the outcome. These areas are closely aligned to EQAR's principle argument that the EQ-Arts application for inclusion on the EQAR Register *"could only provide limited evidence on EQ-Arts level of compliance with most standards of Part 2 of the ESG which was mainly due to the short time span for which EQ-Arts has existed as an independent organisation and due to the fact that only three reviews had been completed by EQ-Arts itself at the time of the site visit"* (as justification in four of the six revised conclusions).

The three areas of particular concern to EQ-Arts are:

1. The level of evidence provided
2. An inconsistency within the decision-making process
3. A lack of trust in the EQAR review process

Each of these areas of concern is discussed in further detail below.

1. Level of Evidence

In the EQAR procedure of eligibility and in the minutes of the telephone conversation linked with it¹, EQAR agreed to take into consideration reports and activities that were performed before EQ-Arts became fully independent from ELIA. This was made very clear in the content of the further information asked for by the EQAR Register Committee to the panel. Yet, the Register Committee's general agreement, quoted above, seems to overlook the activities and reports completed as an ELIA activity completely. This is notwithstanding the ECA panel's clear and extensive reply to the further information asked for by EQAR about the activities and enhancement reports under the ELIA structure. In the process towards applying and investigating eligibility, EQAR *"underlined that a sufficient body of experience – at least 5 to 10 completed external quality assurance (EQA) procedures – is required for a panel to analyse EQ-Arts activities not only in theory, but also in practice."*² On this basis, EQ-Arts considered their 'critical friend' reviews as an EQA activity within the scope of the ESG³. Taken together, the activities undertaken under the ELIA structure and those undertaken as a fully independent agency, the panel had access to seven EQA published reports. This

¹ See Minutes of Telephone Conversation annexed to EQAR Decision Report

² See paragraph 3 in minutes of telephone conversation

³ See paragraphs 6, 7 and 8 in minutes of telephone conversation

number clearly meets the current EQAR condition of a minimum of 5 EQA activities within the scope of the ESG.

2. Inconsistency of Decision-Making

Through EQ-Arts reading of the EQAR report, we have noted several instances where the decisions reached in respect of the EQ-Arts application is at variance with the practices of comparable independent agencies at the time of their successful applications – MusiQuE being one example of another discipline-specific agency – in areas such as:

- Number of published reports (2.3)
- Follow-up (2.4)
- Assessment and Enhancement (3.1)
- Independence (3.3)
- Thematic Analysis (3.4)

Details of specific examples of these practices are to be found in our response to the specific standards.

3. Lack of trust in the Review Process

While the European framework and the ESG accept the central role of trust, EQAR seems to take the line that trust must be earned first and evidenced by proof of activities and outcomes, while the evidence of having the ESG enshrined in the EQ-Arts policy, procedures and framework is in itself not seen as being sufficient. This is comparable to a situation in which a new government, elected on the basis of a declared manifesto, not being accepted by a controlling parliament due to a lack of trust because of having been no prior practical implementation of its policies. Such a situation can be summarised as the ‘chicken-and-egg’ dilemma. The number of EQAR amended conclusions of the ECA Panel Report demonstrates a clear lack of trust in the review process as evidenced in the final EQAR report. This action is notwithstanding the fact that EQAR approved the ECA appointment as review co-ordinator and the composition of the Review Panel. This approach presents a major challenge to EQAR’s own policy to be open to international agencies worldwide that, as yet, have a limited number of review reports within the EHEA.⁴ This is runs contra to the EU and EQAR policy and strategy to allow and support international agencies and promote cross-border QA.

EQ-Arts’ response to EQAR conclusions on ESG Standards not achieving compliance.

ESG 2.3 Implementing processes

Standard: External quality assurance processes should be reliable, useful, pre-defined, implemented consistently and published. They include a self-assessment or equivalent; an external assessment normally including a site visit; a report resulting from the external assessment; a consistent follow-up

The first sentence in the EQAR report (ESG 2.3) holds a tension between “*While the Register Committee acknowledged the track record of implementing the key features mentioned by the standard under the ELIA structure*” and “*it considered that evidence on their*

⁴ see EQAR *Use and Interpretation of the ESG* (pp. 9-10)

*implementation by EQ-Arts as an independent agency was scarce.*⁵ This contradiction is analysed and disputed in depth in the introductory paragraphs.

Furthermore, it seems to EQ-Arts that when the track record under the former ELIA structure is considered together with the limited reviews as a fully independent agency, there is considerable evidence. In total the panel were able to examine 7 enhancement review activities that were finalised with published reports⁶ on our website. In addition, there were further collaborative reports with national agencies (e.g. ARACIS Romania & SKVC Lithuania) and European agencies (e.g. IEP, EUA). That number meets EQAR's condition of eligibility to have at least 5 completed external quality assurance (EQA) procedures for a panel to analyse EQ-Arts activities not only in theory, but also in practice (see paragraph 3 of the minutes of telephone conversation). Since the ECA panel visit a further 4 enhancement review visits have been completed and their reports⁷ have been posted on our website.

When considering the EQ-Arts track record of carrying out *'follow-up'* reviews, the period under the ELIA structure has not been taken into consideration as is expressed in the sentence of the 1st paragraph under this ESG, *"In particular, due to the recent establishment, the approach to follow-up was not yet implemented in practice."* Pre 2015 under the ELIA structure and as part of the European Thematic Networks for the Arts, *inter}artes* 2004-07 and *artenet Europe* 2007-10 we were supported to carry out 5 *'follow-up'* visits (Brno, Czech Republic; Cluj-Napoca, Romania; Vilnius, Lithuania; Sofia, Bulgaria & Antalya, Turkey), the reports (5) and analysis (3) were available⁸ to the panel and are published on our website. These visits were to enable us to measure impact and assess development within the institution and programmes as well evaluate our own procedures through feedback⁹ from the hosts.

In the EQ-Arts SER it states: *'A follow-up visit of the Review Panel Chair and another EQ-Arts expert to assess progress and clarify issues arising from institutional action towards addressing conditions/recommendations in the assessment/review report'* EQ-Arts has a clear policy and procedure¹⁰, involving the reviewed institution making an evaluation report¹¹ up to one year after the final visit, updating on the actions taken and impact of recommendations made and new developments as outcomes of the review.

With the EQ-Arts assessment reviews we have been in contact with AQ Austria (Linz) and MusiQuE (Kazakhstan), who were the lead partners in the assessment process, regarding the *'follow-up'* process and we are waiting on their instruction.

⁵ see EQAR Report paragraph 8, p.2

⁶ see Annexes 1 and 2 *EQ-Arts Institutional & Programme Review Reports* (available on the EQ-Arts website www.eq-arts.org)

⁷ see <http://www.eq-arts.org/completed-reviews/>

⁸ see <http://www.eq-arts.org/completed-reviews/>

⁹ see Annex 3 *EQ-Arts Customer Satisfaction Survey template*

¹⁰ see Annex 4 *EQ-Arts Follow-up procedure* (available on the EQ-Arts website www.eq-arts.org)

¹¹ see Annex 5 *EQ-Arts Template for Follow-up Report*

EQ-Arts through these actions believes that it clearly demonstrates its commitment to, and experience of, carrying out a ‘*follow-up*’ process. The more so, since several (national) registered agencies do not have a follow-up process during the legal national cycle (e.g. NVAO), so a danger of inconsistency occurs here again. We can only hope that the remaining responsibility “*for ensuring a consistent follow-up even if the formal decision is taken by another body or another body carries out the actual follow-up*” as stated in EQAR’s Policy on the Use and Interpretation of the ESG will be considered with the same focus and weight as in EQ-Arts’ case.

ESG 2.4 Peer-review Experts

Standard: External quality assurance should be carried out by groups of external experts that include (a) student members(s).

The student experience is central to EQ-Arts’ ethos and philosophy and we are committed to engaging students in all our activities. In order to demonstrate that the involvement of students is not a ‘future plan’ as the Register Committee states in its deferral, but current practice, we include a table, which shows student involvement in our EQA processes:

NAME STUDENT	LEVEL and PROGRAMME	INSTITUTION	INVOLVED IN EQ-ARTS REVIEW	YEAR
Jamankulova Gulmira kurmangadiевна	MA Architecture	Seifulin Kazakh Agrotechnical University – Kazakhstan	KazNUA - Kazakhstan	2017
Anna Lena Bankel	MA Kunst und kommunikative Praxis / Design, Architektur, Environment /Textilkunst	Universität für angewandte Kunst Vienna - Austria	University of Art and Design Linz	2017
Emma van der Kammen	MA Arts and Culture	Leiden University – The Netherlands	UMPRUM – Czech Republic	2018
Ondrej Danek	BA Management of Music	Janacek Academy of Performing Arts in Brno	AMU – Czech Republic	2018
Sophie Schasiepen	PhD candidate in Philosophy	Academy of Fine Arts Vienna - Austria	Zurich University of the Arts, Design Dept - Switzerland	2018/2019
Elena Chemerska	MA Fine Arts	AKV St Joost Den Bosch – the Netherlands	Piet Zwart Institute – the Netherlands	2019

Wiebke Rademacher	Doctoral Studies in Historical Musicology	University of Cologne - Germany	Zurich University of the Arts, Music Dept - Switzerland	2019
Fleur de Boer	BA Design, 2-D Animation	Hogeschool voor de Kunsten Utrecht – the Netherlands	Willem de Kooning Academie – the Netherlands	2019

Also, in the EQ-Arts Board we have student representation with **Emma van der Kammen** as the current member, to be replaced this year by **Johanna Kotlaris** – to ensure a period of overlap with Ms van der Kammen, Ms Kotlaris was introduced to the Board and Executive Group at the meeting on 21 November 2018.

The practice of engaging students has been a key policy and strategy for EQ-Arts from the beginning and we are continuously looking for ways to strengthen this.

ESG 2.5 – Criteria for Outcomes

Standard: Any outcomes or judgements arrived at, as the result of external quality assurance should be based on explicit and published criteria that are applied consistently, irrespective of whether the process leads to a formal decision.

The pre-defined criteria for the outcomes and judgements of the EQ-Arts external quality assurance processes are published within the *EQ-Arts Quality Framework* document¹² which is publicly available on the EQ-Arts website. The *Framework* also sets out, in considerable detail, a set of guidelines for each step of the EQA process, which are designed to further ensure that these criteria are applied consistently.

The criteria set out within the *Framework* are applied in the same way to both the formal (assessment) and quality enhancement critical friend reviews. For EQA reviews undertaken by EQ-Arts (see below) the only essential difference being in the status of the outcomes. Whereby conditions agreed by the review panel through a formal accreditation process being binding on the institution, but being only advisory (recommendations) in the context of a quality enhancement review. However, in such cases at the conclusion of an EQ-Arts quality enhancement review, within the report the institution is advised as to which of the stated recommendations would constitute conditions in the context of a formal accreditation process. It is also informed of the extent to which the review panel has judged the provision as being compliant, substantially compliant, partially compliant or non-compliant with each of the EQ-Arts standards. In this way, EQ-Arts fully meets the ESG 2.5 requirement that the judgements made as a result of its EQA processes are ‘based on

¹² see Annex 6 *EQ-Arts Quality Framework* (pp.8-11) (available on the EQ-Arts website www.eq-arts.org)

explicit and published criteria that are applied consistently, irrespective of whether the process leads to a formal decision’.

In line with the ESG statement for this standard, EQ-Arts has completed a number of reviews where its criteria have been ‘*applied consistently*’, in addition to the one carried out in Kazakhstan. This was accepted by the ECA panel in its report¹³ and EQ-Arts has undertaken four more reviews since this report was completed. We believe that it is contrary to the spirit of this standard, as it is written in the ESG, for the EQAR Register Committee not to consider a broader range of completed reviews when assessing EQ-Arts against this standard. On the basis of documentation presented to it, and its interviews with EQ-Arts personnel and external stakeholders, the ECA Report judged EQ-Arts to be fully compliant with this Standard (ESG 2.5). While EQ-Arts has also undertaken a number of EQA evaluations on the basis of collaborative agreements with other Agencies, we believe that there are a sufficient number of evaluations undertaken by EQ-Arts as a sole agency to demonstrate that it meets the criteria for this standard.

Allow us to refer to the confirmation of eligibility again, in which EQAR rightly makes clear that “critical friend” reviews would have to comply with the ESG if considered an EQA activity within the scope of the ESG. EQ-Arts does comply with the ESG in all its EQA activities– as also stated in the minutes of the telephone conversation (paragraphs 7 and 8) and thus these published reports, their production and decision were available to be assessed by the ECA panel.

Critical friend reviews 2003 - 15

- [Willem de Kooning Academie](#), Rotterdam - The Netherlands (2007) & (2012)
- DIT Dublin – Eire (2010)
- [DAMU](#), Prague - Czech Republic (2012)
- [Brno University of Technology](#), Faculty of Fine Art - Czech Republic (2007) & (2010)
- National College of Art & Design Bucharest – Rumania [ARACIS] (2010)
- [Lithuanian Academy of Music and Theatre](#), Vilnius - Lithuania (2010)
- [University of Art & Design](#), Cluj-Napoca - Romania (2006) & (2010)
- [National Academy for Theatre and Film Arts](#), Sofia - Bulgaria (2010)
- [Faculty of Fine Art, Akdeniz University](#), Antalya - Turkey (2008) & (2010)
- University of Art & Design Iasi – Romania [EUA] (2012)
- National University of the Arts Vilnius – Lithuania [SKVC] (2013)
- Siauliai, Klaipeda & Kaunas University – Lithuania [SKVC] (2013)
- Limerick School of Art – Eire [EURASHE] (2015)

Critical friend reviews post 2015

- [Willem de Kooning Academie](#), Rotterdam - The Netherlands (2017)
- [KASK](#), Ghent - Belgium (2018)
- [AMU](#), Prague - Czech Republic (2018)
- [UMPRUM](#), Prague - Czech Republic (2018)
- [Zurich University of the Arts](#), Zurich - Switzerland. *Institutional Review and Design Programme Review* (Nov 2018 & February 2019)

¹³ see Annex 7 ECA External Review of EQ-Arts (p.47)

- [Zurich University of the Arts](#), Zurich - Switzerland. Music Programme Review, in cooperation with [MusiQuE](#) (May 2019)

Assessment reviews post 2015

- [Universität für künstlerische und industrielle Gestaltung Linz](#) - Austria in collaboration with AQA Austria (2017).
- KazNUA, Astana, Kazakhstan – in collaboration with MusiQuE (2017)

Assessment reviews to be completed in 2019

- [Willem de Kooning Academie](#), Rotterdam - The Netherlands. Formal assessment of MA Programme Fine Art, Experimental Publishing and Lens-Based Media (May 2019) - in collaboration with NVAO
- [Willem de Kooning Academie](#), Rotterdam - The Netherlands. Formal assessment of BA Programmes in Fine Art & Design (2019) - in collaboration with NVAO

ESG 3.1 – Activities, Policy and Processes for Quality Assurance

Standard: Agencies should undertake EQA activities as defined in Part 2 of the ESG on a regular basis. They should have clear and explicit goals and objectives that are part of their publicly available mission statement. These should translate into the daily work of the agency. Agencies should ensure the involvement of stakeholders in their governance and work.

The introductory section of the ESG¹⁴ states that ‘*at the heart of all quality assurance activities are the twin purposes of accountability and enhancement*’. We note from our reading of the ESG (and in EQAR’s own interpretation of this) that it is acceptable that the same agency performs both activities provided that decisions and procedures that relate to each of them are clearly separated. In common with many quality assurance agencies listed on the EQAR register (e.g. AQ Austria, ASIIN and MusiQuE), EQ-Arts seeks to provide both a formal means of external institutional *accountability* (through the EQA process set out within its Quality Framework) and a range of activities aimed at the *enhancement* of quality across its HE constituency (through quality enhancement reviews, thematic analysis, etc.), which is in line with the EQ-Arts mission of “*promoting a strong quality culture across the European higher arts education sector*”¹⁵.

The normal constituency of national quality assurance agencies is their indigenous higher education sector whereas, for EQ-Arts, it is the broader Higher Arts Education field of the EHEA. In offering these ‘twin’ approaches to external quality assurance, EQ-Arts has been

¹⁴ see Annex 8 ESG Section 1. Context, scope, purposes and principles (pages 6-8)

¹⁵ see Annex 9 EQ-Arts: Mission and Vision (available on the EQ-Arts website www.eq-arts.org)

mindful of the need to ensure that there is a clear separation between its formal *assessment* and sectorial *enhancement* activities. The EQ-Arts Self-Evaluation Report¹⁶ makes clear that “EQ-Arts clearly separates its enhancement activities from its EQA activities, both in process and decision-making as well as in operational management structure”. The ways in which this separation of function is ensured through the internal management structures is clearly set out in the SER and this was recognised by the ECA Panel in its report, which states that “EQ-Arts has clear and explicit goals and objectives that distinguish their QA and QE work”¹⁷.

This explicit difference between ‘assessment’ and ‘enhancement’ within the activities of EQ-Arts was a matter of some focus during the site-visit and was addressed by the EQ-Arts team through reference to both the *Quality Framework* document, which states:

To carry out its activities, EQ-Arts has a clearly defined operational management structure that makes a clear division/distinction between its two distinct areas of activity, which are managed and run independently from each other:

- Formal Institutional and Programme Assessment leading to Accreditation
- Enhancement

And to the Application SER, which states that:

EQ-Arts clearly separates its enhancement activities from its EQA activities, both in process and decision-making as well as in operational management structures.

EQ-Arts does not understand how this explicit difference between the accreditation and enhancement activities of EQ-Arts, which was clear to the ECA panel, remains unclear to the EQAR Register Committee. The External Review of EQ-Arts report came to the conclusion that EQ-Arts was substantially compliant with ESG 3.1, reaching this judgement without making any recommendation but on the basis of what the panel viewed as the limited number of reviews completed at the time of the site-visit.

ESG 3.3 Independence

Standard: Agencies should be independent and act autonomously. They should have full responsibility for their operations and the outcomes of those operations without third party influence.

EQ-Arts Vision¹⁸ states “**EQ-Arts firmly safeguards its independence as an organisation and of its activities, since it believes this is necessary to be best able to enhance and guarantee the quality of Higher Arts Education**”.

The Register Committee’s motivation to change the ECA panel’s conclusion is stated in the comment that “*there are no rules as to the Board’s composition otherwise [i.e. profiles or backgrounds of members to be appointed], the Register Committee considered that such an approach does not ensure sufficient transparency.*”¹⁹ Allow us to be surprised by this after EQ-Arts lengthy and thorough road to independence from ELIA, which for example goes

¹⁶ see Annex 10 EQ-Arts SER Section ESG 3.1: Activities, Policy and Processes for Quality Assurance (pp.43-46)

¹⁷ see Annex 7 ECA External Review of EQ-Arts (p.57)

¹⁸ see Annex 9 EQ-Arts Vision (available on the EQ-Arts website www.eq-arts.org)

¹⁹ see Annex 8 ESG 3.3, (p.4)

much further than MusiQuE's current relationship to its parent organisation, the Association European of Conservatoires (AEC). We also note a number of EQAR registered national agencies do not have any legal or written procedure for appointment of their Board members, except being nominated by the ministers and/or governments of the moment. There are even registered agencies whose Board members are still active politicians, let alone party members, so far as they are even members of parliament.

EQ-Arts reviews its Board membership regularly at its meetings²⁰ and is constantly searching for new candidates to complement existing members. EQ-Arts has carried out a skills audit²¹ of its current members to identify any areas of expertise lacking. In this annex you will see the table of competences that EQ-Arts' potential Board members have to comply with in order to be identified through networking and eventually appointed, a procedure the ECA panel considered 'appropriate' for a subject- or sector-specific quality assurance agency. As explained to the panel the formal process involved in appointing a Board member is as follows - a candidate is identified, and if interested, asked to present a CV outlining their expertise in the 'quality' arena and a statement of motivation to be part of EQ-Arts. The Board then takes a formal decision to appoint. This is the same process for all candidates including students.

Furthermore we would like to refer to our declaration(s) of (no) *Conflict of Interest Disclosure Form*²², which is in fact a suite of documents that also includes: *Code of Conduct*²³, *Code of Ethics*²⁴ and *Equal Opportunities Statement*²⁵. Those documents are compulsory to be signed by expert panel members as well as Board and Executive Group members.

Last but not least we would like to refer to the latest statutes (annex to the panel's reply to the Register Committee's question for further information and here again), which clearly state: "EQ-Arts shall act as an independent agency"²⁶ and at the Joint Board & Executive meeting on 7.11.17 the statement that "All members of the Board sit on personal title and do not represent their organisation or higher arts education institution in any way."²⁷ was endorsed. In this way we think the possible tension between the requirement of the stakeholders' involvement as required by ESG 3.1 and the agency's independence as prescribed by ESG 3.3 is clearly and explicitly resolved.

As second argument to change the panel's conclusion the Register Committee states "Moreover, the Committee considered that, due to the small number of reviews carried out so far, the independence of EQ-Arts' outcomes can only be demonstrated to some extent at this stage." This argument repeats once more the dilemma of how many reports are

²⁰ see Annex 11a and 11b EQ-Arts Board meeting minutes 21.11.2018 & 03.03.2018

²¹ see Annex 12 EQ-Arts Board skills audit

²² see Annex 13 EQ-Arts Conflict of Interest Disclosure Form (available on the EQ-Arts website www.eq-arts.org)

²³ see Annex 14 EQ-Arts Code of Conduct (available on the EQ-Arts website www.eq-arts.org)

²⁴ see Annex 15 EQ-Arts Code of Ethics (available on the EQ-Arts website www.eq-arts.org)

²⁵ see Annex 16 EQ-Arts Equal Opportunities Statement (available on the EQ-Arts website www.eq-arts.org)

²⁶ see Annex 17 EQ-Arts Statutes – article 2.2

²⁷ see Annex 11c EQ-Arts Board meeting minutes 07.11.2017

considered to be enough in order to gain the Committee's trust that the EQ-Arts clear policy and procedures guaranteeing independence are executed properly, as presented in the introduction.

ESG 3.4 Thematic Analysis

Standard: Agencies should regularly publish reports that describe and analyse the general findings of their external quality assurance activities.

EQ-Arts upholds the aforementioned values guided by the following beliefs in carrying out its activities for the arts sector through:

- placing particular emphasis on the enhancement of a student learning experience that supports students to become creative mediators in today's rapidly changing societies and art communities;
- promoting student-centred approaches to learning, teaching and assessment;
- encouraging the constructive alignment of teaching and learning activities, and assessment tasks;
- ensuring that the outcomes of its processes have formal status, are decided independently and are publicly available.

As an Arts discipline specific European Quality Agency led by arts academics and practitioners we are better placed to identify key findings and developments and to lead on quality development in higher arts education (HAE).

Throughout the history of the former ELIA European Thematic Networks for the Arts and EQ-Arts, spanning more than 15 years we have been responsible for producing reference documents (including: five Tuning Documents for Dance, Design, Fine Art Theatre²⁸ and Film²⁹; Student Tracking Pilot tool-kit³⁰ and *e*maPPa plan developing a European Masters in professional practice*³¹; *Guidelines for Institutional and Subject Review for Higher Arts Education*³²; *Easy guide to a self-evaluation*³³; *Bologna Glossary of Educational Terminology*³⁴; *Overview of Research in the Arts in Europe*³⁵; *What can Research do for Art*³⁶), review panel expert training³⁷ and case studies³⁸ disseminating through workshops: (Athens, Birmingham, Budapest, Prague, Tallinn), European Teachers Academy: (Barcelona, Sofia), symposia: (Ankara, Florence, Glasgow, Porto, Utrecht), conferences: (European Universities Association (EUA); European League of Institutes of the Arts (ELIA) – Göteborg, Sweden & Florence, Italy; EQAF – Slovenia; Paradox (European Fine Art Network) – Sicily, Italy; EURASHE - Vilnius and Cumulus (European Design Network) – Paris, France. These papers have covered topics such as 'Quality Enhancement', 'Standards not Standardisation' and 'Excellence in Higher Education') and publications in hardcopy and on-line: (*inter}artes* and

²⁸ see *inter}artes: Tapping into the potential of Higher Arts Education in Europe* (available on the EQ-Arts website www.eq-arts.org)

²⁹ see *artnesnet Europe: Peer power: The Future Of Higher Arts Education in Europe* (available on the EQ-Arts website)

³⁰ see *inter}artes: Tapping into the potential of Higher Arts Education in Europe*

³¹ *ibid*

³² see *artnesnet Europe: Peer power: The Future Of Higher Arts Education in Europe*

³³ *ibid*

³⁴ *ibid*

³⁵ *ibid*

³⁶ *ibid*

³⁷ see Annex 18 Flyer EQ-Arts Expert Training

³⁸ see *artnesnet Europe & inter}artes*

artenet Europe) findings and analysis of our quality assurance enhancement reviews, all of which are available on our web-site.

Through our extensive history of quality assurance assessment and enhancement review the areas we have found having the most negative impact on higher arts education is the binary divide in higher education in more than 50% of the countries signed up to the *Bologna Treaty*, which restricts institutions in these countries from independently offering 3rd cycle Doctoral degrees and the consequential impact on research carried out by staff in these institutions and the position of research in the curriculum at BA and MA levels. As described in our SER³⁹ we have identified Research as a key area for *Thematic Analysis* and we have been successful in being awarded an ERASMUS+ Strategic Partnerships grant along with 7 leading European higher arts education partners. The *Creator Doctus* (CrD) project aims at realising something that is not yet common place in Europe, namely strengthen the quality and relevance of students' knowledge and skills for higher arts education through realising a new European 3rd cycle award that runs parallel to the existing Doctor of Philosophy (PhD). There will be 5 intellectual outputs produced over the three years including national propositions, through synthesis of the development of a *Creator Doctus* (CrD) model, a manual to achieve this model and a position paper for the HAE sector to the European Commission and the Ministers of Education. The first of these outputs will be the establishment of a data-base presenting models of best practice from across Europe, the North Americas and Australia, this site will be launched in May this year. The significance of this work to the HAE sector was expressed in the ERASMUS+ Consolidated Assessment report,⁴⁰ where it states, "*The concept of CrD education is an innovation in Europe, for a lot of European countries it will be completely new. The project has the potential to modernise the higher art sector in Europe, which provides this project its relevance.*"

In line with its stated vision, EQ-Arts places a "*particular emphasis on the enhancement of the student learning experience*" and "*promoting student-centred approaches to learning*". To this end, members of the Executive Group have made significant contributions to major sectorial conferences (CUMULUS, ELIA) on the exemplification of good practice in student-centred learning based upon the experience of assessment and enhancement activities that EQ-Arts has undertaken over recent years. This thematic approach to the distillation and dissemination of the outcomes drawn from a wide range of assessment and critical friend reviews – undertaken both across the EHEA and beyond – is designed to draw the attention of the Higher Arts Education sector to the ways in which its long-established pedagogical practices exemplify one of the key standards of the ESG and, thereby, has the potential to make a broader contribution to the quality of higher education in general. This work is continuing, with further interventions being made by EQ-Arts on this topic in a range of forthcoming fora and will be subsequently published on the EQ-Arts website.

Despite the availability of this material to the ECA panel, EQ-Arts was surprised by the '*partial compliance*' judgement, but we find the Register Committee's motivation to change

³⁹ see ESG 3.4 *Thematic Analysis* (pp.56-57))

⁴⁰ see Annex 19 *ERASMUS+ Consolidated Assessment Report*

the panel's conclusion to '*non compliance*' even more difficult to comprehend. Particularly when we compare the Register Committee's decisions that some registered agencies have not produced any actual thematic analyses while their application has been assessed successful. In these assessment reports Standard 3.4 has mostly been graded '*partially compliant*' by the Register Committee. EQ-Arts perceives a problem of consistency with this standard.

ESG 3.5 Resources

Standard: Agencies should have adequate and appropriate resources, both human and financial, to carry out their work.

The table below was presented in the EQ-Arts' SER and is updated for this representation:

	Total Revenue	Growth rate	Total costs	Net Result
2015 (est.)	€ 0	-	€ 9.370	- € 9.370
2016	€ 23.706	-	€ 35.676	- € 11.970
2017	€ 96.426	407%	€ 77.876	+ € 18.551
2018 (annual accounts to be finalised)	€ 106.443	110%	€ 122.880	- € 16.437*
2019 (prognosis)	€ 242.113**	227%	€ 211.262	+ € 30.851

* this is the result including the € 30.000 investment in the EQAR registration

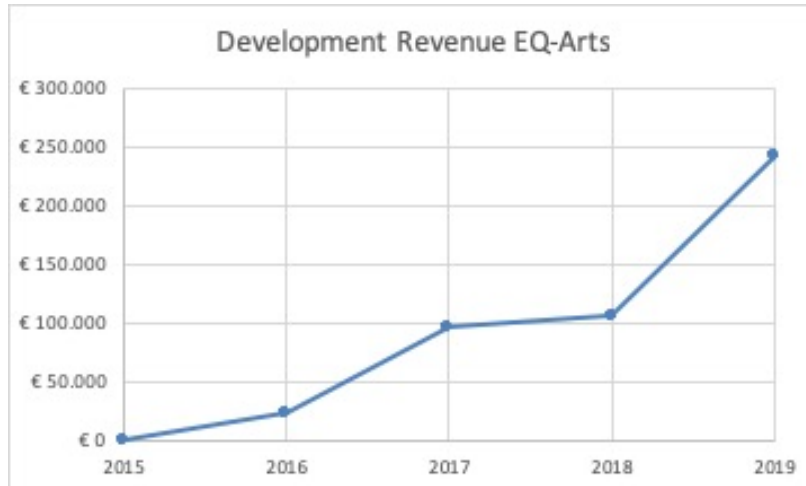
** this amount is based on confirmed reviews and other activities

The division of the revenue per type of activity:

Enhancement Reviews	€ 113.544	47%
Formal Assessments	€ 112.569	46%
Consultancy	€ 4.000	2%
Training	€ 12.000	5%
Total	€ 242.113	100%

EQ-Arts firmly believes being accepted onto the EQAR Register will have a considerable impact on the demand and use of the agency for assessment activities, making us a more financially stable organisation.

The EQ-Arts' Board considers the yearly growth since its establishment (visualised in the graphic below) an important signal for sustainability as it confirms the need for its services by the sector. Taken into consideration that EQ-Arts had a start-up capital of only 15.000 euro, is totally independent from any (network) organisation or national government and attracted no forms of external capital shows the perseverance and vigour of the organisation. We kindly ask the Register Committee to reconsider the partial compliance for standard 3.5.



Conclusion

We hope the Register Committee will review this representation thoroughly and follow our reflections and counter-arguments so as to come to some reconsidered conclusions on ESG compliance.

We know that the final decision is taken in a holistic manner and we hope it will be taken in a consistent and well-weighed way considering its precedents and based on trust in the European ESG model, which links enhancement with accountability into one process: independent; with stakeholders' involvement; transparent; considering the quality culture of both of institutions and programmes and a sector-specific agency. EQ-Arts is convinced that it underpins this representation through evidence to be found in: the written decisions; documents; policies and practices of an independent sector-specific quality assurance agency with a long pre-history.

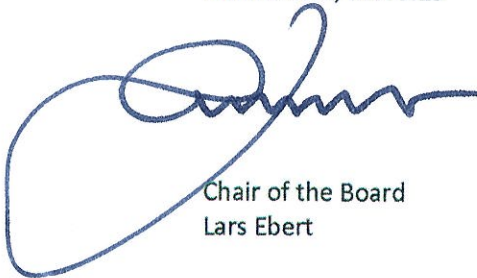
Annexes

1. *Institutional Review Report*
2. *Programme Review Report*
3. *EQ-Arts Customer Satisfaction Survey template*
4. *EQ-Arts Follow-up procedure*
5. *EQ-Arts Template for Follow-up Report*
6. *EQ-Arts Quality Framework*
7. *ECA External Review of EQ-Arts*
8. *ESG*
9. *EQ-Arts: Mission and Vision*
10. *EQ-Arts SER*
11. *EQ-Arts Board meeting minutes xx/xx/xx dates*
12. *EQ-Arts Board skills audit*
13. *EQ-Arts Conflict of Interest Disclosure Form*

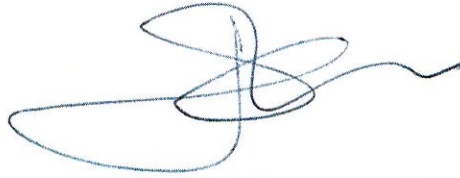
14. EQ-Arts *Code of Conduct*
15. EQ-Arts *Code of Ethics*
16. EQ-Arts *Equal Opportunities Statement*
17. *EQ-Arts Statutes*
18. *Flyer EQ-Arts Expert Training*
19. *ERASMUS+ Consolidated Assessment Report*

EQ-Arts Board and Executive Group

Amsterdam, 08.03.19

A handwritten signature in blue ink, consisting of a large, stylized 'L' followed by a series of loops and a long horizontal stroke.

Chair of the Board
Lars Ebert

A handwritten signature in blue ink, featuring a large, stylized 'J' followed by a series of loops and a long horizontal stroke.

Chief Executive Officer
Professor John Butler