

**Approval of the Application**  
**by the Quality Assurance Agency for Higher Education (QAA)**  
**for Renewal of Inclusion on the Register**

**Register Committee**  
 15 March 2019

Ref. RC22/A57

Ver. 1.0  
 Date 18/03/2019  
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<b>Application of:</b>	02/06/2017
<b>Agency registered since:</b>	23/10/2013
<b>External review report of:</b>	21/06/2018
<b>Review coordinated by:</b>	ENQA - European Association for Quality Assurance of Higher Education
<b>Review panel members:</b>	Milan Pol (chair, academic), Aurelija Valeikienė (secretary), Ellen Hazelkorn, Adrian Stan (student)
<b>Decision of:</b>	15/03/2019
<b>Registration until:</b>	30/06/2023
<b>Absented themselves from decision-making:</b>	none
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. <a href="#">Confirmation of eligibility, 03/07/2017</a></li> <li>2. <a href="#">External Review Report, 21/06/2018</a></li> <li>3. <a href="#">Applicant's statement on the report, 16/07/2018</a></li> <li>4. <a href="#">Request to the Review Panel, 16/10/2018</a></li> <li>5. <a href="#">Clarification by the Review Panel, 5/11/2018</a></li> <li>6. <a href="#">Request to QAA, 18/12/2018</a></li> <li>7. <a href="#">Clarification by QAA, 31/01/2019</a></li> </ol>

1. The application of 02/06/2017 adhered to the requirements of the EQAR Procedures for Applications.
2. The Register Committee confirmed eligibility of the application on 03/07/2017.
3. The Register Committee considered the external review report of 21/06/2018 on the compliance of QAA 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 (request of 16/10/2018 and response of 05/11/2018) as well as from QAA itself (request of 18/12/2018 and response of 31/01/2019).

## Analysis:

5. In considering QAA's compliance with the ESG, the Register Committee took into account the following activities within the scope of the ESG:
  - Higher Education Review (Alternative Providers) and its derivatives
  - Enhancement Led Institutional Review (Scotland)
  - Higher Education Review Wales
  - Degree Awarding Powers (DAP)
  - International Quality Review
  - Quality Review Visit (Gateway)
  - General Osteopathic Council Review
  - Unsatisfactory Quality Scheme/Concerns
  - Review of Transnational Education (TNE)
6. The Register Committee found that the report provides sufficient evidence and analysis on QAA's level of compliance with the ESG.
7. In its eligible decision, the Register Committee did not consider the commercial activities undertaken by QAAE to be within the scope of the ESG. Through the external review report, however, the Committee learned that the "range of services" QAAE undertakes include "review, and accreditation" (p. 18).
8. The Committee underlines that, in so far as QAAE does undertake evaluation and review activities of higher education institutions or programmes, these do fall under the scope of the ESG and thus have to be conducted in substantial compliance with the ESG. (See also under ESG 3.1 below.)
9. With regard to the specific European Standards and Guidelines, the Register Committee considered the following:
 

**ESG 2.4 – Peer-review experts**
10. The Register Committee welcomed that the students whom the panel met confirmed that as panel members they were treated as equals throughout the review process.
11. The involvement of student reviewers in reviews for Degree-Awarding Powers (DAP) was flagged when QAA was admitted to the Register. The Committee noted that student reviewers now take part in these reviews and therefore concluded that the flag was addressed in this regard.

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12. The panel's report, however, suggested that the standard was not fully met, as there were no student review panel members in some of QAA's review methods.
13. The Register Committee sought clarification from the panel in that regard. The Committee noted that students are not on the review teams for General Osteopathic Council reviews (GOsC); and it could not be established how frequently students are on the panels for Higher Education Review (Alternative Providers) or Transnational Education review (TNE).
14. Given the absence of student reviewers in some of QAA's methods the Register Committee was unable to concur with the panel's conclusion, but concluded that QAA only partially complies with the standard.

#### **ESG 2.6 – Reporting**

15. The publication of review reports regarding Degree-Awarding Powers (DAP) was flagged for attention when QAA was admitted to the Register.
16. The Register Committee welcomed that regulations were changed to the effect that such reports are now published and therefore concluded that the flag had been addressed.
17. In connection with the clarification obtained regarding the composition of QAA's review panels (see under ESG 2.4) the Register Committee noted that the composition of the panels for TNE review is not mentioned in the published report. The Committee therefore drew attention to the guidelines to ESG 2.6, which suggest that the members of the review panel should be listed in the review report.

#### **ESG<sup>a</sup> 2.7 – Complaints and appeals**

18. The Register Committee obtained clarification by the panel as to the review methods for which appeals are possible.
19. The Committee noted that appeals are only possible in those review methods that result in a formal judgement on some type of scale, but not for methods that results in a report alone; the panel considered a complaints process sufficient in those cases.
20. The Register Committee concurred with the panel's conclusion that QAA complies with the standard, considering that the current wording of the EQAR Policy on the Use and Interpretation of the ESG might be understood in that way.
21. The Committee, however, underlined that also a report without a formal summarising judgement or decision contains (published) judgements

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about an institution. In the interest of full accountability these should thus in principle be open to appeal, too.

### ESG <sup>o</sup><sub>B</sub> 3.1 – Activities, policy and processes for quality assurance

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22. The Register Committee sought clarification from the panel regarding the separation of reviews and consultancy to higher education institutions, including both services rendered by QAA itself (internationally) or through its subsidiary QAAE (domestically).
23. The Committee took note of the various measures and policies the panel referred to. The Committee also noted the clarification that “no evidence was found which would bring any doubt about the proper separation between [of] consulting units and undertaking reviews”.
24. The Register Committee considered QAA's activities in Albania, which QAA described as a capacity-building activity that involved the support of the Albanian Ministry of Education Sport and the Albanian national QA agency (initially PAAHE, later APAAL, now ASCAL) in (1) developing review materials, (2) training reviewers and (3) conducting the reviews of all Albanian higher education institutions.
25. The Committee welcomed QAA's detailed and clear response to its queries.
26. Amongst others, QAA pointed out that, according to the contract, the Albanian ministry (or ASCAL) “publish and own the final institutional review reports”, whereas “QAA did not make, own or publish final accreditation decisions at any point during the delivery of the contract”.
27. QAA further pointed out that its logo appeared on the front pages of the individual institutional reports “in acknowledgement of the support that it provided to ASCAL in the exercise”. QAA further considered that the Handbook and the section entitled “About this review” on the first page of each report made clear QAA's role.
28. Having considered QAA's response, the Register Committee concurred with QAA that the activities in question can be classified as capacity-building activities or services performed by QAA as a subcontractor of ASCAL, i.e. QAA *supporting* reviews managed by ASCAL rather than being reviews *by* QAA itself.
29. The Register Committee thus considered how QAA ensured a clear distinction of such work from its external quality assurance activities (see EQAR Policy on the Use and Interpretation of the ESG, standard 3.1 and Annex 5). In doing so, the Committee considered that also an uninformed reader needs to be able to distinguish the reviews in Albania

from review reports (co-)owned by QAA, and thus not falling within the scope of QAA's registration on EQAR and not officially certified as in line with the ESG.

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30. QAA's logo featuring on the reports next to the ASCAL ("APAAL") logo, without any further information right there, might reasonably give the impression that the present report was jointly produced and owned by ASCAL and QAA.
31. While the final paragraph of the section "About this review" indeed states that QAA "provided expert support" in producing the report, the initial paragraph states that "Institutional Review is a peer-review process with each review team composed of a mix of UK reviewers appointed by QAA and Albanian reviewers appointed by the Albanian Public Accreditation Agency for Higher Education (APAAL)". Considering the entire text, the Register Committee remained in doubt whether readers (at least lay readers) are able to clearly recognise the substantially different roles of QAA and ASCAL in the process, with QAA being "just" a consultant and ASCAL having full and sole ownership of and responsibility for the report.
32. Having considered the panel's and QAA's clarification, the Register Committee was unable to concur with the panel's conclusion, but considered that QAA only partially complies with the standard.
33. The Register Committee further emphasised that the expectations formulated in Annex 5 to the EQAR Policy on the Use and Interpretation of the ESG apply to activities by both QAA itself as well as QAAE, as long as QAAE is owned and effectively controlled by QAA.
34. For the remaining standards, the Register Committee was able to concur with the review panel's analysis and conclusion without further comments.

### Conclusion:

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

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

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

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36. The Register Committee considered that QAA only achieved partial compliance with standards 2.4 and 3.1. In its holistic judgement, the Register Committee concluded that these are specific and limited issues, but that QAA continues to comply substantially with the ESG as a whole.
37. The Register Committee therefore renewed QAA's inclusion on the Register. QAA's renewed inclusion shall be valid until 30/06/2023<sup>1</sup>.
38. The Register Committee underlined that QAA is expected to address the lack of student reviewers in the methods mentioned under ESG 2.4 appropriately and to resolve this at the earliest opportunity.
39. The Register Committee underlined that QAA is expected to clearly separate between external quality assurance and other activities in published documents, in a way that is understandable even for less informed audiences. Given the comments under ESG 3.1, the Committee further agreed to clarify on QAA's register entry what type of activities are not covered by QAA's registration on EQAR.

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<sup>1</sup> Inclusion is valid for five years from the date of the external review report, see §4.1 of the EQAR Procedures for Applications.

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Quality Assurance Agency for Higher Education (QAA)

Fiona Crozier  
Southgate House  
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**Gloucester GL1 1UB  
United Kingdom**

Brussels, 3 July 2017

## **Confirmation of Eligibility: Application for Inclusion/Renewal of Inclusion on the Register**

Application no. A57 of 2/6/2017

Dear Fiona,

We hereby confirm that the application by QAA for renewal of registration is eligible.

Based on the information and draft terms of reference provided, the external review coordinated by ENQA fulfils the requirements of the EQAR Procedures for Applications.

We confirm that the following activities of QAA are within the scope of the ESG:

- HIGHER EDUCATION REVIEW (ALTERNATIVE PROVIDERS) AND ITS DERIVATIVES
- ENHANCEMENT LED INSTITUTIONAL REVIEW (SCOTLAND)
- HIGHER EDUCATION REVIEW WALES
- DEGREE AWARDING POWERS (DAP)
- INTERNATIONAL QUALITY REVIEW
- QUALITY REVIEW VISIT (GATEWAY)
- GENERAL OSTEOPATHIC COUNCIL REVIEW
- UNSATISFACTORY QUALITY SCHEME/CONCERNS
- REVIEW OF TRANSNATIONAL EDUCATION (TNE)

The QAA activities described under ENHANCEMENT ACTIVITIES, IN PARTICULAR STEWARDSHIP OF THE QUALITY CODE, will be of major transversal importance in the review of QAA against the ESG, concerning the underlying standards of QAA's various review methods, and QAA'S PROCESSES FOR ITS

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OWN INTERNAL QA will be relevant to ESG 3.6. These activities are, however, not separate external quality assurance processes that need to be reviewed against the standards of ESG Part 2.

Please ensure that QAA's self-evaluation report covers all the aforementioned activities. Please note that any changes to those activities occurring before the external review of QAA should be reported according to the usual process for Substantive Change Reports.

We further remind you that the following issue(s) were flagged when QAA was admitted to the Register, and should be addressed in your self-evaluation report and the external review report:

ESG 2.6 – Reporting [ESG 2005: standard 2.5]

Attention should be given to whether the QAA has taken steps to make publicly available the outcomes and full reports of the reviews for degree-awarding powers and university title.

ESG 2.4 – Peer-review experts [ESG 2005: standard 3.7]

In relation to the groups of experts involved in the reviews for degree-awarding powers and university title, the matter should receive attention as to whether the QAA has taken steps to include students as members of the groups.

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

- NATIONAL CAPACITY BUILDING AND ENHANCEMENT OF QUALITY ASSURANCE
- INSTITUTIONAL CAPACITY BUILDING AND ENHANCEMENT OF QUALITY ASSURANCE

Reviews of higher education providers in relation to teaching and learning, including the learning environment and relevant links to research and innovation, are, however, external quality assurance activities within the scope of the ESG, whether based on QAA's own frameworks and carried out as contractor using a third-party framework.

- TRAINING FOR EXTERNAL QUALITY REVIEW
- INTERNATIONAL QUALITY ASSURANCE PROGRAMME (IQAP)

These two activities might, however, have a bearing on ESG 2.4 as far as they serve as training for reviewers serving on QAA panels.

- TEACHING EXCELLENCE FRAMEWORK (TEF)

While QAA is supporting the design and implementation of the TEF, we understood that QAA does currently not perform any reviews (other than those mentioned above) specifically in relation

to TEF. Should QAA's role in TEF change in the future, the external review should take this into account.

- ACCESS TO HIGHER EDUCATION

We understood that these courses and qualifications give access to higher education, but are not higher education qualifications; their external quality assurance is thus outside the scope of the ESG.

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

The external review should, however, address QAA's policies for the clear separation between consultancy services and reviews, especially with regard to possible conflicts of interest.

We will forward this letter to ENQA in its capacity of the coordinator of the external review. At the same time we underline that it is QAA'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. QAA 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,

A handwritten signature in black ink, appearing to read 'Colin Tück'.

Colin Tück  
(Director)

Cc: ENQA

# EUROPEAN PLAUDITS FOR QAA AND UK HIGHER EDUCATION QUALITY ASSURANCE

**Date:**

16/07/2018

The Quality Assurance Agency for Higher Education (QAA) makes 'valuable contributions to protecting student interests and towards higher education quality advancements internationally'.

That is the verdict of a European panel in an independent review of QAA, the UK's independent quality body for higher education. The [panel's report](#) is published today by the European Association for Quality Assurance in Higher Education (ENQA).

The review found QAA to be fully or substantially compliant in all areas. Only one other European agency has matched this level of compliance. The panel identified QAA as 'internationally, one of the leading quality assurance agencies';

QAA is a founding member of ENQA, the umbrella body for quality agencies in the European Higher Education Area. A review to check compliance against [European Standards and Guidelines](#) at least every five years is a condition of membership. The positive review outcome also allows QAA to apply to reconfirm its listing on the European Quality Assurance Register, and deliver quality reviews across Europe and beyond.

QAA in its work on behalf of UK higher education received a significant number of commendations. Comments include:

- 'The contribution of students to review processes is commendable'.
- 'QAA is commended for having a robust governance and well-developed internal quality assurance system which is applied rigorously'.
- 'Analytical work by QAA and institutional submissions to the agency are of high quality and provide value to the higher education sector'.
- 'QAA is commended for its wide involvement of stakeholders ... in the governance of the agency, development of quality assurance policies and procedures, and enhancement work'.

In his [letter to QAA](#), ENQA president Christoph Grolmund also notes that 'the [ENQA] Board appreciates QAA's firm commitment to quality enhancement and commends specifically its enhancement-led approach in thematic analysis'.

The panel also noted the increasing importance of UK transnational education, or TNE. Over 700,000\* students now study for a UK higher education qualification overseas. While it noted QAA's extensive activity in quality assuring this type of provision, the panel specifically recommended that QAA should respond to this increasing demand and 'intensify its activity with respect to TNE reviews overseas and ... strengthen its oversight of collaborative provision arrangements'. QAA is already in discussion with partners in the sector about future approaches to TNE review.

Commenting on what this review means for the UK higher education sector, Douglas Blackstock, QAA's Chief Executive, said: 'This is a great outcome, not just for QAA, but for every university and college that offers higher education across the UK. We have demonstrated that our approaches to securing academic standards and assuring quality meet rigorous European expectations.

'ENQA has recognised our firm commitment to enhancement, and the emphasis that we, and the UK higher education sector, place on doing what we can to improve educational experiences. Students around the world – and governments, for that matter – can be reassured that our higher education system is world class, and worth investing in.

**\*Note:** HESA figures tell us that approximately 707,915 students were registered on a UK TNE higher education programme in 2016/17. Registrations at Oxford Brookes University accounted for 43% of this total, with the majority of these first degree students registered

Brussels, 16 October 2018

## Application by QAA for inclusion/renewal of registration on EQAR

Dear Mr Pol,

The Quality Assurance Agency for Higher Education (QAA) has made an application for renewal of registration/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 21/06/2018 on which QAA'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 QAA's application:

1. We understood from your report that QAA currently includes student reviewers (see **ESG standard 2.4**) in all review methods except for General Osteopathic Council (GOsC) Reviews, and that review teams for Higher Education Review (Alternative Providers), TNE Review, Concerns and Unsatisfactory Quality Investigation may or may not include student reviewers.

Could you please clarify whether our understanding is correct? For those methods where the involvement of students as reviewers varies, did the panel consider what proportion of the panels deployed by QAA included (a) student reviewer(s)?

2. We understood from your analysis that appeals (see **ESG standard 2.7**) are generally possible on procedural grounds.

The table on pages 91/92 of the report, however, suggests that General Osteopathic Council Reviews, Concerns and TNE Reviews do not provide a possibility to appeal at all.

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Could you please elaborate whether higher education providers have a possibility to question the formal outcome, i.e. the review report, on procedural grounds in those methods?

3. As regards the separation between external quality assurance activities and consultancy services provided by QAA (see **ESG standard 3.1**), you referred mainly to QAA Enterprises (QAAE) being a separate entity for **domestic** consultancy; for **international** consultancy activities you noted that these are carried out by QAA itself.

To what extent did the panel consider QAAE as effectively distinguishable from QAA itself, considering the management and staff acting in its name?

Which policies and practices did the review panel take into account to conclude that conflicts of interest between quality assurance and consultancy are effectively prevented, in particular for international consultancy carried out by QAA itself?

In your answer, please also bear in mind Annex 5 to the [Policy on the Use and Interpretation of the ESG](#).

We be would grateful if it was possible for you to respond **by 5 November 2018**, and we would appreciate if you get in touch with us should that not be feasible.

Please note that EQAR will publish this request and your response together with the final decision on QAA'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: Aurelija Valeikienė (panel secretary)  
ENQA (coordinator)  
QAA

To: Colin Tück, Director  
EQAR

Cc: ENQA (coordinator), QAA

November 5, 2018  
Brno

## **Re: Application by QAA for inclusion/renewal of registration on EQAR**

In response to your letter dated 16 October 2018, please find replies of the panel to the questions you raised.

### **1. Question:**

*We understood from your report that QAA currently includes student reviewers (see ESG standard 2.4) in all review methods except for General Osteopathic Council (GOsC) Reviews, and that review teams for Higher Education Review (Alternative Providers), TNE Review, Concerns and Unsatisfactory Quality Investigation may or may not include student reviewers.*

*Could you please clarify whether our understanding is correct? For those methods where the involvement of students as reviewers varies, did the panel consider what proportion of the panels deployed by QAA included (a) student reviewer(s)?*

### **Answer:**

As noted on page 61 of the panel report to ENQA, students are not included in teams for General Osteopathic Council reviews or for Concerns and Unsatisfactory Quality Investigations. A handbook on the Higher Education Review (Alternative Providers) says that review teams of three or more normally include a student reviewer. However, the panel learned that the size of teams varies between two to six members. The team did not inquire into the exact statistics around team sizes over time, and the percentage of cases in which students participate. The principle itself matters.

As to the TNE reviews which QAA has conducted thus far, the situation with students on panels is as follows:

- Greece and Cyprus - yes, the panels had a student member
- Hong-Kong - no evidence of a student being present in the panel
- Republic of Ireland - no evidence
- The Caribbean - no students
- United Arab Emirates - no students
- China - no students
- Singapore - no evidence
- Malaysia - no evidence
- India - no students

The panel could not establish clearly either presence or absence of students based on some review reports; for example, TNE reviews in the Republic of Ireland and Hong Kong are very succinct and provide only the following standard information: „Each review visit was conducted by two peer reviewers and managed by a QAA quality assurance manager“. Both country reports and institutional reports bear the logo and copyright of QAA, but no authors of the text or membership of teams are clearly identifiable.

The panel noted features of good practice of QAA involving students in reviews beyond direct participation in review teams, such as through Lead Student Representatives (LEAR) and by cooperation with students organizations. However, the panel is of the opinion, that student inclusion in QAA panels could be improved.

## **2. Question:**

*We understood from your analysis that appeals (see ESG standard 2.7) are generally possible on procedural grounds. The table on pages 91/92 of the report, however, suggests that General Osteopathic Council Reviews, Concerns, and TNE Reviews do not provide a possibility to appeals at all. Could you please elaborate whether higher education providers have a possibility to question the formal procedure, i.e. the review report, on procedural grounds in those methods?*

### **Answer:**

We have evidence that appeals are usually possible both on procedural and substantive grounds in most methods which QAA uses. For this, QAA has elaborated and published a Consolidated Appeals Procedure effective from August 1, 2015. This document clearly indicates which methods it relates to, and how to make an appeal. It also describes the issue of conflict of interest, and the process of initial consideration for an appeal. Furthermore, it describes the Appeal Panel, response to the appeal, documents for the Appeal Panel, decisions of the Appeal Panel, etc.

Detailed discussion of appeals are described in two possible cases, quoted from the above-mentioned policy and below:

#### a) Procedure

That there was a procedural irregularity in the conduct of the review, such that the legitimacy of the decision or decisions reached is called into question. Examples include the review team: failing to carry out agreed procedures; reaching decisions that are disproportionate; failing to take account of relevant information or taking account of irrelevant information; or exceeding its powers.

#### b) New material

There is material that was in existence at the time the review team made its decision, which, had it been made available before the review had been completed, would have influenced the judgement(s) of the team, and in relation to which there is a good reason for it not having been provided to the review team.

QAA defines appeals as specific challenges to judgements reached further to the following ten review methods:

- Higher Education Review (HER)
- Higher Education Review (Plus) (HER Plus)
- Higher Education Review (Alternative Providers) (HER AP)
- Higher Education Review (Embedded Colleges) (HER EC)
- Higher Education Review (Foreign Providers) (HER FP)
- Higher Education Review: Wales (HER Wales)
- Embedded College Review for Educational Oversight (ECREO)
- Recognition Scheme for Educational Oversight (RSEO)
- Review for Specific Course Designation (RSCD)
- Enhancement-led Institutional Review (ELIR, Scotland).

In case of three methods in question, the situation is specific, though.

The review team learned from the QAA self-evaluation report and evidence gathered during the site visit that QAA, as well as the General Osteopathic Council (GOsC), have arrangements for complaints. These are referred to as an “expression of dissatisfaction” with services QAA provides or actions QAA has taken. Outcomes are not appealable, reflecting GOsC's status as a statutory regulator.

In case of Concerns, there is a complaints process, but outcomes cannot be appealed. In the most severe cases, the outcome of the Concerns investigation by QAA may be an initiation of a partial or full review of a provider, after which appeals can be pursued on the grounds described above.

Transnational Higher Education (TNE) providers can complain. However, there is no possibility to appeal as there are no formal judgements attached. TNE reviews are aimed at supporting providers' and sector-wide continuous improvement.

The panel does not interpret the ESG 2.7 as requiring complaints and appeals in *all* procedures which an agency runs. Rather, it requires processes that reflect the nature of specific external quality assurance processes, such as appeals when formal judgments are made, and complaints procedure about any external quality assurance process. The panel is positive QAA satisfies these conditions.

### **3. Questions:**

*As regards the separation between external quality assurance activities and consultancy services provided by QAA (see ESG standard 3.1), you referred mainly to QAA Enterprises (QAAE) being a separate entity for domestic consultancy; for international consultancy activities you noted that these are carried out by QAA itself. To what extent did the panel consider QAAE as effectively distinguishable from QAA itself, considering the management and staff acting in its name? Which policies and practices did the review panel take into account to conclude that conflicts of interest between quality assurance and consultancy are effectively prevented, in particular for international consultancy carried out by QAA itself?*

**Answer:**

The panel was guided by the Terms of Reference for the QAA review and focused on activities within the scope of the ESG, i.e. reviews, audits, evaluations or accreditation of higher education institutions or programmes that relate to teaching and learning (and their relevant links to research and innovation). In the ToR, QAA activities were further categorized into 1) Review activities (national and international), 2) Enhancement and engagement activities, 3) Support for the government (advice on degree awarding powers and TEF), 4) Commercial activities. Of these four categories, it was deemed that 1) and 2) fall under the scope of ESG.

Therefore, only these activities were analysed by the panel to the level of reasonable detail in our external review report. According to the ToR, the expected external QAA review report should have consisted of some 40 pages, whereas the final length of the report came to 98 pages. Understandably, the more details are provided, the more questions they yield, especially considering the many lines of QAA activities both at home and internationally (total ten, covered in SER by QAA and explored in ERR by the panel) and complexity thereof.

The ENQA review panel understood its task as being focused on QAA, and not on QAAE, which is a separate legal entity. Therefore, the review panel analysed all policies governing work of QAA (e.g. Ethical conduct and anti-bribery policy; Declaration of Interests; Guidance for staff wishing to undertake paid or unpaid work outside QAA etc.), and all methodologies of all reviews and enhancement and engagement activities. Avoiding conflicts of interests and safeguarding QAA's reputation was emphasized throughout; indeed, this point was repeatedly brought to the attention of the panel during interviews with staff and external people. The panel did not come across any evidence that would put these ethical principles under question. It is important, that these policies and practices extend to all QAA staff, the Board and Board committee members and to temporary workers, consultants, contractors, agents and subsidiaries acting for, or on behalf of, QAA within the UK and overseas.

The panel did not investigate support to the government (regarding degree awarding powers and TEF) and only partly examined commercial activities. The latter includes capacity building services worldwide, for individuals, universities and governments. The panel did not analyse services to individuals (offered as an International Quality Assurance Programme and Concepts of Quality on-line training programme) or to governments.

Rather, the panel was concerned with services to institutions (higher education providers). In this regard, no evidence was found which would bring any doubt about the proper separation between consulting units and undertaking reviews. The panel was satisfied to find that commercial review activities provided to higher education institutions under the International Quality Review (IQR) fully follow the spirit and letter of ESG, among other, directly applying ESG Part I as standards.

The panel paid attention to expectation under the *Use and Interpretation of the ESG* that in order to be registered on EQAR, all external quality assurance implemented by the agency within the scope of the ESG needs to be conducted in compliance with the ESG. The panel is confident that external quality assurance carried out by QAA within the scope of the ESG [categories of activities 1) and 2) as above] is conducted in compliance with the ESG.

As to QAAE, it is a wholly-owned subsidiary of QAA, and obtains administrative and other services from QAA. Arrangements of separation between QAA and QAAE are set out in a

Shared Services Agreement, a document of ten pages, which was provided as additional requested evidence during the panel visit to QAA. The agreement is signed by Director of Resources, representing QAA, and Company Secretary, representing QAAE. To the best of our knowledge, this document is confidential.

The panel believes that it may be helpful to provide an extra opportunity to responsible staff members at QAA and QAAE to comment on further questions the EQAR's Register Committee might have.

Hopefully, this information supports well EQAR's decision making process. Thank you for your attention and consideration.

*Milan Pol, on behalf of the panel that reviewed QAA (signed electronically)*

Brussels, 18 December 2018

## Application by QAA for renewal of registration on EQAR

Dear Ms Crozier,

The Register Committee has considered your application of 02/06/2017 for renewal of inclusion on the European Quality Assurance Register (EQAR).

In analysing QAA's compliance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG, 2015) the Register Committee considered the external review report of 21/06/2018; the Committee further sought and received clarification from the review panel (see panel chair's response of 5/11/2018).

The Committee was unable to take a decision on QAA's application as yet and kindly requests QAA to provide additional clarification on the matter described in the following.

### Background to our request

The Register Committee found the analysis and evidence at its disposal insufficient in respect of QAA's international consultancy and external quality assurance activity.

The review panel stated that "no evidence was found which would bring any doubt about the proper separation between consulting units and undertaking reviews" (letter of 5/11/2018). The panel was satisfied that reviews of higher education institutions abroad were aligned with the ESG, under the International Quality Review (IQR) method.

In addition, the panel considered that "it may be helpful to provide an extra opportunity to responsible staff members at QAA and QAAE to comment on further questions" (letter of 5/11/2018).

Through QAA's self-evaluation report and the external review report, the Register Committee further became aware of the activities carried out by

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EQAR Founding Members:

QAA in Albania under a contract with the Albanian ministry of education and in cooperation with the Albanian national QA agency, ASCAL.

### **Nature of QAA activities in Albania**

In the application of 02/06/2017, QAA considered “capacity building activities” as outside the scope of the ESG and referred to its activities in Albania – using the term “review” – as an example.

In the eligibility decision of 03/07/2017, the Register Committee noted that “reviews of higher education providers [...] are, however, external quality assurance activities within the scope of the ESG, whether based on QAA's own frameworks [or] carried out as contractor using a third-party framework”.

Despite this, the QAA self-evaluation report and the external review report presented these activities as consultancy work, under the rubric “capacity building services”; the external review report did not include a specific analysis of those activities.

If QAA acted solely as a subcontractor (to ASCAL) and had no own responsibility whatsoever for the review process and outcomes in the public eye (i.e. QAA is not brought in connection with the results published, but only ASCAL), the classification as capacity building service and outside of the scope of the ESG would be accurate.

If QAA had (co-)responsibility for the process or (co-)ownership of the reports, the Register Committee would consider the activity as an engagement in a joint review with ASCAL, and thus within the scope of the ESG.

### **Presentation in public sources**

Based on the published handbook<sup>1</sup>, the review reports<sup>2</sup> and a public presentation<sup>3</sup>, our understanding is that QAA performed extensive services in connection with the review of all Albanian higher education institutions, including appointing the majority of expert panel members, all panel chairs and editing the reports.

The reports feature the QAA logo on their cover page and the descriptions of the review process (in the reports as well as in the presentation referred to above) might give the impression of a review process jointly undertaken by QAA and ASCAL.

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<sup>1</sup> [http://aaal.edu.al/accreditation/images/documents/Albanian%20handbook%20FINAL%20VERSION\\_web.pdf](http://aaal.edu.al/accreditation/images/documents/Albanian%20handbook%20FINAL%20VERSION_web.pdf)

<sup>2</sup> random selection from ASCAL's website, e.g.

[https://www.ascal.al/media/documents/rvj/IAL\\_62\\_54.pdf](https://www.ascal.al/media/documents/rvj/IAL_62_54.pdf)

<sup>3</sup> [https://www.ceenqa.org/wp-content/uploads/20170428\\_04-bozo-presentation.pdf](https://www.ceenqa.org/wp-content/uploads/20170428_04-bozo-presentation.pdf)

The handbook for the reviews states that the ESG were taken “into consideration” in its development.

### Clarification questions

The public presentation raises questions as to the correct classification of QAA’s activities in Albania, and thus the clear and transparent separation between reviews and other (e.g. capacity building) activities. We would therefore kindly request that QAA clarify the following:

1. Please elaborate on QAA’s classification of its work in Albania in light of the above-mentioned public documentation, which the public might construe as the corresponding review reports being co-issued and co-owned by QAA.
2. If QAA maintains that these were capacity building activities outside the scope of the ESG: please explain which specific steps QAA has taken to prevent that these activities are misrepresented or misconstrued as external quality assurance reviews.

If QAA considers that these activities were within the scope of the ESG: please provide an overview of how the ESG were applied in these reviews. Please focus on the areas where these reviews were carried out differently from the usual practice under the IQR methodology, which was reviewed in detail by the external panel.

3. Please provide a brief overview of other recent capacity building activities performed by QAA (e.g. in the United Arab Emirates, as mentioned in the reports). Should they include any activities that might be construed as reviews by QAA of (a) higher education institution(s), please kindly clarify their classification as activity within or outside the scope of the ESG.

As far as within the scope of the ESG, please also provide an overview of how the ESG were applied in these reviews, in particular if and where differing from the IQR methodology.

We would be obliged if you could clarify these matters **by 31 January 2019** at the latest.

Kind regards,



Karl Dittrich  
(President)

**Attached:** Review panel’s response of 5/11/2018



31 January 2019

European Quality Assurance Register  
Dr Karl Dittrich, President

Southgate House  
Southgate Street  
Gloucester  
GL1 1UB

- **By email** -

Telephone 01452 557000  
Direct Line 01452 557091  
Email [f.crozier@qaa.ac.uk](mailto:f.crozier@qaa.ac.uk)

**Dear Dr Dittrich,**

**Re: Letter of 18 December 2018 concerning QAA's application for renewal of registration on EQAR**

Thank you for the opportunity to provide further information in support of our application for re-registration on the EQAR. QAA has responded directly to the issues raised in your letter and I attach the following in support of that response:

- QAA's detailed response to the matters raised and
- An extract (Section 3) from the contract between QAA and the Ministry of Education and Sports, Albania (MoES) specific to the work carried out in Albania about which you have asked for further information.

In relation to the latter, you will understand that the contract is a confidential document; therefore, we have provided you with the section that contains the overarching information relevant to the query and I would be grateful if you would keep this information confidential and refrain from circulating it further.

I trust that this additional information will assist the Register in its decision-making and provide reassurance that the Terms of Reference agreed by ENQA and EQAR for QAA's review were appropriate and accurate. Should you require any further information please do not hesitate to contact me.

I look forward to hearing from you following your consideration of QAA's response.

With best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fiona Crozier', written in a cursive style.

Fiona Crozier  
Head of International

## **Response to EQAR: queries in relation to renewal of registration**

### **Introduction**

QAA welcomes the opportunity to respond to the specific questions raised by the Register Committee in relation to its application for renewal of inclusion on EQAR.

QAA underwent a thorough scrutiny of the ten review methodologies and activities that were agreed to be within the scope of the ESG for the review conducted by ENQA in February 2018. The successful outcome of that review demonstrates the care that QAA takes to ensure that it acts ethically, responsibly and with integrity in all the activities that it carries out. QAA approaches all its work within the spirit and ethos of the ESG and believes that the resulting outcomes help to embed those principles in the quality assurance of higher education wherever it is carried out.

Please find below supplemental information in addition to that which was provided during the review and with which the ENQA review panel was satisfied; this information relates specifically to completed work in Albania and ongoing work in the United Arab Emirates (UAE).

### **Nature of QAA activities in Albania**

(NB: The letter from the Register refers to the Albanian agency by its current acronym: ASCAL. QAA's work was with PAAHE which later became APAAL. The acronym ASCAL does not appear in any of the documentation in relation to QAA's work in Albania, but is used throughout this response for ease of reference).

QAA notes the definitions that are set out in the letter from the President of EQAR dated 18<sup>th</sup> December 2018:

*“If QAA acted solely as a subcontractor (to ASCAL) and had no responsibility whatsoever for the review process and outcomes in the public eye (i.e. that QAA is not brought in connection with the results published, but only ASCAL), the classification as capacity building service and outside of the scope of the ESG would be accurate.*

*If QAA had (co)-responsibility for the process or (co)-ownership of the reports, the Register Committee would consider the activity as an engagement in a joint review with ASCAL and thus within the scope of the ESG.”*

The letter cites the published Handbook for the work, the published reports and a presentation given by the Head of ASCAL . This response refers to each of these below; the responses to the specific questions below demonstrate that the work sits outside the scope of the ESG.

### **Specific questions**

- 1. Please elaborate on QAA's classification of its work in Albania in light of the above-mentioned public documentation, which the public might construe as the corresponding review reports being co-issued and co-owned by QAA.*

QAA's classification of its work in Albania is that it was a capacity-building activity. It bases this classification on the following:

- i) The legal contract governing the work states clearly throughout, including in the title, that it is a project contract, *“For the provision of quality assurance expertise to SUPPORT the creation of external review quality review materials...”*.

The following are direct quotes from the contract between QAA and ASCAL:

- Clause 1.2 of the contract states that, “MoES<sup>1</sup> will seek to engage the expertise of QAA-UK...to SUPPORT the external review...to undertake capacity building of [ASCAL].”
- Clause 1.3 states, “This is an overarching contract for QAA’s SUPPORT in developing...”.

The contract is clear that, in each of the three activities covered (the creation of external quality review documents (i.e. the Handbook), the training of peer reviewers and the review of institutions) that QAA’s role is supportive and collaborative (see **section 3** of the contract, attached, which is clear on each of these activities to the extent of stating that, in the case of the institutional reviews, these will be, “coordinated and managed by MoES...with the expertise support of QAA-UK...”)

ii) The legal contract states explicitly at section 4 that MoES Albania will, “deliver the final reports to the Accreditation Council for use in the accreditation decision making process and publish reports in accordance with Albanian law...” and that it will, “Publish and OWN the final institutional review reports in accordance with the applicable laws and regulations in the Republic of Albania.”.

QAA did not make, own or publish final accreditation decisions at any point during the delivery of the contract.

2. *If QAA maintains that these were capacity-building activities outside the scope of the ESG, please explain which specific steps QAA has taken to prevent that these activities are misrepresented or misconstrued as external quality assurance reviews.*

QAA’s logo appears on the front page of the final Handbook for the activity and also on the front pages of the individual institutional reports in acknowledgement of the support that it provided to ACSAL in the exercise.

- Page 4 of the Handbook sets out, under 1a, QAA’s role in the project, clearly stating that this is a supportive one and that the reviews themselves were managed by ASCAL.
- On page 1 of each individual review report, the section entitled, ‘About this review’ clearly states in the final paragraph that QAA’s role was to provide expert support in the report-writing process, as per the contract (details above).

The presentation given by the Head of ASCAL, Dhurata Bozo, at a CEENQA workshop on 28<sup>th</sup> April 2017 was not a formal outcome of the contract and QAA was not responsible for its content. QAA seeks to protect its reputation and will raise any concerns it has about the presentation or representation of its work and activities by third parties with the relevant institution, agency or government.

Because QAA does not own the process, reports or outcomes of the project, it has not published any of the outcomes of this piece of work either in hard or soft copy.

*If QAA considers that these activities were within the scope of the ESG, please provide an overview of how the ESG were applied in these reviews. Please focus on the areas where these reviews were carried out differently from the usual practice under the IQR methodology, which was reviewed in detail by the panel.*

For the reasons detailed above, QAA does not consider that this project falls within the scope of the ESG. The project terms were to provide support and capacity-building to increase expertise in another agency. QAA approached the work within the spirit and ethos of the ESG and believes that the outcomes of the project have helped to embed those principles in the quality assurance of higher education in Albania.

### **Other information required**

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<sup>1</sup> Ministry of Education and Sport, Albania

3. *Please provide a brief overview of other recent capacity building activities performed by QAA (e.g. in the United Arab Emirates, as mentioned in the reports). Should they include any activities that might be construed as reviews by QAA a) of higher education institution(s), please kindly clarify their classification as activity within or outside the scope of the ESG.*

QAA was contracted by the Ministry of Education of the United Arab Emirates Federal Government in 2017 to support one of the pillars in its higher education strategy. The work included a revision of institutional licensure and program accreditation, a new system for dealing with complaints about quality and training on quality assurance for Ministry of Education and institutional staff.

Please find here a news article on signature of the contract:

<http://wam.ae/en/details/1395302648076>

QAA is bound by strict commercial confidentiality clauses within the contact with the Ministry of Education. However, QAA can confirm that this work does not include QAA conducting reviews, or activities that might be misconstrued as reviews, and therefore this work does not fall within the scope of the ESG.

*As far as within the scope of the ESG, please also provide an overview of how the ESG were applied in these reviews in particular if and where differing from the IQR methodology.*

As stated above, QAA does not consider this work to fall within the scope of the ESG.

## **Conclusion**

QAA believes that the information that it has provided here for the Register's consideration clarifies that the activities specified in the letter from the President of EQAR of 18<sup>th</sup> December fall outside the scope of the ESG. QAA would emphasise the fact that the framework of principles provided by the ESG and the introductory section to that document guide all of the activities that we undertake. This is evidenced in our recent ENQA review report, a report which has provided us with food for thought and an action plan for the coming years to enhance and further develop the work that we do.