

Approval of the Application
by HAC - Hungarian Accreditation Committee (HAC)
for Inclusion on the Register

Register Committee
 [2-3 April 2018]

Ref. RC23/A58

Ver. 0.1
 Date 2019-10-04
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Application of:	19/07/2017
External review report of:	13/09/2018
Review coordinated by:	ENQA - European Association for Quality Assurance of Higher Education
Review panel members:	Norma Ryan (chair), Nieves Pascual Soler (academic, secretary), Dávid Kiss (student), Mark Frederiks
Decision of:	03/04/2019
Registration until:	30/09/2023
Absented themselves from decision-making:	nobody
Attachments:	<ol style="list-style-type: none"> 1. Confirmation of eligibility, 02/08/2017 2. External Review Report, 13/09/2018 (see separate file) 3. Applicant's statement on the report, 30/08/2018 4. Request to the review coordinator, 05/10/2018 5. Clarification from the review coordinator, 16/10/2018 6. Request to the Review Panel, 30/10/2018 7. Clarification by the Review Panel, 20/11/2018 8. Additional Representation of 04/02/2019

1. The application of 19/07/2017 adhered to the requirements of the EQAR Procedures for Applications.
2. The Register Committee confirmed eligibility of the application on 02/08/2017 having considered clarification received from the agency on 27/07/2017.
3. The Register Committee considered the external review report of 13/09/2018 on the compliance of HAC with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG, 2015 version).
4. The Register Committee further considered HAC's statement on review report of 30/08/2018.
5. The Register Committee sought and received on 16/10/2018 clarification from the coordinator on the panel composition that reviewed HAC. Having considered the additional clarification, the Register Committee was satisfied that the eligibility criteria of panel members was met.

6. The Register Committee also sought and received clarification from the chair of the review panel on 20/11/2018.
7. The Register Committee invited HAC to make additional representation on the grounds for possible rejection on 13/12/2018. The Register Committee considered HAC's additional representation of 04/02/2019.

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Analysis:

8. In considering HAC's compliance with the ESG, the Register Committee took into account
 - *initial accreditation of new higher education institutions;*
 - *initial evaluation of education and outcome framework requirements of bachelor programmes;*
 - *initial evaluation of education and outcome framework requirements of master programmes;*
 - *initial accreditation of bachelor programmes;*
 - *initial accreditation of master programmes;*
 - *initial accreditation of new doctoral schools at universities;*
 - *accreditation of institutions in five-year cycles;*
 - *evaluation of bachelor and master programmes in disciplinary clusters;*
 - *accreditation of doctoral schools in five-year cycles;*
 - *initial evaluation of education and outcome framework requirements of VET programmes;*
 - *initial accreditation of VET programmes.*
9. *Evaluations of applications for professor titles/positions by universities* is not an activity within the scope of the ESG and, thus, not pertinent to the application for inclusion on the Register.
10. The Register Committee found that the report provides sufficient evidence and analysis on HAC's level of compliance with the ESG.
11. With regard to the specific European Standards and Guidelines, the Register Committee considered the following:

ESG 2.2 Designing methodologies fit for purpose

The Register Committee noted that HAC's external QA processes have been developed through consultation with academic stakeholders. According to the ESG, stakeholders are understood to cover all actors within an institution, including students and staff, as well as external stakeholders such as employers and external partners of an institution.

Considering the fitness for purpose of external QA processes, the Register Committee noted the panel's concerns with the effectiveness of the practice of evaluating doctoral schools every six months.

The Register Committee underlined the panel's recommendation of involving non-academic stakeholders e.g. representatives of civil society, labour unions, entrepreneurs and regional/local authorities, international experts in the design and improvement of the QA procedures and reconsidering the current practice in the evaluation of doctoral schools.

In its additional representation HAC explained that the biannual checking of compliance with criteria for doctoral programmes has now been discontinued and that a new approach and criteria have been developed, which are expected to be finalised in autumn.

In the design and development of criteria for HAC's external QA processes, the agency explained that academics, quality assurance experts from institutions, employer representatives and a student were consulted through an ad hoc committee. Non-academic stakeholders i.e. external partners, business and industry representatives participate in HAC's work via the Hungarian Advisory Committee.

In light of the clarification provided, the Register Committee was able to follow the panel's conclusion that HAC complies with ESG 2.2.

ESG 2.4 Peer-review experts

The Register Committee noted that students are not involved in ex-ante accreditation of new institutions, the accreditation of doctoral schools and in the initial evaluation of programmes. The Committee further noted that in these evaluations review experts remain anonymous and do not undergo any training. The Register Committee agrees with the panel's reasoning that the anonymity of experts in ex-ante evaluations precludes evaluators for becoming answerable for their decisions.

In its additional representation the agency clarified that while ex-ante experts are anonymous, in the ex post procedures the names of the visiting team members are made known to institutions who check for any possible conflict-of-interest. The agency also stated that the practice of maintaining the anonymity of experts will be changed following the Board's decision (of February 2019).

Regarding the involvement of students in the ex ante evaluations, the agency argued that students are involved in the decision-making process, as members of the expert committees where findings are discussed and that all eight expert committees now involve a student. In the view of the agency ex-ante evaluations call for an academic judgement as the focus is on academic content.

The Register Committee welcomed HAC's decision to lift the anonymity of experts (in case of ex-ante procedures) and acknowledged HAC's

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intention to address the involvement of students in its follow-up report to the coordinator. The Committee nevertheless noted that such changes are yet to take place, and underlined that students should be appropriately involved in all peer expert groups, including the ex-ante evaluation stage as per the requirement of the standard.

Considering the above mentioned issues the Committee concurred with the review panel that HAC complies only partially with standard 2.4.

ESG 2.7 Complaints and appeals

The Register Committee noted that the Board of Appeals consists of three members nominated by the Minister responsible for higher education and appointed by the Prime Minister for a period of six years. The Committee was unclear on the selection and appointment criteria of the panel members and has therefore asked the panel to clarify.

The panel stated that the only criterion for membership is that Appeals Board members cannot be at the same time members in the Board of HAC. While the Register Committee could verify the composition of the Appeals Board on the agency's webpage and followed the panel's analysis that appeals processes are implemented adequately and carried out consistently, the Committee nevertheless found problematic the lack of a clear protocol in the selection of the Board of Appeals.

HAC explained in its additional representation that its by-laws further elaborate the functions and selection of the Board of Appeals. The protocol specifies that members of the Board of Appeals can not include rectors and government officials, that the members may not participate in any of the decision making processes of HAC, and they work independently establishing its own rules of procedures. Between 2012 and 2017 HAC's Board of Appeals granted one third of the appeals.

The Register Committee noted that the agency does not have a clear, structured and effective complaints process. In its self-evaluation report the agency acknowledged that complaints reach HAC by letter, mail or telephone enquiries, and are handled on a case by case basis. HAC also explained that in practice complaints (referring to the evaluation process) may be also considered as part of the appeals heard by the Board of Appeals, but they are mostly considered through the agency informal processes.

The Register Committee considered HAC's explanation that in case of a positive result of an evaluation complaints cannot be lodged, but underlined that any individual or organisation should nevertheless have the possibility to bring to the attention of HAC substantiated concerns about the evaluation process or conduct of review experts in line with a formal complaints policy.

In its additional representation the agency acknowledged that it has not introduced a separate process for complaints but that it is currently in

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the process of changing its regulation to implement a formal complaints procedure.

The Register Committee welcomed the plans of HAC to introduce a separate complaints procedure, but the Committee found that as it stands the agency does not have a clearly defined complaints policy. The Committee therefore could not concur with the review panel's judgment of (substantial) compliance and concluded that HAC complies only partially with the standard.

ESG 3.3 Independence

The Register Committee learned from HAC's self-evaluation report and the review panel's analysis that the President of HAC's Board is chosen from among the Board members by the Minister in agreement with the Hungarian Academy of Sciences. The Committee also noted that nine of the 20 HAC Board members are nominated by the Ministry of Human Resources and that the Minister has the authority to recall members of the HAC Board.

The Register Committee could not follow the panel's conclusion considering the responsibility of the Board as the main decision-making body of the agency, the role of HAC's president and the close interlinkage of the Board with the Ministry of Human Resources. The Committee has therefore asked for further clarifications.

In its response letter the panel stated that it is not aware of a published set of criteria for the selection and appointment of Board members and that it was assured by the ministry that a priority is put on nominating experienced and senior academics to the Board.

The panel further added that possible reasons for the dismissal of the members of the HAC Board might be for inappropriate, unprofessional or illegal behaviour, although a specific list of admissible reasons did not exist.

The Register Committee found that the lack of a transparent procedure or public protocol for the appointment of almost half of the HAC Board by the ministry, and the possibility to dismiss without a limited set of reasons the Board of HAC constrain the organisational independence of the agency.

In its additional representation the agency specified that according to the requirements laid down in the Higher Education Act, the nomination of Board members takes into account i.e. proportional representation of major disciplines and that delegates may not be members of the higher education planning board, rectors, chancellors or civil servants.

The agency further argued that the legality of HAC's activities is overseen by the minister (Art 71/a) and thus the only case where the government may interfere in the agency's operations are in cases where the law is breached. Dismissal of Board members is, according to the agency, also based on legal grounds, as legislation requires that the

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Minister state its reasons for such an action. The agency also admits that while the legal framework may seem to leave open the challenge to its (organisational) independence this has not been the case in practice.

The Register Committee took note of the general criteria in the nomination of Board members, but found the explanations assuring that there is no risk of undue influence or interference by the Ministry of Human Resources in the agency's operation.

The Committee noted that the agency's explanations did not change the fact that there is a lack of clear safeguards to prevent possible (even if unlikely based on experience to date) interference in the activity of the agency or in the dismissal of its Board members. The Register Committee underlined the importance of ensuring not just a balanced representation in the nominated delegates to the Board but also of formal mechanisms and regulations to safeguard its organisational independence.

The Register Committee was therefore unable to concur with the review panel's conclusion of (full) compliance and considered that HAC complies only partially with standard 3.3.

3.4 Thematic analysis

The Register Committee noted that a Quality Assurance Committee charged with conducting analyses of a thematic nature was recently appointed and that the past economic situation of the agency hindered the development of this activity.

While evidence of thematic analysis can be found within the programme accreditation reports, annual reports and other publications of the staff on the "activities, trends and outlook" of the HAC (SAR 41), the panel found that HAC's level of activity in thematic analysis is limited and insufficiently developed.

In its additional representation the agency stated that a thematic overview and analysis on ESG compliance from its most recent institutional accreditation round was presented during a recent event and it will be published by HAC. Further thematic analysis are planned for 2019.

The Committee acknowledged the agency's recent activity, however as it stands the agency's progress is modest. The Committee underlines the review panel's recommendation of ensuring the regular publication of thematic work and making use of such analysis more widely.

The Register Committee was thus unable to concur with the review panel's conclusion of (substantially) compliance and considered that HAC complies only partially with ESG 3.4.

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3.6 Internal quality assurance and professional conduct

The Register Committee noted from the review panel’s analysis that HAC conducts surveys on its external quality assurance procedures and discusses the results of the feedback from stakeholders internally in different HAC bodies and staff meetings. However the internal and external feedback mechanisms are not entirely in place within the agency and the processes for examining data and collecting feedback are not systematic and formalised (Review Report p. 30).

In its additional representation, HAC explained that a number of systematic internal quality assurance practices are in place i.e. internal regulations for professional conduct and integrity, code of ethics, by-laws laying down the responsibilities for all activities of external members and staff, handbook for programme officers etc. The agency added that the surveys carried out with evaluated institutions were discussed in staff meetings and by the HAC Board and actions have been taken to improve procedures.

The Register Committee further took note that HAC’s Quality Assurance and Development Committee has scheduled further activities to revise and develop surveys on accreditation procedures.

Having considered the additional representation, the Committee was able to concur with the review panel that HAC complies with ESG 3.6.

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

Conclusion:

13. Based on the external review report and the considerations above, the Register Committee concluded that HAC 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	Substantial compliance	Compliance
2.3	Full compliance	Compliance
2.4	Partial compliance	Partial compliance
2.5	Full compliance	Compliance
2.6	Full compliance	Compliance
2.7	Substantial compliance	Partial compliance
3.1	Full compliance	Compliance
3.2	Full compliance	Compliance
3.3	Full compliance	Partial compliance
3.4	Substantial compliance	Partial compliance

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3.5	Full compliance	Compliance
3.6	Substantial compliance	Compliance
3.7	(not expected)	Compliance (by virtue of applying)

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14. **The Register Committee considered that HAC only achieved partial compliance with some standards. In its holistic judgement, the Register Committee concluded that these are specific and limited issues, but that HAC complies substantially with the ESG as a whole.**
15. **The Register Committee therefore approved the application for HAC's inclusion on the Register. HAC's renewed inclusion shall be valid until 30/09/2023¹.**
16. The Register Committee further underlined that HAC is expected to address the issues mentioned appropriately and to resolve them at the earliest opportunity as well as to inform EQAR through Substantive Change Reports once such changes have been introduced i.e. new procedure and criteria for the evaluation of doctoral schools, implementation of a formal complaints procedure.

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

Hungarian Accreditation Committee (HAC)

Christina Rozsnyai

P.O. Box 635

H-1439 Budapest

Hungary

Brussels, 2 August 2017

Confirmation of Eligibility: Application for Inclusion

Application no. A58 of 19/07/2017

Dear Christina,

We hereby confirm that the application by HAC for inclusion on the Register 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 HAC are within the scope of the ESG:

- *initial accreditation of new higher education institutions;*
- *initial evaluation of education and outcome framework requirements of bachelor programmes;*
- *initial evaluation of education and outcome framework requirements of master programmes;*
- *initial accreditation of bachelor programmes;*
- *initial accreditation of master programmes;*
- *initial accreditation of new doctoral schools at universities;*
- *accreditation of institutions in five-year cycles;*
- *evaluation of bachelor and master programmes in disciplinary clusters;*
- *accreditation of doctoral schools in five-year cycles;*

Following the clarification (see Annex to Eligibility Confirmation) provided by the agency, we further confirm that the following activities are also within the scope of the ESG:

- *initial evaluation of education and outcome framework requirements of VET programmes;*
- *initial accreditation of VET programmes.*

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Please ensure that HAC 's self-evaluation report covers all the aforementioned activities.

Furthermore, the self-evaluation report and external review report should also address HAC's internal regulations for the recognition of other agencies' external QA activities or decisions, especially in case the agency is not registered on EQAR.

We confirm that the following activity is not within the scope of the ESG:

- *evaluations of applications for professor titles/positions by universities.*

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

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

Statement on review report

The Hungarian Accreditation Committee (HAC) has received the panel review report from ENQA, the coordinator of the review, on 30 July 2018. In the review process, the HAC found the panel to be professional and objective and at the same time sensitive to the national context in which the HAC operates. It appreciates the work of the review panel and values their comments and recommendations, which it will use for its further development.

As regards the specific issues addressed in the report with respect to its compliance with the ESG, the HAC has the following comments:

1. Overall, the HAC appreciates that the panel recognised the HAC's development since its partial review for full membership in ENQA in 2015, following its "member under review" status assigned in 2013. The panel found the HAC to be in full compliance with the two critical standards at the time, 3.3. (Independence) and 3.5. (Resources). The HAC was pleased to provide evidence to the panel that these issues have indeed been addressed.
2. The HAC recognises, at the same time, that weaknesses with some other standards persist. As noted in the Self-Evaluation Report (SER), the HAC has undergone considerable changes in the last 18 months, starting with a new leadership.

To name some other major changes, in 2017, the HAC has developed a new strategy and has worked out a new approach to institutional accreditation, which is its main focus in external quality assurance. In 2017, five institutions were evaluated under this new approach, which centres on the internal QA mechanisms of institutions. Following the submission of the SER to ENQA, the HAC revised its institutional accreditation guidelines based on feedback from these institutions and was able to discuss the changes with the review panel during their site visit.

Just before the panel visit on 2-4 May, a new HAC Board took office, with only six of the 20 members remaining. The HAC is pleased to note that it now has five women as members, up from two previously, an issue that was repeatedly noted by its International Advisory Board. The new HAC Board has since become operative, with new expert and ad hoc committees busy on a new strategy and reviewing the existing regulations and criteria.

3. In this light, the HAC recognises the urgency for carrying out more thematic analyses (ESG 3.4.) not only for sharing its quality assurance experiences with the higher education public but also for improving its own work based on the findings of such analyses. The new quality assurance committee has been charged to work out an approach for regular thematic analyses and to oversee their execution.
4. The panel's recommendations concerning internal quality assurance (ESG 3.6.) are related to its comments on 3.4. and are also the charge of the HAC's quality assurance committee.
5. As regards standard 2.2. (Designing Methodologies), the HAC is already working on a new evaluation procedure for doctoral schools, which will involve site visits and focus on the internal quality assurance practices of the schools. The panel's second recommendation under this standards concerns the involvement of non-academic stakeholders and international experts. The HAC has approached European agencies for



recommendations of international experts and plans to include them increasingly. Expert committee chairs have been asked to involve more non-academics as evaluators.

6. The panel found the HAC partially compliant with ESG 2.4. (Peer Review Experts). Its recommendations address the current practice of using anonymous evaluators in the accreditation procedures of new programmes, which are carried out via the HAC database. The HAC has opted for anonymity in these procedures because it believed that experts in the Hungarian context are more frank in their evaluations this way. With the new Board, a new approach that will make evaluators public is being worked out.

The inclusion of students has been a concern, although the HAC would like to emphasise that students have been involved to date within the accreditation processes as a whole, if not in all expert committees. All visiting teams in site visits have included students and only two of standing the expert committees did not have them. The new expert committees include students. The procedures for the ex-ante evaluation of new programmes have not included students.

There is indeed room for improvement in the training of experts. The HAC has now revised and increased its training material for its experts in visiting teams and is taking steps to increase the time allotted to the pre-visit training. Beyond the information on the procedures and criteria for external evaluators in ex ante procedures, however, a training scheme needs to be worked out.

7. Finally, the HAC has had an independent Board of Appeals (ESG 2.7) for many years. It has dealt with appeals in cases where the HAC has passed a negative decision. In this case, also procedural issues were raised and this board examined and decided on them. In case of positive decisions no complaints are lodged. However, with the mandate of the appeals board ending in October, the new one will work out its procedures in light of ESG 2.7.

In the name of the HAC Board and staff I would like to express my appreciation to the Register Committee for considering the HAC for inclusion in EQAR.

Budapest, 13 September 2018

A handwritten signature in blue ink, appearing to read 'Csépe Valéria', written in a cursive style.

Valéria Csépe
President of HAC

Brussels, 5 October 2018

Application by Hungarian Accreditation Committee (HAC) for inclusion on EQAR

Dear Maria,

HAC has made an application for inclusion on the European Quality Assurance Register for Higher Education (EQAR). We are contacting ENQA in its capacity as coordinator of the external review on which HAC'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 the following matters considering the composition of the external review panel:

1. From the provided CV of panel members we noted that one of the members—Dávid Kiss— was involved as external reviewer in a number of HAC coordinated evaluations up until 2015. We also noted that he is employed by the Educational Authority (Oktatási Hivatal) which we understand is the authority responsible for licensing higher education institutions and thus closely working with HAC (Review Report p. 7, 8, 13, 18, 22, Self-Evaluation Report p. 22).

Could you please elaborate how the coordinator was satisfied that the panel member is independent from HAC (please see EQAR's Procedures for Applications §1.12 & §9.1)?

2. We further noted that according to their CVs, Ms Nieves Pascual Soler is on leave from Universidad de Jaen and Dávid Kiss has ended his studies at Corvinus University in 2014.

We would appreciate if you could clarify the status of "on leave" with regard to Ms Nieves Pascual as well as the student status of Mr Kiss. We would also be grateful if you could clarify whether another panel member is (also) an academic staff member of a higher education institution (see EQAR Procedures for Application §1.10).

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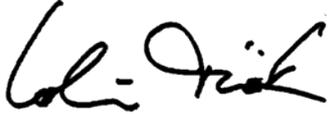
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We would appreciate a response by **22 October 2018**. Please note that EQAR will publish this request and your response together with the final decision on HAC's application.

Kind regards,

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

Colin Tück
(Director)

Cc: (coordinator)

Colin Tück
Director
The European Quality Assurance Register for Higher Education (EQAR)
Aarlenstraat 22 Rue d'Arlon
1050 Brussels
Belgium

Brussels, 16 October 2018

Subject: Clarification on the panel composition of the Hungarian Accreditation Committee (HAC)

Dear Colin,

Following your request for further clarifications on the panel composition of the Hungarian Accreditation Committee (HAC), dated 5 October 2018, I am pleased to provide you with additional information, as presented below.

Firstly, in regards to the independency of the panel member Dávid Kiss from HAC, the panellist stated having no connections to the agency since his last involvement in one of the agency's evaluations in 2015. Dávid Kiss never held a position within the agency nor was its employee. Furthermore, Dávid Kiss is not a permanent employee of the Educational Authority (Oktatási Hivatal), but engaged on a contractual basis in one of the projects, i.e. 'Strengthening thematic cooperation in public education and higher education with the neighbouring countries of the Carpathian Basin' (EFOP 3.10.1-2017-00001). The project is not in any way linked to the operations of HAC.

Following this, ENQA considers the panellist being sufficiently independent for the external review of HAC. Having past experience as an agency's reviewer does not constitute a conflict of interest in ENQA's view, as long the panellist has not been in any way involved in the activities of the respective agency in the last years (in this case, ENQA considered the non-involvement in the last three years as sufficient). In addition, every situation is carefully considered on a case-by-case basis. Following the correspondence with Dávid Kiss, and the agency, there were no grounds to consider that the panellist would have any personal or organisational interests influencing the performance of his review duties and responsibilities. In addition, the panellist adhered to the [ENQA Code of Conduct for reviewers](#).

Secondly, we would like to clarify the status 'on leave' for Nieves Pascual. Nieves Pascual, even though currently on leave in the United States, is still affiliated with the University of Jaén in Spain, and has provided ENQA with the employment certificate indicating her teaching obligations for the academic year 2017-2018. During the indicated academic year, Nieves

Pascual taught the online course 'Race and Gender in Contemporary American and Canadian Literature' that was part of the online Master programme in English Studies (English Department). In 2017-2018, she also supervised 10 Master's theses and was actively involved in the research activities, publishing three essays and editing one book (forthcoming). In addition to the academic activities at the University of Jaén, Nieves Pascual taught at the Valencian International University during the same academic year. The courses were 'Enseñanza y aprendizaje del inglés' (Teaching and Learning English) for the Máster Secundaria en Lengua extranjera, Inglés (Master on Teaching English at High-School Level).

Last, but not least, we would like to clarify the student status of Dávid Kiss. At the time of the appointment for the external review, Dávid Kiss was enrolled in one of the postgraduate specialist programmes at the University of Debrecen. The panellist explained that his CV included only the completed education and had no reference to the current enrolment. Nevertheless, the nominating organisation, namely the European Students' Union, as well as the student himself, confirm the student status at the University of Debrecen at the time of the panel composition. Dávid Kiss additionally explains that even though he completed the Master's programme in 2014 at the Corvinus University, he only got 'absolutorium', which means that he collected all credits needed from the courses, but he still needs to complete his final exam and defend the thesis.

We hope to have provided you with sufficient and comprehensive clarifications on the panel composition for HAC, as requested. Should you require any further information, please do not hesitate to contact us.

Yours sincerely,



Maria Kelo
Director

Brussels, 30 October 2018

Application by HAC for inclusion of registration on EQAR – Clarification Request

Dear Norma,

The Hungarian Accreditation Committee (HAC) 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 HAC'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 HAC's application:

1. In the review report the panel noted that the Minister can recall members of the HAC Board and that specific reasons must be given if a recall is issued.

Could you please clarify if the panel reviewed the possible reasoning that could lead to the dismissal of the HAC Board and if so could you please elaborate on these reasonings?

2. According to the Higher Education Act (Article 71 (1)) the HAC's Board is composed of 20 members, of which nine are delegated by the Ministry of Human Resources and the president is chosen from among the Board members by the Minister in agreement with the president of the Hungarian Academy of Sciences.

Could you please confirm if the panel reviewed the criteria for the selection and appointment of Board members nominated by the Ministry of Human Resources?

3. The panel noted in its review report (p. 42) that the Board of Appeals of the HAC consists of three members nominated and appointed by the Minister.

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Could you please also confirm if the panel reviewed the criteria for the selection and appointment of Appeal Board members nominated by the Ministry?

We would be grateful if it was possible for you to respond by 13 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 HAC'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,

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

Colin Tück
(Director)

CC: Nieves Pascual Soler (Panel Secretary)

ENQA

HAC

Subject: Re: HAC - clarification re. the external review

From: "Ryan, Norma" <n.ryan@ucc.ie>

Date: 11/20/2018 12:26 PM

To: Melinda Szabo <melinda.szabo@eqar.eu>

CC: "nievespascualsoler@gmail.com" <nievespascualsoler@gmail.com>, "npascual@ujaen.es" <npascual@ujaen.es>, Colin Tüeck <colin.tueck@eqar.eu>

Dear Melinda

I sincerely apologise for the delay in replying. I have been ill for the past couple of weeks and it slipped my mind.

Below are brief answers to the questions asked in the letter re the ENQA review of HAC last May:

1. The panel queried the possible reasons that might lead to dismissal of a member of the HAC Board. A specific list of possible reasons was not provided but it was indicated that it might be for inappropriate behaviour/unprofessional behaviour/illegal behaviour. The panel was satisfied that dismissal of a member could not be for a frivolous reason, given that the reason must be provided by the minister.

2. To the best of my recollection and following review of my notes the Ministry of HR does not have a published set of criteria for the selection and appointment of Board members nominated by the Ministry. The panel did query the selection process and was assured by the ministry that a priority was put on nominating experienced and senior academics to the board.

3 re the Board of appeals: the Appeals Board members are nominated and selected by the Ministry. The only criterion published for membership is that a member of the Appeals Committee cannot be a Member of the HAC board at the same time nor for the previous 3 years.

All HAC committees have regulations and procedures published on the HAC website, relating to conduct of business etc.

Again I apologise for the delay in replying and hope it did not inconvenience EQAR too much.

Kind regards to all,

Norma

Dr. Norma Ryan
Higher Education Consultant
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On 30/10/2018, 12:20, "Melinda Szabo" <melinda.szabo@eqar.eu> wrote:

Dear Norma,

We are contacting you in your capacity as chair of the panel that externally reviewed the Hungarian Accreditation Committee (HAC).

As you know, HAC applied for initial inclusion on EQAR and submitted the panel's

review report in support of its application. The EQAR Register Committee's rapporteurs have been considering the application and the external review report and would like to seek further clarification on the panel's findings with regard to some aspects as detailed in the attached letter.

We be would grateful if it was possible for you to respond by 13 November 2018. Kindly get in touch with us should that date not be feasible.

Thank you in advance for your assistance with this matter.

Best regards,

Melinda

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HUNGARIAN ACCREDITATION COMMITTEE

PRESIDENT

Karl Dittrich

President

EQAR

Brussels

Ref.no.:148...../2019

HAC code: Átlev/külf/EQAR

Administrator: Christina Rozsnyai

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Date: 1 February 2019

Subject: Response to decision deferral

Dear Dr. Dittrich,

Thank you for your letter dated 13 December 2018 notifying the HAC about the decision of the Register Committee to defer its application for inclusion in EQAR.

The HAC has carefully studied both the letter and the attached reasons for the deferral. It has equally judiciously studied the ENQA panel report and the letter of the ENQA Board reflecting on its judgment on HAC's compliance with the ESG Parts 2 and 3. The HAC welcomed the panel's recommendations to many standards and agreed with the weaknesses the panel described.

While concurring with some of the comments by the Register Committee, the conclusions of the Register Committee and those of the ENQA panel are divergent. We realize that the Register Committee does not pass substantial compliance decisions as ENQA does, nevertheless the HAC considers that the opinion of a panel, who, in addition to reviewing the documents also reviewed the actual practices of HAC during their extensive interviews with stakeholders in their site visit, reflect a realistic judgment on the HAC's overall ESG compliance in the concrete context by considering its substantial compliance findings as positive rather than negative.

At the same time we realize that clarification of some issues may be due, which the HAC may have discussed with the ENQA panel but which may not be described in enough detail in the report. Therefore we appreciate the opportunity to respond to the reasoning of the Register Committee in accordance with EQAR procedures. Feedback for this reply has been given by the HAC Board, its Quality Assurance and Development Committee, and its International Advisory Board before the HAC Board passed the present version. Accordingly, we submit the following comments and clarifications.

Ad ESG 2.2. Designing methodologies fit for purpose

As noted in the HAC's self-evaluation report (hereafter: SER) for the ENQA review as well as our Statement on the Review Report (hereafter: Statement) sent to EQAR and dated 13 September 2018, the HAC has undergone fundamental changes in the last two years, many of which had begun when the SER was composed, and some of them are still ongoing. Clearly, such changes involve careful preparation and publication of changed criteria in order to ensure that institutions can prepare for them (and in line with ESG 2.5.). The HAC introduced new institutional evaluation criteria in 2017 as described in the SER and the ENQA panel report and is currently working on new programme accreditation criteria. The HAC has been aware of the inappropriateness of the earlier doctoral school evaluation scheme and has been preparing a new approach, which it discussed with the ENQA panel already at the time of their site visit. It is also mentioned in our Statement. The new approach and criteria are in the consultation stage and pilot evaluations are scheduled for September-October of this year. Doctoral schools will be evaluated in a procedure in line with ESG 2.3., including a mid-term follow-up procedure, and accreditation will be granted

for five years. With this, the biannual checking of compliance with criteria that was the practice so far is now being discontinued. It should be clarified that doctoral schools have always been evaluated every five years and the biannual checking of compliance with staff qualification requirements was not the only evaluation of doctoral schools but an additional exercise conducted through the www.doktori.hu database.

The involvement of stakeholders regarding the design of the new criteria for all processes is conducted as follows:

- Institutional evaluation criteria were worked out by an ad hoc committee that included academics, quality assurance experts from institutions, employers' representatives and a student. After an 18-month run, the criteria are currently being refined based on survey feedback from recently evaluated institutions and visiting team members and these will be used, following their publication, from 2020.
- The new criteria for the evaluation of doctoral schools were drafted by experienced HAC staff and subsequently discussed in the standing committee for University Professorships and Doctoral Education.
- The draft criteria were sent to the Quality Assurance and Development Committee, which includes academics, a student and a business person.
- They were also sent to all higher education institutions and the members of expert committees (which each include a student – see also under 2.4). They will be finalized based on their feedback.
- The new criteria for programmes is still in the planning stage and, following replies by stakeholders, is scheduled to be passed by the HAC Board in May .
- Non-academic stakeholders, external partners, are also involved in the HAC's work via its Hungarian Advisory Committee, whose members are from business and industry.

Thus stakeholders are “involved in [the] design and continuous improvement” of the HAC's criteria. Consequently, and given that the Register Committee does not question that the HAC's criteria “are in general fit for their purpose with the exception of the twice-yearly evaluation of doctoral schools”, which is already being discontinued, the HAC believes that the panel's conclusion of substantial compliance is justified.

We are fully aware that a) not all these processes were complete at the time of the ENQA review and b) there is still room for improvement by involving employers, business and industry representatives to a greater degree. We therefore agree with the panel's recommendation and expert committees have already been asked to invite such stakeholders into their committees in line with the recommendation.

Ad ESG 2.4. Peer-review experts

The HAC has and continues to value the participation of students in its work. The HAC Board, which is the final decision-making body on accreditation, has been a pioneer in including student members since the agency's establishment in 1993.

It is correct that students are not involved in ex ante evaluations as external evaluators. These evaluations conducted through the HAC database focus for the most part on academic content (rather than with already running institutions or programmes), and the HAC considered that such evaluations call for academic judgement. For the same reason, evaluators in the database exercises receive no on-site training. Rather, they are given written information on their task and an assigned programme officer guides them through the process, as described in the SER.

On the other hand, students do have a say in the ex ante process as a whole, namely in the accreditation decision-making process, that is, the Board and the committees. At the time of the ENQA review, five of eight expert committees, where evaluators' findings are discussed, included students. The deficit was due to drawn-out negotiation processes in some disciplinary areas with the nominating National Union of Students in Hungary. The omission has been remedied and currently all expert committees include students. It should also be noted that the HAC's non-inclusion of students in the ex ante process has never been judged as non-compliant in previous ENQA reviews, as reviewers agreed with HAC that their participation is ensured within all processes as a whole. The HAC has considered the recommendations of the ENQA panel in this regard and is currently discussing how to involve students also in the primary evaluations in ex ante procedures. We intend to present progress on this issue in our follow-up report to ENQA in 2020.

We also agree with the panel's most fundamental concern, the anonymity of ex ante evaluators. The practice has its historic and societal context with the belief that members of a profession would speak more openly if their colleagues could not identify them. The HAC has considered the other side of the coin argued by the ENQA panel, namely the importance of evaluators being answerable for their decisions and not just HAC as the final decision-maker. It has decided to change this practice in 2019 with a decision of the HAC Board on 1 February 2019, and the change will be reported in its follow-up report. It is important to note that visiting team members' names participating in ex post procedures are both sent to institutions to check on conflict-of-interest and are published in the published accreditation reports, therefore the Register Committee comment about the need for "publishing the list of panel members" is not fully correct.

As regards training of experts in ex post processes, the ENQA panel found that it is too brief. As described in the SER, the actual training proceeds as follows:

"Ex post procedures are preceded by a half-day training on the HAC's evaluation process, and team members' responsibilities, and there is an exchange of information about the impending evaluation.

"The training includes a discussion on the focus of the HAC criteria, the ESG and its elements, the evaluation procedure and the visiting team's responsibilities, an analysis of the self-evaluation report, issues to be clarified at the institution, materials to be submitted prior to the visit and at the site, and what presentations to ask of the institution on their operations.

"Importantly, HAC strives to include experienced HAC evaluators in each team. Site visits are preceded by team briefings to discuss the schedule of the visit and division of labour" (p. 54).

Since the panel's visit, following the feedback from the ENQA panel and the feedback survey received from visiting team members after the evaluations, the HAC has discussed how to intensify training for its experts and intends to present progress in its follow-up report.

While the above illustrates that HAC has detailed procedures in place regarding ESG 2.4 – "External quality assurance should be carried out by groups of external experts that include (a) student member(s)" – it accepts the panel's conclusion of partial compliance with regard to the lack of students in all stages of ex ante procedures.

Where the guidelines for ESG 2.4. call for "appropriate training and/or briefing", the question of how much is appropriate in order to be fit for purpose, which the ESG intent, varies from context



to context. The HAC procedures for ex ante procedures fulfil the requirement of a briefing, however, where the process is described in the SER as follows,

“There is no organised training for experts in ex ante procedures, where the experts are asked to make judgments based on their professional and academic expertise. Experts receive a letter of invitation, which contains the basic information on the process and focus of the evaluation. An assigned programme officer is in contact with the evaluator to describe the procedure in detail, including the use of the database. The format of the online evaluation provides detailed information on what the evaluator should focus on and what information, importantly including evidence to substantiate his or her findings, is to be provided. Experts must acknowledge no-conflict-of-interest before being able to proceed with the online evaluation.”

Half-day training is conducted for ex post processes, as noted earlier. Therefore, the HAC does not agree with the Register Committee where it says experts do not undergo training, since the standard allows for briefing, which they do in fact receive.

Nevertheless, as noted above, we are revisiting the ENQA panel recommendations and will report on progress in our follow-up report.

Ad ESG 2.7. Complaints and appeals

The nomination and appointment of members of the Board of Appeals are set down in Article 71 of the Higher Education Act: “The members of the Appeals Board shall be delegated by the Minister, and their appointment and conflicts of interest shall be subject to the same rules as those applicable to the members of the HAC, except that persons who were members of the HAC in the three-year period preceding their appointments shall not be members of the Review Board.” This is what the Register Committee refers to in its comment.

However, there are further regulations governing the membership criteria. The Government Decree 19/2012 (II.22) on higher education quality assurance and includes a clause stating that the members of the Board of Appeals have to be chosen in agreement with the president of the Hungarian Academy of Sciences, similar to the HAC president. The HAC’s By-laws further elaborate the functions that specify Appeals Board membership by excluding rectors and government officials. The members of this Board are independent of the HAC Board and do not participate in any part of the decision-making processes. Once appointed, they work completely independently. They establish their rules of procedure and may – and do – invite additional experts either on an ad hoc basis or permanently, as set down in their procedures. All cited documents are available on the HAC website.

It is therefore not true, as stated by the Register Committee, that “the only criterion for members is that Appeals Board members cannot be at the same time members in the Board of HAC”. Nor does the “lack of a clear protocol in the selection of the Board of Appeals” stand, given that the law, HAC By-laws and the Board of Appeals procedures are unequivocal in this respect.

The HAC’s Board of Appeal has, in practice, worked independently and free from bias, granting one third of the appeals from 2012 to 2017, as stated in the ENQA panel report. The panel in its report acknowledges that the appeal processes are implemented adequately.

It is correct that the HAC has not introduced a separate complaints process since it was added to the ESG 2015. While informal processes have existed “through various channels”, to quote the ENQA panel report, it also notes correctly that the distinction between appeals and complaints



has not been made public. Complaints in the sense of referring to the evaluation process as distinct from appeals concerning decisions, have been part of many appeals heard by the Board of Appeals. But in practice, this was done only when the HAC passed a negative decision. The HAC took on board the recommendation of the ENQA panel and is in the process of changing its regulations and dissemination, which will be reflected in our follow-up report.

Given that there is a protocol for the appointment of members of the Board of Appeals, the processes are clearly defined and communicated to institutions, and that the Board has in practice dealt with both complaints and appeals, but because a formal complaints procedure has not been implemented as distinct from an appeals procedure, the HAC believes that the ENQA panel's conclusion of substantial compliance is justified.

Ad ESG 3.3 Independence

The nomination and appointment of HAC Board members is set down in Article 71 of the Higher Education Act, where the law decrees the delegating bodies: Minister (9 members), Hungarian Academy of Sciences (2), the Hungarian Academy of Arts (1), the Hungarian Rectors' Conference (3), ecclesiastical legal persons maintaining higher education institutions (2), the Hungarian Chamber of Commerce and Industry (1), the National Union of Students in Hungary (1), and the Association of Hungarian PhD and DLA Students (1). It also states, "When delegating members, the delegating parties shall hold consultations with a view to ensuring the proportionate representation of major disciplines. Members of the Higher Education Planning Board, rectors, chancellors, civil servants, government and public officials shall not be members of the HAC." All members receive their letters of appointment from the Prime Minister. The President of HAC is chosen from among Board members by the Minister in agreement with the president of the Hungarian Academy of Sciences, as the Register Committee correctly notes.

The law also states (Article 70) that the HAC is "an independent national expert body", and that "the legality of the activities of the HAC shall be overseen by the Minister" (Art. 71/A). It follows that the only case where the government may interfere in the HAC's operation is if it breaches the law, and where adjudication is within the jurisdiction of the Budapest-Capital Administrative and Labour Court.

The HAC operates with "organisational independence", "operational independence" and "independence of formal outcomes", in line with the guidelines under ESG 3.3. This has been set down in another official document, the HAC Strategy 2017-2018, and the new Strategy 2019-2024, available on the HAC website. (The new one, to be accepted by the HAC Board at the same time as this letter, on 1 February 2019, is not yet available in English.)

All 150 to 160 external experts are invited by HAC directly based on their qualifications for the evaluation at hand. There has never been a case, nor has there been any indication of intent, of recalling a HAC Board member. Legislation requires that the Minister must state reasons for such action, a clause that was added to the law following the HAC's ENQA review in 2013 in order to provide a legal guarantee. Otherwise it was never an issue. We regret that the Register Committee could not follow the ENQA panel's conclusion of substantial compliance with ESG 3.3. especially given that there are other national quality assurance agencies where government interference could be argued, such as Spain, where the education minister sits in the governing body of ANECA or the president of AQ Catalunya is appointed by the Government of Catalonia at the proposal of the minister, but where the agency's independence is not questioned. Other agencies (e.g. SKVC, Lithuania) have their directors appointed by the minister.



It can be seen in both this and the appeals section that while the legal framework may seem to leave open the challenge to the HAC's independence, this has not been the case in practice and has not raised the need for different legislation. This has been acknowledged by the last two ENQA review panels in their reports.

It is with this standard in particular, where the Register Committee has changed the ENQA panel's conclusion from fully to partially compliant, that we cannot but sense that its judgement is not substantiated by evidence. It can always be argued that regulations should lay down more than they do, more guarantees against certain infringements, but as the reality has not raised the need for such measures, any requirements of this sort seem arbitrary.

Ad ESG 3.4 Thematic Analysis

The HAC fully follows the arguments and conclusion of substantial compliance of the ENQA panel as to the scope of thematic analyses, and would not like to repeat them in this letter. The HAC is since on the way to implementing its recommendation. Evidence on the HAC's thematic analyses prior to the panel review is provided in its report.

The most recent activity in this area was a HAC conference on 13 December 2018 with over 100 stakeholder participants. Presentations included an overview on higher education by the Minister of Technology and Innovation; on the HAC 2019-2024 Strategy; and a thematic overview and analysis on ESG compliance in the most recent institutional accreditation round and lessons learned by members of the Quality Assurance and Development Committee. The latter will appear in a publication as well. This committee's work plan has scheduled further thematic analyses for 2019, as reflected in the minutes of their last meeting.

The HAC agrees with the judgement of substantial compliance by the ENQA panel and ENQA Board.

Ad ESG 3.6 Internal Quality Assurance and Professional Conduct

The HAC has, and has had for many years, systematic internal quality assurance practices in place. This is described in the SER under ESG 3.6, which, for information to the Register Committee, is quoted in full below:

"The HAC has had internal regulations for professional conduct and integrity since its establishment, when incoming Board members and new experts were informed of expectations of no-conflict-of interest, objective judgment and integrity.

"A Code of Ethics has been issued in 2000. New HAC Board members and external experts sign no-conflict-of-interest statements and experts working through the HAC database TIR must acknowledge the same before being granted entry to the applications. Staff job descriptions include a no-disclosure clause. The criteria and guidelines for all external QA procedures, which are an integral part of its quality activities package, are on the HAC website.

"The HAC By-Laws set down the responsibilities and activities of all internal and external members and experts as well as staff. A ministry regulation describes the rules for handling public data. The HAC has an internal QA folder, including a Handbook for Programme Officers, as described in Section 7. The HAC has requested feedback annually until 2014/15 from institutions evaluated in that year and from the external site visit team members in these processes. The results of these surveys were published on the HAC website. After a year's hiatus due to internal governance problems and

staff overload before the new president took office, in spring 2017 institutions were surveyed about the work of the HAC in general. To close the quality loop, the results of the feedbacks were always discussed in staff meetings and in the plenary meetings of the HAC Board and actions, such as changes in the HAC's procedures, were taken as a result. It should be noted, however, that informal feedback has also led to improvements and changes in procedures over the years. The surveys are described in more detail in Section 11 below.

“Feedback and recommendations from the HAC's Hungarian and International Advisory Boards constitute a key part of the internal QA system. The HAC follows-up on the annual recommendations of the International Advisory Board and reports these actions to them at the next meeting.”

The HAC fully agrees with the evidence and analysis in the ENQA panel report. It provides clear evidence of a number of internal quality assurance measures and that HAC complies to a large degree with both the standard and guidelines in ESG 3.6. The argument in how far the measures are formalized is open to discussion, given that the HAC internal quality handbook, which was made available to the ENQA panel in their meeting room, sets down the rules of when and in what scope surveys are conducted and all other internal quality assurance activities, including how the feedback and action loop is ensured in a systematic way. As a recent development, the Quality Assurance and Development Committee has scheduled further developing and revising existing surveys on accreditation procedures, which is reflected in the minutes of their last meeting. Other documents, such as the Handbook for Programme Officers, sets down many internal quality assurance measures for this particular group.

The HAC nonetheless agrees with the ENQA panel's recommendation to expand its internal quality assurance practices and to inform its stakeholders as a measure of accountability.

Given that the HAC has many internal quality assurance measures in place as is set down in the standards and guidelines for ESG 3.6, the HAC concurs with the ENQA panel conclusion of substantial compliance.

We hope that this letter is able to provide sufficient evidence on the HAC's operations and practices within the Hungarian context to clarify the conclusions of the ENQA peer reviewers, made on the basis of its in-depth evaluation of the HAC with respect to the ESG 2015. We also hope that in considering its decision, the Register Committee will revisit their arguments and duly consider ours.

The HAC continues to work on improving its operations on a daily basis and trusts that this will be reflected in its follow-up report for ENQA in 2020.

Budapest, 1 February 2019

With kind regards,



Valéria Csépe
President of HAC