

Rejection of the Application by European Council on Chiropractic Education (ECCE) for Inclusion on the Register

Register Committee
29-30 June 2023

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Ver. 1.0
Date 2023-07-13
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Application of:	2021-09-09		
Agency registered since:	2013-05-07		
Type of review:	Full	Site visit:	2022-06-09
External review report of:	2022-12-16	Submitted:	2023-01-27
Review coordinated by:	European Association for Quality Assurance of Higher Education (ENQA)		
Review panel members:	Iuliu Gabriel Cocuz, Lineke van Bruggen, Melita Kovacevic, Pieter-Jan Van de Velde		
Decision of:	2023-06-30		
Registration until:	2016-12-31		
Absented themselves from decision-making:	none		
Attachments:	1. External Review Report, 2022-12-16 (separate file) 2. Clarification by the Review Panel, 2023-02-15 3. Additional Representation by ECCE, 2023-4-21		

1. The application of 2021-09-09 adhered to the requirements of the EQAR Procedures for Applications.
2. The Register Committee confirmed eligibility of the application on 2021-09-24.
3. The Register Committee considered the external review report of 2022-12-16 on the compliance of ECCE 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 and the secretary of the review panel on 2023-02-15.
5. The Register Committee invited ECCE to make additional representation on the grounds for possible rejection on 2023-03-26. The Register Committee considered ECCE's additional representation on 2023-06-30.

Analysis:

6. In considering ECCE's compliance with the ESG, the Register Committee took into account *ECCE's programme accreditation*; ECCE reported that it carried out no other activities.

7. The Register Committee found that the report provides sufficient evidence and analysis on ECCE's level of compliance with the ESG.

8. **With regard to the specific European Standards, the Register Committee considered the following:**

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ESG 2.4 – Peer-review experts

9. The Register Committee concurred with the panel that ECCE complies with the standard.

10. The Committee, however, underlined the panel's recommendation that ECCE make sure to involve enough experts from beyond the small chiropractic community. In addition, the involvement of students could be broadened by exploring other options than students being nominated by the heads of accredited programmes.

ESG 2.5 – Criteria for outcomes

11. ECCE was found to only partially comply with the standard in the Register Committee's decision of 2017-06-20 to exclude ECCE from the Register.

12. The Committee noted from the panel's report that it is now clear what level of compliance a programme must achieve to receive the full 8-year accreditation period. At the same time, the definition of shorter accreditation periods remained unclear: the panel also confirmed in its clarification that there are no specific criteria or guidelines that determine by how much the period gets shortened.

13. In its additional representation the agency explained its methodology and criteria for the different re-accreditation period. While the Register Committee found a clear reasoning in the agency's response, the Committee could not understand why the cited information (i.e. table and explanation provided) was not integrated in the agency's procedures i.e., Accreditation Procedures and Standards. In particular, the Committee found that the provided information on the length of the accreditation cycle i.e., of five years, to be completely missing from the agency's procedure for re-accreditation (see Accreditation Procedures and Standards 5.3 – November 2019 Section 3.2.4.2.1).

14. **Given the inconsistencies in the agency's explanations and the presentation ECCE's criteria in its own procedures, the Register Committee was not persuaded that the agency ensured a consistent application of its criteria in its decision making.**

15. The Committee also considered that this issue was amplified by the fact that there is no decision document (see also ESG 2.6), i.e., the Quality

Assurance & Accreditation Committee's (QAAC's) considerations and argumentation on why a certain length of accreditation period was decided are currently not recorded in any public document.

16. The Register Committee thus remained unable to concur with the panel's conclusion, but considered that ECCE only partially complied with the standard.

ESG 2.6 – Reporting

17. The Register Committee noted that the decisions of the Quality Assurance & Accreditation Committee's (QAAC) are published only in the form of the accreditation period being presented on the web page listing accredited programmes (<https://cce-europe.org/index.php/accredited-institutions.html>). The list contains links to the expert review reports, but not to the QAAC decision as a separate document or similar.

18. The standard requires that “if the agency takes any formal decision based on the reports, the decision should be published together with the report”. The Register Committee assumed that a written record of the QAAC decision presumably exists in some form, either as a document sent to the accredited programme or as section in the QAAC minutes. The review panel clarified that it was not aware of the QAAC decision being available a separate document.

19. In its additional representation the agency stated that what is published on its website i.e., the dates of when the institution was first accredited, the most recent decision and the date of when the accreditation runs out represent, next to the generic statement on its website - that a programme meets ECCE's criteria and standards for accredited status - represents its decision.

20. The Register Committee underlined that the standard aims to ensure reliable documentation and transparency of the agency's outcomes and the mere publication of the date of the accreditation does not suffice.

21. The Committee further disagrees with the agency's claim that its objection are technical in nature. The Committee emphasised that QAAC decisions are not recorded in writing at all (beyond the dates cited on the web page) and that ECCE does not provide any information to the public on e.g., when such a decision was taken, the basis of QAAC's decision making, the rationale for QAAC in agreeing/disagreeing with the findings of the panel or any recording of a possible conflict of interests with the institution applying for ECCE accreditation.

22. The Register Committee therefore could not concur with the panel's conclusion that ECCE complies with the standard, but found ECCE to be only partially compliant.

ESG 2.7 – Complaints and appeals

23. The panel raised concerns about the slight unclarity and overlap between the “appeals and complaints procedure” and the separate

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“complaints procedure”. Even though the wording is unusual, the Register Committee considered that both appeals and complaints, as understood in the ESG, are generally possible.

24. The Committee obtained clarification by the panel on the composition of the Appeals Committee. Even though the members are different from the QAAC, the Committee shares the panel’s concern that all but one come from the rather small chiropractic community.

25. The Register Committee’s further noted that there is no possibility to appeal the formal decision by the QAAC, only the expert report. The Committee regarded this as problematic given that the QAAC alone decides on the accreditation term.

26. In its additional representation the agency explained that the judgement itself of the QAAC cannot be appealed solely on the basis of disagreement with the decision, but can made based on incorrect procedures, or if it was executed in an unfair and discriminatory manner. The Committee thus understood that while ECCE makes possible appeals based on procedural error, errors of fact, mitigating circumstances where material was not available at the time and for situation where members of QAAC or ECCE behaved in a discriminatory or unprofessional manner, the agency does not allow for an appeal of QAAC’s judgement itself. The Committee thus finds that the appeals process is limited, given that the reviewed higher education institution may not challenge based on e.g., criteria that may have not been correctly applied or disagreements in how standards were interpreted by QAAC.

27. The Committee noted that the agency considered and upheld an appeal against a QAAC formal decision, but also noted that there is no public documentation on this appeal and that the agency does not have any information on its website on the composition of its Appeal’s Committee.

28. The Register Committee therefore concurred with the panel’s conclusion that ECCE only partially complies with the standard.

ESG 3.1 – Activities, policy and processes for quality assurance

29. The panel clarified that ECCE had a clear strategy that guided its work; even if the official documents were sometime incoherent in wording, they were coherent in substance.

30. The panel further clarified that ECCE should have been more attentive and flexible as regards the appointment of a new student member to QAAC. The practice led to a student member being absent from QAAC for some time, which could have been avoided if ECCE had been more concerned to prevent this with priority.

31. Having considered the panel’s clarification, the Register Committee was able to concur with the panel’s conclusion that ECCE partially complies with the standard.

32. The review report explains that ECCE does not provide consultancy themselves but “offers the names and contact details of highly qualified independent educationalists to new chiropractic programmes to assist them with the development of their programmes” (report, p. 14).

33. While the Register Committee considered that these did not appear to be problematic, it found that this should be discussed in more detail in the next review of ECCE.

ESG 3.3 – Independence

34. The panel raised issues related to the high involvement of representatives of accredited institutions, amplified by the small size of the chiropractic community, as well as the overlapping responsibilities between different agency bodies. In particular, the panel regarded critically the ex-officio mutual memberships of the Executive Committee and QAAC chairperson in the respective other committee, the involvement of both bodies in the QA process and the close involvement of the QAAC in pre-screening self-evaluation reports.

35. In light of these concerns, the Register Committee concurred with the panel’s conclusion that ECCE only partially complies with the standard.

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

Conclusion:

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

Standard	Previous decision [2017-06-20]	Review panel conclusion	Register Committee conclusion
2.1	Compliance	Compliance	Compliance
2.2	Compliance	Compliance	Compliance
2.3	Compliance	Compliance	Compliance
2.4	Compliance	Compliance	Compliance
2.5	Partial compliance	Compliance	Partial compliance
2.6	Compliance	Compliance	Partial compliance
2.7	Partial compliance	Partial compliance	Partial compliance
3.1	Partial compliance	Partial compliance	Partial compliance
3.2	Compliance	Compliance	Compliance
3.3	Partial compliance	Partial compliance	Partial compliance
3.4	Partial compliance	Compliance	Compliance
3.5	Compliance	Compliance	Compliance

3.6	Partial compliance	Compliance	Compliance
3.7	Compliance	(not expected)	Compliance (by virtue of applying)

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38. Also after duly considering ECCE's additional representation, the Register Committee concluded that ECCE only achieved partial compliance with a number of standards. ECCE thus fails to meet some key requirements of the ESG and, in its holistic judgement on the basis of the documentation available and ECCE's representation, the Register Committee remained unable to conclude that ECCE complies substantially with the ESG as a whole.

39. The Register Committee therefore rejected the application.

40. ECCE has the right, according to §3.31 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.

41. ECCE has the right to appeal this decision of the Register Committee in accordance with the [EQAR Appeals Procedure](#). Any appeal must reach EQAR within 40 days from receipt of this decision.

Application by ECCE for Inclusion on the Register / Renewal of Registration

Register Committee

Clarification provided by the Panel

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Date of the conversation:	2023-02-15
Panel members:	Melita Kovacevic (chair) & Pieter-Jan Van de Velde (secretary)
Representative of EQAR:	Colin Tück

1. ECCE has submitted on 2021-09-09 an application for inclusion on the European Quality Assurance Register for Higher Education (EQAR). On 2023-01-27, ECCE submitted the external review panel's report of 2022-12-16.
2. In order to prepare the deliberations of the Register Committee on ECCE' compliance with the ESG, EQAR contacted the Panel to clarify the matters below.

ESG 2.5 – Criteria for outcomes

3. The panel explained that the approach of establishing a set of “critical standards” now makes clear when the full, 8-year accreditation period is granted and when not.
4. Where this results in a shortened accreditation period, this is most frequently a 5-year period, but it could be shorter as well. The panel found that there were no specific criteria or guidelines that determine the exact length of a shortened accreditation period; this was at the Quality Assurance & Accreditation Committee's (QAAC) discretion.

ESG 2.6 – Reporting

5. The panel confirmed that ECCE publishes a list of accredited programmes at <https://cce-europe.org/index.php/accredited-institutions.html>, which contains links to review reports. The reports are also published at <https://cce-europe.org/index.php/institutional-accreditation-reports.html>.
6. The QAAC decision is published in the form of the accreditation validity dates on the former page. The panel is not aware whether the QAAC decision (incl. reasons/argumentation) exists as a separate document.

ESG 2.7 – Complaints and appeals

7. The panel confirmed that the individuals serving on the Appeals and Complaints Committee are different from those serving on the Council, Executive Committee or QAAC; when the panel stated that the Committee was “comprising four members of ECCE” this referred to accredited institutions, not individuals.
8. As a result of an appeal, the QAAC might change its decision. This can, however, only result from a procedural error or from a successful appeals against the evaluation panel’s report; the considerations and conclusions of the QAAC itself cannot be questioned in an appeal.
9. In particular, this means that the length of a shortened accreditation period decided by QAAC cannot be challenged in an appeal.

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ESG 3.1 – Activities, policy and processes for quality assurance

10. The panel found that ECCE generally had a clear strategy, which became evident in the interviews; the relevant documents were in a few cases incoherent in wording, but not in substance. At the moment of the review, it seemed that aligning the agency’s work with the ESG was ECCE’s main goal.
11. The panel considered that ECCE should have been more attentive and flexible as regards the appointment of a new student member to QAAC. ECCE simply followed its usual rhythm of meetings to confirm the new appointment and that lead to a student member being absent from QAAC for some time. This could have been avoided if ECCE had been more concerned to prevent this with priority.

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21 April 2023

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President, Chair of the Register Committee
European Quality Assurance Register for Higher Education
(EQAR) aisbl
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Belgium

Reference: Deferral of ECCE's Application for Inclusion on EQAR 26 March 2023

Dear Mr Dittrich,

In response to your letter of 26 March 2023, the ECCE would like to make the following comments and clarifications which we hope the EQAR registration panel will be able to consider at its upcoming meeting.

On the next pages are:

Response to ESG 2.5 – Criteria for outcomes

Response to ESG 2.6 – Reporting

Response to ESG 2.7 – Complaints and appeals

We would be pleased if you could acknowledge receipt of this letter and let us know if there is anything further you need in writing before the panel meets.

Yours sincerely,



Kenneth Vall, DC, MA(Ed), D(Ed)h.c. (President)

Response to ESG 2.5 – Criteria for outcomes

8. *The Committee noted from the panel's report that it is now clear what level of compliance a programme must achieve to receive the full 8-year accreditation period. At the same time, there remains an issue with the definition of shorter accreditation periods: the panel also confirmed in its clarification that there are no specific criteria or guidelines that determine by how much the period gets shortened.*

The ECCE has clear criteria for deciding whether to award 3, 5 or 8 year period of accreditation. An award of 3 years is made for an initial accreditation of an institution. (Accreditation Procedures and Standards 5.3 – November 2019 Section 3.1.5.2.1)

3.1.5.2.1 Award of Accredited status:

EITHER:

a. Accredited for a period up to a maximum of three (3) years, subject to satisfactory annual monitoring reports (AMoRs).

OR:

b. Accredited for a period up to a maximum of three (3) years, subject to satisfactory annual monitoring reports (AMoRs) and subject to specified conditions being addressed within a specified period of time

The initial or first award of accredited status is limited to 3 years on the basis that the first accreditation a programme which has not established itself is therefore of higher risk than programmes which are established.

An award of 5 or 8 years is given only to established programmes following re-accreditation. For an award of 8 years a programme must achieve full or substantial compliance with all 18 Core Standards (Accreditation Procedures and Standards 5.3 – November 2019 Section 2.2)

*The quality standards with the respective annotations serve as benchmarks for the self-evaluation process and for evaluations made by external experts. They represent a vital instrument that is used to identify commendations, recommendations and concerns in education and training. Full compliance with all areas of the Standards is not necessary to qualify for accreditation. However certain Standards must achieve at least a "Substantially Compliant" level of compliance in order to achieve the maximum accreditation time frame. These specific Standards are identified with the * sign and listed below. Please refer to Tables 1 and 2 at the end of the Standards for guidelines on determining the level of compliance for each Standard. Expert recommendations for an accreditation decision result from a global evaluation. Standards that need to be at least "Substantially compliant" (in the document labeled with a *sign):*

1.4 Educational Outcomes

2.2 The Scientific Method

2.4 Behavioural and Social Sciences, Ethics and Jurisprudence

2.5 Clinical Sciences and Skills

2.7 Clinical Training

2.8 Curriculum Structure, Composition and Duration

3.1 Assessment Methods

3.2 Relation Between Assessment and Learning

4.1 Admission Policies and Selection

- 4.4 Student Representation
- 5.1 Faculty (Staff) Recruitment
- 6.1 Physical Facilities
- 6.2 Clinical Training Resources
- 6.4 Educational Expertise
- 7 The Relationship Between Clinical or Basic Sciences Research
- 8.1 Mechanisms for Programme Evaluation
- 9.2 Academic Leadership
- 9.3 Educational Budget and Resource Allocation

The criteria are laid out in this public documentation where 8 years is granted when all core standards are achieved. Five years is granted when one or more core standards are not achieved but the remaining standards are passed. For the purposes of summary and convenience we present here a table which gathers this information together from within the existing published documentation

Reaccreditation			First accreditation
8 years	5 years	3 years	Not accredited
Low Risk	Low to moderate risk	Moderate risk	High risk
All Standards fully or substantially met and up to 2 noncritical Standard being partially met.	<p>All Standards met, with up to 2 critical standards being partially complaint and all noncritical Standards being fully or substantially met.</p> <p>Or</p> <p>All Standards met with all critical Standards being fully or substantially met and up to 3 noncritical Standard being partially met.</p> <p>Or</p> <p>All Standards met, with up to 1 critical standard and 2 noncritical Standards being partially met.</p>	<p>All Standards met, with up to 2 critical standards being partially complaint and all noncritical Standards being fully or substantially met.</p> <p>Or</p> <p>All Standards met with all critical Standards being fully or substantially met and up to 3 noncritical Standard being partially met.</p> <p>Or</p> <p>All Standards met, with up to 1 critical standard and 2 noncritical Standards being partially met.</p>	<p>Not all critical standards met.</p> <p>Or</p> <p>All critical Standards met and XX (2 or more noncritical Standards not met.</p>

In light of these clear public criteria, we submit that the original panel's conclusion was accurate and the ECCE complies with the standard.

Response to ESG 2.6 – Reporting

This is the Second area where the register committee disagreed with the panel and it seems to be on the technical basis that while the accreditation report is published there is no separately published judgement as an independent document.

14 The Register Committee noted that the decisions of the Quality Assurance & Accreditation Committee's (QAAC) are published only in the form of the accreditation period being presented on the web page listing accredited programmes (<https://cce-europe.org/index.php/accreditedinstitutions.html>). The

list contains links to the expert review reports, but not to the QAAC decision as a separate document or similar.

15. The review panel clarified that it was not aware of the QAAC decision being available a separate document.

16. The standard requires that “If the agency takes any formal decision based on the reports, the decision should be published together with the report”. The Register Committee assumed that a written record of the QAAC decision presumably exists in some form, either as a document sent to the accredited programme or as section in the QAAC minutes. As this document should be published according to the standard, the standard is not fulfilled completely in that regard.

The formal accreditation decisions of the QAAC are made public on our website and can be found here: <https://www.cce-europe.com/index.php/accredited-institutions.html> and a sample screen-shot is provided here for convenience.

It can be seen that the decision shows publicly when the institution was first accredited, the date of the most recent accreditation decision by the QAAC and the date when the accreditation runs out. The wording of the decision is also included on the public website and states:

This recognizes that a programme meets the Eligibility Criteria for Accredited status, and delivers education and training in full compliance with the ECCE Standards. Status is granted by the Quality Assurance and Accreditation Committee of the European Council on Chiropractic Education.

The link to the current and all previous reports is also included. In addition, a personal letter is sent to each institution at the time of accreditation but the letter contains no information other than that published on the website. The fact that this letter is not placed on our website seems to be the sole reason for claiming partial compliance. This seems a technical objection which concerns the format of the published information rather than the content of the decision. We submit that since the information in the letter contains nothing further than what is published on the website and the website contains the full decision result of the QAAC, the ECCE complies with ESG 2.6 as originally found by the panel.

INSTITUTIONS WITH PROGRAMMES ACCREDITED BY THE ECCE

This recognizes that a programme meets the Eligibility Criteria for Accredited status, and delivers education and training in full compliance with the ECCE Standards. Status is granted by the Quality Assurance and Accreditation Committee of the European Council on Chiropractic Education.

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Accredited since: 1992
Last review: 2021
Next review: 2029

'AECC Evaluation Team Report 2016'

'AECC Evaluation Team Report 2021'

'AECC Evaluation Team Report 2022'

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Accredited since: 2017
Last review: 2021
Next review: 2029

'BCC Evaluation Team Report 2017'

'BCC Evaluation Team Report 2021'

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Accredited since: 2009
Last review: 2022
Next review: 2027

Response to ESG 2.7 – Complaints and appeals

19. The panel raised concerns about the slight unclarity and overlap between the “appeals and complaints procedure” and the separate “complaints procedure”. Even though the wording is unusual, the Register Committee considered that both appeals and complaints, as understood in the ESG, are generally possible.

20. The Committee obtained clarification by the panel on the composition of the Appeals Committee. Even though the members are different from the QAAC, the Committee shares the panel’s concern that all but one come from the rather small chiropractic community.

21. The Register Committee’s main concern, however, is that there is no possibility to appeal the formal decision by the QAAC, only the expert report. The Committee regarded this as problematic given that the QAAC alone decides on the accreditation term. The Committee thus understood that an institution that has no objection to a report, but to the conclusion drawn from it by the QAAC, cannot challenge that conclusion in an appeal.

22. The Register Committee therefore concurred with the panel’s conclusion that ECCE only partially complies with the standard.

The essence of the issue here appears to be that while an appeal can be made against the factual content of a panel’s report, there is no appeal against the formal decision of the QAAC. This is incorrect. It is the case that the decisions of the QAAC, and Exec and members of ECCE can be appealed. This is explicitly stated in our Appeals and Complaints Process section 4.1.3

4.1.3 The Appeal and Complaints Committee will hear appeals and complaints against QAAC decisions and the complaints due to failure to adhere to ECCE procedures and policies

The grounds for appeal are similar to EQAR’s own grounds for appeal and include; procedural error, errors of fact, mitigating circumstances where material was not available at the time and also that Members of QAAC or ECCE behaved in a discriminatory or unprofessional manner (Appeals and Complaints Process section 4.2).

What is not appealable is the judgement itself, if it is made according the correct procedures and executed in a fair and non-discriminatory manner. Judgements cannot be appealed simply on the basis that an institution does not agree with the judgement. This is the common position taken by all accrediting agencies. This is stated explicitly in 4.3 where it says

4.3 Grounds for Appeal or Complaint do NOT include the decisions of the QAAC based on the Final Evaluation Report (and the institution’s response).

This has been misunderstood to mean “that there is no possibility to appeal the formal decision by the QAAC, only the expert report”. This however is incorrect and only means that formal decisions of the QAAC cannot be appealed on the basis of disagreement with the decision and no other reason.

Quite recently, within the last year, there has been an appeal against a QAAC formal decision by a member institution which was examined independently by the appeals

committee and the appeal was upheld resulting in a change in the formal decision of the QAAC.

We submit that ECCE has a robust and satisfactory appeals and complaints procedure which fully allows formal decisions of the QAAC to be appealed and therefore fully meets standard ESG 2.7