

Decision on the Substantive Change Report by Agency for Quality Assurance and Accreditation Austria (AQ Austria)

Register Committee

Ref. RC/C91

Ver. 1.0

Date 2023-05-17

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Decision of:	2023-05-17
Result:	Take note
Report received on:	2023-02-17
Agency registered since:	2014-05-01
Last external review report:	2019-20-06
Registration until:	2024-06-30
Absented themselves from decision-making:	Beate Tremml
Attachments:	<ol style="list-style-type: none"> 1. Substantive Change Report, 2023-02-17 2. Minuted clarification with AQ Austria, 2023-03-27

1. The Register Committee considered the Substantive Change Report of 2023-02-17 and clarification provided by the agency on 2023-03-27.

2. The Register Committee considered the following changes reported by AQ Austria:

A) Changes in existing external QA activities

- implementation of the following external QA activity: *international accreditation of higher education institutions*;

B) Discontinuation of existing activities

- discontinuation of the activity *voluntary accreditation of continuing education programmes at higher education institutions in Austria*;
- *programme accreditation in Germany, pre-2018 rules and system accreditation in Germany, pre-2018 rules*;

C) Changes in activities within and outside the scope of the ESG

- development of a review procedure for *programmes for continuing education*;
- change of the procedure for *notification of foreign degree programmes in Austria*;
- development of consultancy activities;

- development of other activities: recognition of formal, non-formal and informal competences, NQF Service Point

A) Changes in existing external QA activities

3. The Committee noted that the activity *international accreditation of higher education institutions* is an extension of the international programme accreditation procedure that has been carried out since 2013. The procedure for the institutional accreditation has been available since 2019 (together with the programme accreditation), and it has been covered during the agency's last external review. In preparing to launch the activity, the agency adjusted the order of procedural rules and assessment criteria for the institutional level.
4. Given that the agency follows the same procedure as the one applied in its national context (see minuted clarification) the Register Committee had no prima facie concerns that the ESG are complied with. **The Register Committee expects that implementation of the activity will be analysed (in particular reflecting on ESG 2.2, ESG 2.3 and ESG 2.5) as part of the forthcoming targeted review of AQ Austria.**

B) Discontinuation of existing activities

5. The agency discontinued the activity *voluntary accreditation of continuing education programmes at higher education institutions* in Austria following the adoption of a new reform in higher education on October 1, 2021 (see also point C below).
6. AQ Austria also reported the discontinuation of *programme accreditation in Germany, pre-2018 rules* and *system accreditation in Germany, pre-2018 rules*. Since the activity has already been addressed in the Substantive Change Report Decision of 19/06/2019, the Committee had no further comments.

C) Activities outside the scope of the ESG

7. The Committee noted that AQ Austria has developed a new procedure for programmes for continuing education following a change in the Austrian law (HS-QSG), replacing the earlier discontinued activity (*voluntary accreditation of continuing education programmes at higher education institutions in Austria*, see also point B). The newly introduced activity '*review procedures for programmes for continuing education*' is an activity that falls outside the scope of the ESG. According to the legal reform, higher education institutions remain responsible for the quality of their continuing education provisions. The programmes for continuing education offered by private institutions will only be reviewed by AQ Austria in case of concerns related with the quality of the offering.
8. Following a change in the Act on Quality Assurance in Higher Education (HS-QSG) the '*notification of foreign degree programmes in Austria*' procedure was extended to institutions from non-EU or non-EEA countries (§ 27b HS-QSG). The change in the legal framework also

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allows for the recognition of results in the evaluation of programmes performed by a quality assurance agency registered by EQAR (or another internationally recognised quality assurance agency) as proof of the assessment areas.

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9. The Register Committee took note that the *notification procedures* by AQ Austria are desk-based documentation considering the standards of the country of origin or domicile. If the notification has been approved, the educational institution may start the operation of the degree programmes in Austria. The degree programmes and academic degrees are considered to be those of the educational institution's country of origin. The procedure does not provide any equivalence with the Austrian degree programmes.
10. **As the activity is not a peer assessment but a limited desk documentation activity, the Register Committee concurred with AQ Austria that this activity is outside the scope of the ESG.** The Committee acknowledged that the activity has been wrongly included as an activity within the scope of the ESG.
11. The Committee further noted that AQ Austria expanded its consulting activities and has recently carried out a number of consultancy services i.e. DeGEval type evaluations and on behalf of Johannes-Rau-Forschungsgemeinschaft in Nordrhein-Westfalen.
12. **The Committee nevertheless expects that the separation of consultancy activities from the agencies other activities within the scope of the ESG to be analysed as part of AQ Austria's next review for renewal of registration.**
13. The Committee further noted that the following activities i.e. recognition of formal, non-formal and informal competences, NQF Service Point are not activities within the scope of the ESG.
14. Based on the detailed information provided in the Substantive Change Report and clarifications, the Register Committee had no concerns that the ESG are complied with in this case.

EQAR Substantive Change Report

Reference #	24474930
Status	Complete
Login Username	reinhard.jakits@aq.ac.at
Login Email	reinhard.jakits@aq.ac.at
Agency #1	Agency for Quality Assurance and Accreditation Austria
Agency acronym	AQ Austria
Expiry date #1	30/06/2024
Contact #1	Reinhard Jakits
Phone #1	00431532022019
Email #1	reinhard.jakits@aq.ac.at
Other organisations?	No
A. Has the organisational identity of the registered agency changed?	No
B. Has the organisational structure changed?	No
C. Changes in EQA activities	<ul style="list-style-type: none">• 2. Substantive changes carried out to one or several existing external QA activities (e.g. changes to their methodology, criteria or procedures)• 3. One or several existing activities were discontinued
Description new/changed	<p>1. International Programme Accreditation</p> <p>Change to: International Accreditation of Higher Education Institutions and Degree Programmes</p> <p>This change was already announced to EQAR in April 2022.</p>

2. Notification of foreign degree programmes

See attached document: AQ Austria_Notification of foreign degree programmes

2. Changed EQA activity

1

International Programme Accreditation

ESG 2.1

Until the change, peer review-based accreditation had only been provided at the program level; with this change, it is also possible at the institutional level.

ESG 2.2

This amendment is a revision of the existing guideline to the new accreditation regulations adopted in 2018.

For this purpose, the structure was changed by adjusting the order of procedural rules and assessment criteria. In terms of content, the procedural rules and the assessment criteria were adapted as far as possible to the provisions of the accreditation regulations, omitting the aspects specific to Austria.

A significant change in content lies in the inclusion of assessment criteria for the institutional level. This corresponds to the wish of some higher education institutions for an institutional assessment.

ESG 2.3

1

<https://www.aq.ac.at/en/accreditation/international-accreditation.php#>

ESG 2.5

In the evaluation of the study programs, the effectiveness of the internal QM is addressed, and the proof is provided in accordance with the criteria of the study program accreditation.

ESG 2.6

1	https://www.aq.ac.at/en/decisions-on-accreditation-and-certification/decisions_higher_education_institutions_outside_Austria.php
3. Discontinued EQA activity	
1	Programme accreditation in Germany, pre-2018 rules
2	System accreditation in Germany, pre-2018 rules
3	Voluntary accreditation of continuing education programmes at higher education institutions in Austria
Context	<p>Programme accreditation in Germany, pre-2018 rules: AQ Austria no longer conducts any procedures under this regulation. There are no ongoing procedures under these rules and new applications are not possible.</p> <p>System accreditation in Germany, pre-2018 rules: AQ Austria no longer conducts any procedures under this regulation. There are no ongoing procedures under these rules and new applications are not possible.</p> <p>Voluntary accreditation of continuing education programmes at higher education institutions in Austria: On October 1, 2021, a reform in higher education law including new regulations (programmes, degrees etc.) regarding continuing education at higher education institutions came into force. This reform creates a uniform framework for continuing education in higher education - regardless of whether it is offered by universities, colleges of teachers' education, universities of applied sciences or private higher education institutions. Due to this, the former AQ Austria guideline for the voluntary accreditation of programs of continuing education in higher</p>

education is no longer applicable and will no longer be offered.

D. Activity outside the scope of the ESG

Yes

Context

1. Developing and carrying out review procedures for programmes for continuing education. (§ 26a Act on Quality Assurance in Higher Education – HS-QSG)
2. Providing information and advice in matters related to the recognition of formal, non-formal and informal competences (§ 3 Abs. 3 Z 12 Act on Quality Assurance in Higher Education – HS-QSG)
3. Evaluation outside the ESG
4. NQF Service Point

For all 4 bullet points see attached document: AQ Austria_Activities outside the scope of the ESG

File #1

[AQ_Austria_Notification_of_foreign_degree_programmes.pdf \(74 KB\)](#)

File #2

[AQ_Austria_Activities_outside_the_scope_of_the_ESG.pdf \(96 KB\)](#)

Submit form?

I am ready to submit the change report form

Last Update

2023-02-17 11:13:40

Start Time

2023-02-17 10:21:12

Finish Time

2023-02-17 11:13:40

AQ Austria's activities outside the scope of the ESG

1 Developing and carrying out the review procedures for programmes for continuing education. (§ 26a Act on Quality Assurance in Higher Education – HS-QSG)

According to § 26a Act on Quality Assurance in Higher Education (HS-QSG) programmes for continuing education at higher education institutions shall, in case of reasonable doubts with regard to the quality of conduct and contents of the programme, undergo an external programme-related review. These doubts may relate, in particular, to the qualification of the staff, the inclusion in the higher education quality management system, the curriculum and the required infrastructure for the conduct of the programme. Justified concerns can be submitted by persons or institutions directly connected to the programme and have to be addressed to the Federal Ministry of Higher Education.

Procedure: The competent Federal Minister shall first give the higher education institution the opportunity to state their opinion. If the higher education institution within a period of eight weeks cannot dispel the reasonable doubts, the Federal Ministry shall initiate a review procedure by the Agency for Quality Assurance and Accreditation Austria. As of 22 November 2022, AQ Austria has enacted a decree stating the methodology and standards for this procedure.

This review procedure is only relevant for programs of continuing education in higher education established after October 2021 and already implemented. It is solely executed on request by the Federal Ministry and focused on specific complaints. Therefore, it is not a systematic, cyclical quality assurance procedure in the sense of the ESG. While the used terminology (review procedure, peers etc.) is modeled close to the ESG-terminology the procedure is to be considered as activity beyond this scope and only has supervisory character. AQ Austria conducts this procedure only on behalf of the Federal Ministry, even though the definition of the process has been developed by AQ Austria independent from any ministerial advice or order.

2 Providing information and advice in matters related to the recognition of formal, non-formal and informal competences (§ 3 Abs. 3 Z 12 Act on Quality Assurance in Higher Education – HS-QSG)

According to the Act on Quality Assurance in Higher Education (§ 3 para. 3 No. 12 HS-QSG), one of AQ Austria's tasks is to provide information and advice on issues related to the recognition of formal, non-formal and informal competences.



AQ Austria has taken up the issue of recognition of prior learning as a central focus topic and is working on various projects together with Austrian and European higher education institutions and other relevant stakeholders on how procedures for the recognition of non-formally and informally acquired competences can be designed and implemented in a quality-assured manner.

In this context, AQ Austria works across higher education sectors by ensuring that representatives of all higher education sectors in Austria are involved in the projects. In addition, access to the advisory service on the topic of Recognition of Prior Learning is generally available to all higher education sectors.

The responsibility for this task is located in the department of Analysis and Development of AQ Austria, whereby a strict separation is ensured between this department and other departments that carry out regulatory procedures or procedures under the scope of the ESG.

Website: <https://www.aq.ac.at/en/recognition/recognition-prior-learning-home.php>

3 Evaluations outside the ESG

AQ Austria conducts evaluations outside the ESG. We hereby follow the standards for evaluation developed by DeGEval (<https://www.degeval.org/degeval-standards/standards-fuer-evaluation/>) and adhere to the Evaluation Standards for Research, Technology and Innovation Policy by fteval (<https://repository.fteval.at/id/eprint/387/>).

In specific cases we work according to evaluation guidelines that have been developed for particular purpose as is the case for the evaluation on behalf of the Johannes-Rau-Forschungsgemeinschaft in Nordrhein-Westfalen (https://jrf.nrw/jrf/#_evaluierung; <https://jrf.nrw/wp-content/uploads/2021/12/evaluierungsrichtlinien-vom-26.10.2021.pdf>; <https://jrf.nrw/wp-content/uploads/2021/12/musterfragenkatalog-vom-26.10.2021.pdf>).

When departments or institutes are evaluated, the objects range from organisational issues via strategic questions to research projects. AQ Austria appoint evaluators with expert knowledge and field experience to be competent for the specific evaluation purpose. Normally the experts conduct a site-visit at the respective department or institute and write a report for the institution

Website: <https://www.aq.ac.at/en/evaluation/>

4 NQF Service Point

NQF (National Qualifications Framework) service points are organisations or organizational sub-units that support providers of non-formal qualifications in accordance with the Austrian NQF Act in the process of qualification assignment and submit assignment requests.

The Ministry of Education, Science and Research authorized AQ Austria in 2019 as an NQF Service Point.



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The function of AQ Austria as an NQF service point is to accompany higher education institutions in the process of assignment of non-formal qualifications, to advise on open questions regarding the assignment process and to support the submission of assignment requests.

It is not the task of the NQF Service Point to assess qualifications or to assign them to an NQF level itself.

Within AQ Austria, the NQF Service Point is part of the Department Analysis and Development and is managed by a single person whose other activities neither fall within the scope of external QA procedures nor are assigned to the regulatory area.

Website (in German): <https://www.aq.ac.at/de/nqr/>



AQ Austria: Notification of foreign degree programmes

In the ruling of 1 March 2018 the Austrian Constitutional Court (Verfassungsgerichtshof) decided to repeal former § 27 HS-QSG on notification of foreign degree programmes offered in Austria as unconstitutional.

On 12 December 2018 the National Council passed a new legal provision regulating the notification of foreign degree programmes according to §§ 27, 27a, 27b Act on Quality Assurance in Higher Education (HS-QSG).

Consequently, following a public assessment procedure, the Board of AQ Austria issued in its meeting on 3 July 2019 a „Decree on the Notification Procedures for Degree Programmes of Foreign Educational Institutions 2019“ (§ 27-Notification Decree 2019).

The § 27-Notification Decree 2019 not only governs the procedure for the notification of degree programmes offered by educational institutions from EU or EEA countries in Chapter 2 (§ 27a HS-QSG). In Chapter 3 it also organises the procedure as well as the assessment criteria for the notification of educational institutions from non-EU or non-EEA countries (§ 27b HS-QSG).

Procedures pursuant to § 27a HS-QSG (EU/EEA) are not quality assurance procedures (no external evaluation, purely desktop-based documentation of recognition in home country etc.). Procedures pursuant to § 27b HS-QSG (non-EU/EEA) entail stronger evaluative elements. The methodology for procedures according to §§ 27, 27b HS-QSG has thus been developed closer to the ESG standards, even if it still is a notification procedure.

It is important to notice, that with the notification decision of the foreign degree programmes and their listing in the directory of notification procedures on the AQ Austria website, no equivalence with Austrian degree programmes and corresponding Austrian academic degrees is confirmed. The degree programmes and academic degrees are solely considered to be those of the foreign educational institution's country of origin or domicile.

As notification procedures pursuant to §§ 27, 27b HS-QSG deal with foreign academic degrees, the assessment criteria (§ 21 of the § 27-Notification Decree 2019) mostly confer to standards and quality assurance provisions in the respective country of origin or domicile, not to Austrian standards.

Pursuant to § 27b para. 2 HS-QSG the external evaluation implemented by AQ Austria follows international standards. According to § 27b para. 2 HS-QSG, in implementing the external evaluation available results of procedures of external evaluations shall be taken into account, if these procedures were performed by a quality assurance agency registered with the EQAR or any other independent and internationally recognised quality assurance agency, and the procedure of external quality assurance provides with information for proof of the assessment areas.

All in all, notification procedures according to § 27 HS-QSG consider the standards of the country of origin or domicile and thus are no AQ Austria's procedures under the remit of the ESG.



§ 27-Notification Decree:

In English: [https://www.aq.ac.at/en/notification-of-foreign-degree-programmes/dokumente-notification-of-foreign-degree-programmes/ 27 Notification Decree 2019 2021-02-10 V1.1.pdf?m=1619019362&](https://www.aq.ac.at/en/notification-of-foreign-degree-programmes/dokumente-notification-of-foreign-degree-programmes/27%20Notification%20Decree%202019%202021-02-10%20V1.1.pdf?m=1619019362&)

In German: [https://www.aq.ac.at/de/meldung-auslaendischer-studien/dokumente-meldung-auslaendischer-studien/27 MeldeVO 2019 2021-02-10 V2.1.pdf?m=1617794356&](https://www.aq.ac.at/de/meldung-auslaendischer-studien/dokumente-meldung-auslaendischer-studien/27%20MeldeVO%202019%202021-02-10%20V2.1.pdf?m=1617794356&)

Directory of notification procedures (in German):

https://www.aq.ac.at/P27MAS_Reports/Report/ErgebnisseMeldeverfahren

Current notification procedures (in German):

https://www.aq.ac.at/de/meldung-auslaendischer-studien/laufende_verfahren.php

Substantive Change Report by Agency for Quality Assurance and Accreditation Austria (AQ Austria)

Register Committee

Minutes of Telephone Conversation

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Date of the conversation:	2023-03-27
Representative of AQ Austria:	Reinhard Jakits, Maria Weber, Jürgen Petersen
Representative of EQAR:	Melinda Szabo

1. AQ Austria has made a Substantive Change Report on 2023-02-17 and an application for renewal of registration on EQAR on 2023-03-17. In order to prepare the deliberations of the Register Committee on the report and confirm eligibility of the review EQAR Secretariat contacted AQ Austria via telephone to clarify the matters below.
2. AQ Austria agreed to clarify the matters by means of a telephone conversation.
3. The agency explained that the activity *International Accreditation of Higher Education Institutions and Degree Programmes* is an extension of the international programme accreditation procedure that has been carried out since 2013. The procedure for the institutional accreditation has been available since 2019 (together with the programme accreditation), but it has never been applied since it came into force.
4. A higher education institution can apply for an institutional accreditation or for an accreditation of degree programmes. With regard to degree programmes this Guideline is applicable for Bachelor, Master and PhD Programmes. The Guideline is applicable to higher education institutions with degree programmes having had at least one student cohort. This Guideline is not applicable for higher education institutions or degree programmes seeking initial accreditation. The international accreditation does not provide a statutory recognition of degree programmes within the Austrian higher education system.
5. The international accreditation of higher education institutions and programmes can be carried out separately or combined. The procedure starts with an agreement about the conduct of an international accreditation. The agency will adapt the contract and the procedure as necessary e.g., fee, experts nominated, length of the visit etc. The SAR shall demonstrate how the HEI complies with the criteria relevant for the type of procedure. The review coordinator screens the self-assessment report as regards its completeness. The Board shall appoint experts for the review. Through the composition of the expert panel, the Board shall ensure that all aspects relevant for the procedure

will be reviewed, taking into account any specific features of the HEI or the programme.

6. The decision of the Board on accreditation and modifications thereto shall be based on the SAR, the review report, and the comments of the HEI. The Board may accredit the HEI, the programme or reject accreditation after the procedure has been completed. AQ Austria shall publish a report on the outcomes of the accreditation procedure on its website for the entire accreditation period. In case the accreditation was granted with conditions the HEI submits to AQ Austria within nine months evidence that comprise all relevant information to assess whether the conditions have been fulfilled. If the HEI introduces substantial changes to the institution or a degree programme a modification of the accreditation decision is required.

The detailed procedure is outlined in the guideline:

https://www.aq.ac.at/de/akkreditierung/dokumente-internationale-akkreditierung/AQ_Austria_GL_InternatAcc_20190228.pdf?m=1563546096&

7. The agency further explained that following a change in the Act on Quality Assurance in Higher Education (HS-QSG) the '*Notification of foreign degree programmes in Austria*' procedure was extended to institutions from non-EU or non-EEA countries (§ 27b HS-QSG). The change in the legal framework also allows for the recognition of the results in the evaluation of programmes performed by a quality assurance agency registered by EQAR (or another internationally recognised quality assurance agency) as proof of the assessment areas. The notification procedures according to § 27a HS-QSG are carried out as desktop-based documentation considering the standards of the country of origin or domicile and not as an external QA assessment. If the notification has been approved, the educational institution may start the operation of the degree programmes in Austria. The positive notification decision of the foreign degree programmes does not provide any equivalence with the Austrian degree programmes. The degree programmes and academic degrees are considered to be those of the educational institution's country of origin or country of domicile. Given the scope of the notification procedure, the agency agrees that the activity is outside the scope of the ESG.

8. The agency explained that the activity '*voluntary accreditation of continuing education programmes at higher education institutions in Austria*' has been discontinued due to changes to the law.

Due to the latest legal changes the assessment areas for certification of the internal QM has been broadened. The audit procedures assesses the quality assurance structures and procedures of university courses at public universities, higher education courses at universities of applied sciences and higher education courses at universities of teacher education. The law does not provide external quality assurance procedures for continuing education programs at private HEI.

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According to the legal reform (entering into force with October 2021) HEIs are responsible for the quality of their continuing education provisions. The quality assurance of continuing education has never been a mandatory ex-ante QA procedure applicable for all sectors.

With Paragraph 26a HS-QSG – the law has introduced a case-related supervision procedure. This procedure is twofold and will be implemented only in cases where sufficient deficits have occurred: In cases of reasonable doubts with regard to the quality of conduct and contents of the programme, HEIs need to undergo an external programme-related supervisory process. These doubts may relate, in particular, to the qualification of the staff, the inclusion in the higher education quality management system, the curriculum and the required infrastructure for the conduct of the programme and shall be submitted by way of persons or institutions concerned with the programme. The competent Federal Minister shall first give the HEI the opportunity to give their opinion.

If the reasonable doubts cannot be dispelled by the HEI within a period of eight weeks, the competent Federal Minister shall initiate the conduct of a review procedure by AQ Austria. If, in the course of the supervisory process, no shortcomings are identified, AQ Austria shall, by official notification, confirm that the programme corresponds to the assessment areas.

If, in the course of the supervisory procedure, shortcomings are identified which can be rectified within a specific period of time, the educational institution shall prove within a period of up to two years that the conditions have been fulfilled; If the higher education institution fails to comply, the conduct of the programme shall, by official notification, be prohibited.

If the shortcomings cannot be rectified within a specific period of time, the conduct of the programme shall, by official notification, be prohibited.

The procedure only applies to programmes of continuing education in higher education established after October 2021. AQ Austria investigate these issues following its own Regulation on Review Procedures of courses for Continuing Education 2022 (adopted as of 17 November 2022):

https://www.aq.ac.at/de/ueber-uns/dokumente-ueber-uns/26a_UeberpruefungsvO_2022.pdf?m=1669124928&

For all higher education sectors the procedure in line with § 26a HS-QSG applies.

9. AQ Austria also carries out a number of activities outside the scope of the ESG. In the case of the Evaluation Standards for Research, Technology and Innovation Policy, the agency explained that the methodology and standards in this case are tailor made for the particular purpose by the evaluated institution itself. The nature of the

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activity remains consultancy in nature, the activities do not serve an accreditation purpose.

10. When departments or institutes are evaluated, the objects range from organisational issues via strategic questions to research projects. AQ Austria appoint evaluators with expert knowledge and field experience to be competent for the specific evaluation purpose. Normally the experts conduct a site-visit at the respective department or institute and write a report for the institution.
11. AQ Austria further expanded its consulting activities to universities, higher education institutions and university-related research institutions for issues relating to quality enhancement, quality assurance and quality management. The goal is to support institutions in its quality enhancement tasks by offering a professional view from outside and choosing an approach that is tuned to the individual needs of the institution. The nature of the activity remains consulting.
12. Both, evaluation and consulting, do not serve an accreditation or audit purpose.

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