

REPORT OF THE PANEL
FOR THE EXTERNAL
REVIEW OF
THE AGENCY FOR
ASSESSMENT AND
ACCREDITATION OF
HIGHER EDUCATION (A3ES)
PORTUGAL

Contents

GLOSSARY OF ACRONYMS	3
1. EXECUTIVE SUMMARY	4
2. THE REVIEW PROCESS.....	5
3. A3ES AND HIGHER EDUCATION QUALITY ASSURANCE IN PORTUGAL.....	7
3.1. The Higher Education System in Portugal.....	7
3.2. Higher Education Quality Assurance in Portugal	8
3.3. The Legal Mandate of A3ES	10
3.4. Organisation and Functions.....	10
3.5. Engagement with ENQA Membership Provisions/ESG	13
4. FINDINGS	14
5. CONCLUSION AND DEVELOPMENT	33
5.2. Recommendations	33
6. ANNEXES.....	35
6.2. Annex 1: Review Visit Schedule.....	35
6.3. Annex 2: Terms of Reference for the Review	39
6.4. Annex 3: the Review Team.....	43

Glossary of Acronyms

A3ES	Agência de Avaliação e Acreditação do Ensino Superior, Agency for Assessment and Accreditation of Higher Education
CIPES	Centro de Investigação de Políticas do Ensino Superior, Centre for Research in Higher Education Policies
CRUP	Portuguese Rectors' Council
ENQA	European Association of Quality Assurance in Higher Education
EQAR	European Quality Assurance Register
ESG	Standards and Guidelines for Quality Assurance in the European Higher Education Area (commonly referred to as European Standards and Guidelines)
ESU	European Students Union
EAT	External Assessment Team
EUA	European University Association
RJIES	Regime Jurídico das Instituições de Ensino Superior, Legal Framework for Higher Education Institutions
SER	Self-Evaluation Report of A3ES, 2014

1. Executive Summary

This report describes the review of the Agency for Assessment and Accreditation of Higher Education (A3ES) in Portugal, undertaken in 2013-2014 with a site visit on 15-16 January 2014. The purpose of the review was to determine whether the agency meets the Standards and Guidelines for Quality Assurance in the European Higher Education Area (commonly referred to as European Standards and Guidelines or ESG) and the criteria for Full Membership of the European Association for Quality Assurance in Higher Education (ENQA).

The review team found that A3ES is respected for its achievements and effectiveness in ensuring the quality of higher education in Portugal. The activities of the agency are guided by a general orientation toward quality enhancement. Noteworthy features are a separate, highly professional research department whose analyses of higher education quality support the agency's quality assurance approach. The professionalism and efficiency of the staff and the rigorous vetting procedure in hiring, a data platform used in all phases of the evaluation procedures, and the use of foreign experts in all evaluations are likewise commendable.

The review team believes that A3ES fully complies with the ENQA criteria and ESG with the exception of three of them, where it conferred a judgment of substantial compliance because a part of the standard was not fully met.

The ESG where only substantial compliance has been achieved are:

2.1 Use of internal quality assurance procedures – since most higher education institutions do not yet have fully developed internal quality assurance mechanisms in place;

2.4 Processes fit for purpose – since the review team encourages the agency to do more to involve students in the procedures;

2.5 Reporting – since reports could be produced in a way that is better accessible and readable for the general public.

In the opinion of the review team the agency is, however, an excellent organisation contributing to the enhancement of higher education quality in Portugal. The review team believes that the agency meets all expectations to justify full membership of ENQA.

2. The Review Process

The “Agência de Avaliação e Acreditação do Ensino Superior” (Agency for Assessment and Accreditation of Higher Education - A3ES) requested the European Association of Quality Assurance in Higher Education (ENQA) in April 2013 to coordinate a review of the agency (see Terms of Reference, Annex 2). A3ES started operations in 2009, hence the present review is the first external evaluation of the agency. The review has proceeded in accordance with the ENQA *Guidelines for External Reviews of Quality Assurance Agencies in the European Higher Education Area*. In this framework, the review was a “type A” review with the objective to assess how far A3ES fulfils the criteria for ENQA membership and the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG). The review, summarised in this report, is to provide information for the Board of ENQA, based upon which it is to consider granting A3ES Full Membership in the Association.

A3ES states in its Self-Evaluation Report (SER) that it wishes to submit the review report also to the Board of the European Quality Assurance Register (EQAR) to request its listing there, as mandated by the government decree regulating the agency.

In accordance with the Terms of Reference, ENQA invited a panel of five experts from different countries to conduct the external review of the agency. Three of the members, including the team secretary, were nominated by the ENQA Board on the basis of proposals from ENQA member agencies. A fourth member was nominated by the European University Association (EUA) and a student member nominated by the European Students’ Union (ESU). ENQA ensured that there was no conflict of interest between the team and the agency or with ENQA. The members of the review team (also in Annex 3) were

Stephen Jackson – Chair	Director of Reviews, Quality Assurance Agency for Higher Education (QAA), UK
Mihai Floroiu	Head of International relations at the Agency for Quality Assurance in Higher Education (ARACIS), Professor at the "Dunarea de Jos" University of Galati (Law Faculty), Romania
Jean-Marc Rapp	Professor at the University of Lausanne (Law Faculty), Director of the Business Law Centre (CEDIDAC), Switzerland – EUA nomination
Karina Ufert	Educational Advisor at Spark, Former chair person of ESU, Lithuania - ESU nomination
Christina Rozsnyai – Secretary	M.A., M.L.S., German Studies and Library Science, Program officer, Hungarian Accreditation Committee

A3ES prepared a SER, which the review team received in October 2013. The SER included 19 appendices with the legal documents governing the agency, various guidelines and manuals, documents on strategy and reports of its scientific council. The agency also kindly supplied studies on higher education in Portugal. A telephone briefing to clarify ENQA procedures for the team was conducted by ENQA on 3 December 2013 (delayed from the September date shown in the Terms of Reference). The site visit to the offices of the agency in Lisbon took place 15-16 January 2014.

At the agency visit, the team was able to meet a broad range of stakeholders in higher education quality assurance in Portugal. They included members of the A3ES Board of Trustees, the Management Board, staff of the Agency, representatives of higher education institutions, the Secretary of State for Higher Education, members of external assessment teams for programmes and audits, student representatives and members of the Appeals Council and of the Advisory Council. The team was also given a demonstration of the electronic platform used in the agency's evaluations. (The visit schedule with the groups and individuals interview by the team is added to this report in Annex 1.)

A3ES conducted its self-evaluation process in line with the terms set down in the Terms of Reference. The SER (p. 4) states that the agency staff extensively discussed the report before drafting it. The draft was disseminated to the various agency bodies, and to relevant external stakeholders represented in the agency's Advisory Council, including the Council of Rectors, the Council of Presidents of Polytechnics and the Association of Private Institutions, student unions and professional organisations. The final draft of the SER was approved by the A3ES decision-making body, the Management Board. The review team was able to corroborate the inclusive nature of the self-evaluation process during its interviews with the agency stakeholders. The team also noted the self-critical and analytical nature of the agency's SWOT analysis. The SER was published on the agency website prior to the review team's visit. A3ES states in its SER that it will make public the review report as well and will also send it to the Ministry of Education and Science.

The site visit schedule was prepared by A3ES in close consultation with the review team. The schedule allowed the team sufficient time between sessions to discuss its impressions and accorded it an opportunity to discuss open questions with the chair of the Management Board. In a closing session, the team presented its main findings, without conclusions relating to the individual ENQA criteria or ESG, to representatives of the Management Board.

The preparations and site visit were proficiently organised by A3ES and the review team was able to enjoy the kind hospitality of the agency during its stay in Lisbon. The team would like to take this opportunity to thank A3ES for making its site visit both informative and constructive.

3. A3ES and Higher Education Quality Assurance in Portugal

3.1. The Higher Education System in Portugal

The revolution of 1974 and the subsequent implementation of democratic social structures have affected most aspects of Portuguese society. Education, and especially higher education, was among the main beneficiaries of these changes, with new laws set down to govern the sector.

Higher education in Portugal builds on a compulsory and free system of primary and secondary education of twelve years. Higher education enrolment expanded, coinciding with similar developments in all Europe, but due to the political liberation the expansion here was especially extensive. “Gross participation rates (20-24 year-olds) have increased steadily from its very low 7% value in 1974, to 37% in 1995, 50% in 2000, 54% in 2005 and 67.3% in 2011” (SER pp. 5-6).

To meet the surge of higher education applicants, the government opened the way to the establishment of public polytechnics and private universities and polytechnics, to add to the existing public universities. Private establishments are defined by law as “consisting of institutions belonging to private entities and cooperatives” (Law No. 62/2007, SER Appendix 2, p. 3). Polytechnics differ in profile from universities in that they offer more professional training, with “university education [being] oriented towards the provision of solid academic training, combining the efforts and responsibilities of both teaching and research units, whilst polytechnic education concentrates particularly on vocational and advanced technical training that is professionally orientated” (Law No. 62/2007, SER Appendix 2, p. 2). The law also allows for public higher education institutions, or only faculties, to request foundation status, which must be approved by government. There are currently three foundation universities in Portugal.

There are 121 higher education institutions altogether, with almost 60% of all organisational units and roughly 75% of student enrolment being at public institutions (SER p. 7).

While university autonomy was granted already in the constitution of 1976, a number of legislative reforms followed over the years. The currently governing legal framework for higher education institutions (Regime Jurídico das Instituições de Ensino Superior, RJIES) was passed as Law 62/2007. It established the General Council as the top decision-making body, including the appointment of the rector. The Councils have 15 to 35 members, at least half of whom are academic staff and researchers, 30% or more are external stakeholders and at least 15% are student representatives; non-academic staff may be invited. The chairman is elected from among the external stakeholder members. The rector acts as the top administrator of the institution, with decision-making powers on academic, financial and personnel matters. Private institutions follow the same general organisational structure as public ones but the law assigns powers to the founding entity and grants more flexibility in financial and personnel management.

Decree-Law 74/2006 introduced the three-cycle structure, although integrated master’s programmes were retained in some fields of study. The first cycle leads to a *Licenciado*, the second to a *Mestre* and the

third to a *Doutor*. Access to the first cycle of higher education of any type is based on a point system that includes their upper secondary school grades and national examination grades. Admission is decided on the national level according to the students' order of preference in relation to the points achieved.

The number of learning credits is set for the three cycles, but polytechnics are, with exceptions, mandated to offer three-year first-cycle programmes while universities may offer them in six to eight semesters. *Mestre* degrees are given at both types of institutions after three to four semesters, with a few lasting two semesters. Integrated master's programmes are offered only at universities in the regulated professions "determined by an EU Directive or [the duration] results from a consolidated practice in the EU member states" (SER p. 9).

Only universities and so-called university institutes award *Doutor* degrees, while "other university education institutions (Law No. 62/2007, SER Appendix 2, p. 3) do not. Entrance into doctoral programmes requires either a master's degree or completion of a "relevant academic, scientific or professional curriculum confirmed by a decision of the competent academic body of the institution" (SER p. 9).

The higher education sector, as society in Portugal at large, has been marked by the economic decline of the past five years, which leaves its mark on higher education enrolment as well as its state funding. A steadily declining birth rate is compounding the drop in enrolment rates affecting first of all the private sector (SER p. 7). Legislation was passed in 2005 to ease the entrance of students over 23 years of age, which consequently grew nearly 19-fold from the academic years 2005/06 to 2006/07, when this group came to make up 4.3% of total first-year students (SER p. 10). However, the cohort's numbers have recently decreased as well; in 2012/13 there were only half as many first-year enrolments of over 23-year-olds than in 2006/07 (SER p. 7).

3.2. Higher Education Quality Assurance in Portugal

The current higher education quality assurance system in Portugal is the product of reforms of a system set up initially by the Portuguese Rectors' Council (CRUP) in the mid 1990s. Public universities and the Catholic University were assessed by 1999. Subsequently, separate coordination councils were established for the public, private and polytechnic subsectors, and a second assessment cycle for all institutions was launched in 2000. The system proved ineffective, however, and a new government in 2005 commissioned the OECD to evaluate the country's higher education system¹, and ENQA to conduct a study on the quality assurance system in Portugal². The ENQA study recommended setting up a new quality assurance agency to build on the positive achievements of the previous system but with full independence from stakeholders and with legislated consequences for its decisions. The Quality Assessment Act (Law 38/2007) was subsequently passed, which set down the framework for the new

¹ OECD (2006) Reviews of National Policies for Education – Tertiary Education in Portugal, OECD, Paris, <http://www.oecd.org/edu/skills-beyond-school/reviewsofnationalpoliciesforeducationtertiaryeducationinportugal.htm>

² ENQA (2006) Occasional Papers, Quality Assurance of Higher Education in Portugal An Assessment of the Existing System and Recommendations for a Future System, <http://www.enqa.eu/indirme/papers-and-reports/occasional-papers/EPHEreport.pdf>

system, and a Government Decree (No. 369/2007) outlined the statutes of the new agency, the Assessment and Accreditation Agency, A3ES.

The objectives of the new quality assurance system, set down in the introduction to the Government Decree, focus on four principles,

- “(i) Expanding the performance assessment of institutions;
- (ii) Objectifying the evaluation criteria, transferring results into qualitative grades, level by level, making them comparable to each other, and clarifying the consequences of the assessment, both in terms of how the courses are run and financed by the higher education institutions;
- (iii) Internationalizing the assessment procedure, namely at the level of institutional assessment;
- (iv) Requiring that higher education institutions conduct their own systems of quality assurance, subject to certification.”

It is a commendable feature of A3ES that from the outset it was able to adhere to its determination to be seen not as an authority but an organisation in the service of quality enhancement. Taking as its guiding principle that institutions are responsible for their own quality, and with the support of legislation mandating institutions to set up internal quality assurance mechanisms, A3ES holds to the belief set down in its documents that

“The primary aim of the Agency is to assure enhanced performance of higher education institutions and their study programmes, and assure the fulfilment of basic requirements for their official recognition. The aims of the Agency are pursued through assessment and accreditation of institutions of higher education and their study programmes, thus promoting an internal culture of quality assurance within institutions” (SER Appendix 6, Quality Assessment Handbook p. 29).

The comparison of study programmes based on quality evaluation set down in the Government Decree (item (ii) above, and also in Law 38/2007, Article 22) was thus perceived as being foreign to the quality enhancement principle and has not been progressed to date.

As an initial task, A3ES was charged with evaluating all running higher education study programmes in the country and to weed out those that did not meet the set quality standards. Following discussions with its internal and external stakeholders, A3ES “proposed to implement simplified accreditation procedures for those institutions with certified internal quality assurance systems and performance indicators above the minimum required standards” (Ser p. 18). A3ES thus asked institutions to check their own programmes against the minimum standards and to provide evidence of their internal quality assurance mechanisms already in operation. As a consequence, the institutions themselves eliminated many programmes from the start. The remaining programmes that met the minimum standards were given preliminary, provisional accreditation, while those that did not provide clear evidence of compliance were evaluated by external assessment teams, which, conforming to the legislation, included

foreign experts. The programmes with preliminary accreditation are being assessed in the first five-year accreditation cycle of 2012-2016.

The approach A3ES has implemented for the initial elimination of poor-quality study programmes has established it as a quality enhancement-focused organisation that supports institutions in developing their quality assurance mechanisms. It has also set the stage for institutions to carry responsibility for their internal quality. In addition, the process has enabled the agency to test its own mechanisms, based on the experiences of which it was able to develop its full accreditation procedures.

3.3. The Legal Mandate of A3ES

A3ES is a foundation under private law charged with the evaluation and accreditation of the quality of higher education. The Government Decree declares the independence of A3ES, which extends also to its financing. Beyond an initial state support for setting up the agency, it supports itself from fees for evaluations, the amounts of which it sets and intermittently adjusts in light of annual discussions with the representatives of the university, polytechnic and private institutional organisations.

The assignment of A3ES is to accredit new study programmes and existing programmes in five-year cycles. In addition, based on the legal mandate for institutions to develop their internal quality assurance mechanisms, A3ES in 2012 has started quality audit procedures as a pilot exercise, to be fully implemented after the first accreditation cycle is completed in 2016.

3.4. Organisation and Functions

The Government Decree (No. 369/2007) elaborates the organisation structure of A3ES reflects a structure of checks and balances. The Board of Trustees appoint the Management Board and Appeals Council and practices oversight over the rightful operations and financial management of the Management Board. The Management Board is responsible for quality assurance and accreditation structures and decisions and for the management of the agency. The Financial Audit Committee takes care that financial management is handled judiciously and appropriately.

There is also a legally mandated Advisory Council, which represents a broad spectrum of external stakeholders ranging from higher education organisations to students, professional organisations and trade unions as well as the ministries concerned with higher education. The Advisory Council currently has 30 members. It meets two-three times a year. It provides its opinion on the agency's activity and strategy and any other issues related to higher education quality assurance put before it.

There is an Appeals Council which deals with appeals against the decisions of the Management Board. If the Council decides that an accreditation procedure was not in line with the regulations, it may request the Management Board to start a new accreditation procedure.

Finally, A3ES has set up a non-statutory Scientific Council with six foreign members with recognised expertise in higher education quality assurance. The Scientific Council meets once a year to advise the Management Board on the agency's work and to discuss current quality assurance issues from an international perspective.

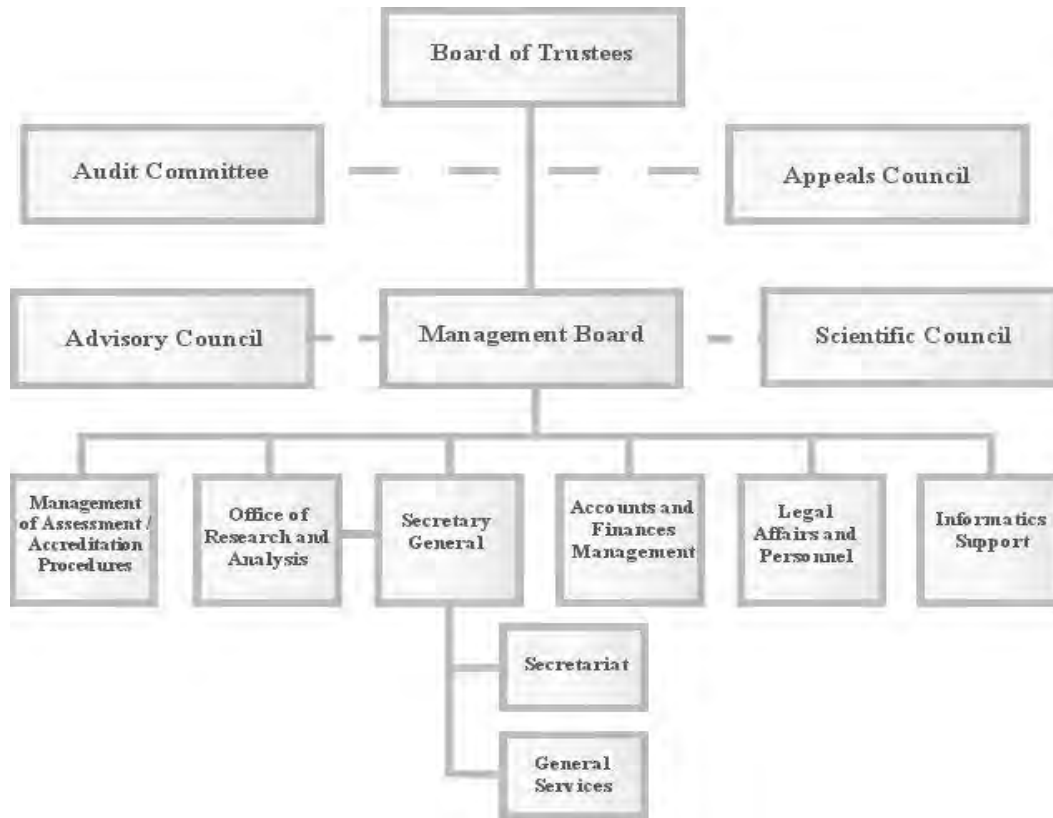
The Board of Trustees has five members appointed for a non-renewable five-year term (extendable by one year) through a resolution of the Council of Ministers of Portugal. Two members are delegated jointly by the representative organisations of universities, polytechnics and private institutions. There are no specific criteria for membership, rather, they are chosen for their broad academic, political and civic experience and renown. The Trustees meet at least four times a year; in practice they meet more frequently.

The Management Board has five members, four of whom are executive, or full-time employed, and one non-executive (from a maximum of four plus three allowed by law). They are individuals with renowned academic and professional recognition and appointed by the Board of Trustees for renewable four-year terms. One of the executive members is appointed President of the Management Board. The non-executive member may not hold a management position in a higher education institution. The Management Board meets twice monthly.

The three members of the Financial Audit Committee are appointed for once renewable three-year terms by the Minister of Finance. The Advisory Board has over a dozen members delegated by their respective bodies. They meet normally twice a year.

The five-member Appeals Council is elected for the same terms as the Management Board and may not have ties to Portuguese higher education institutions but must have international experience. The Council currently includes two foreign members.

The organisation chart of A3ES is shown below.



The President of A3ES oversees the operations of the six departments while the main office of A3ES is located in Lisbon. It is led by a Secretary General, herself a qualified researcher, who also participates in some evaluations as an expert. The staff includes nine project coordinators, four researchers and six technical and administrative staff.

Project coordinators hold higher education degrees and the majority also have research degrees (PhDs). They undergo a six-month probation period in which they observe the work of the office while also attending post-graduate courses organised by the research department in higher education policy and law, quality assurance etc. In this period they also accompany evaluation procedures and have an assigned tutor. At the end of the period they write a short research paper before they may be hired as a permanent staff member.

The work of the project coordinators is to coordinate evaluation, assist in site visits and accreditation procedures and to support the meetings of the expert committees. They accompany expert teams on site visits but do not write the teams' evaluation reports. They do edit them, however, and check for evidence and consistency and may ask the team for clarifications.

An exemplary set-up is the research unit functioning as part of the agency. The Office of Research and Analysis is located in Porto and collaborates with the Centro de Investigação de Políticas do Ensino Superior (Centre for Research in Higher Education Policies, CIPES) there, previously headed by the current President of A3ES. The four staff members of the research unit all hold PhDs. Their research assignment is to conduct analyses of various subjects, from quality assurance matters in Portuguese higher education

to those related to specific work done by the agency to research into international quality assurance. The review team was able to look into a selection of the papers and books published by the agency. At the same time, the researchers are integral to the agency staff and as such are also involved in evaluations as project coordinators.

An efficient feature of A3ES is its comprehensive database, via which it conducts all phases of all evaluations, including the expert teams' writing of their reports. Developed from open-source software the database is updated regularly; indeed it was upgraded at the time of the review team's visit to the agency..

Law 38/2007 requires that "External assessment must include the participation of a significant number of experts from foreign or international institutions on panels which are relevant to the evaluation" (Article 14). Hence all documents, from the institution's application and self-evaluation to the final reports and decisions, are written in both Portuguese and English.

3.5.Engagement with ENQA Membership Provisions/ESG

A3ES was granted affiliate status in ENQA soon after its establishment in 2009. It is actively engaged in numerous international projects and holds membership in several international quality assurance organisations. The review team's judgment on the agency's compliance with the ENQA membership provisions, including the ESG, is presented in the following chapter.

4. Findings

The following chapter presents the evidence, analyses and conclusions of the review team on each of the ENQA criteria and ESG.

The review team conclusions at the end of each set of standards were formulated in compliance with ENQA guidelines. That is, ENQA asks review teams to judge in how far “each criterion/ESG standard is either fully/substantially/partially compliant or non-compliant”. The chapter provides “Evidence” gathered by the review team from the SER and other documents as well as the site visit. The arguments to the conclusions and the team’s judgment on compliance with each criterion/ESG are thus presented in the “Analysis and Conclusion” sections.

ENQA CRITERION 1 A. / ESG 3.1, referring to ESG PART 2

ESG 3.1: USE OF EXTERNAL QUALITY ASSURANCE PROCEDURES FOR HIGHER EDUCATION

ESG 3.1	The external quality assurance of agencies should take into account the presence and effectiveness of the external quality assurance processes described in Part 2 of the European Standards and Guidelines.
----------------	--

ESG GUIDELINES:

The standards for external quality assurance contained in Part 2 provide a valuable basis for the external quality assessment process. The standards reflect best practices and experiences gained through the development of external quality assurance in Europe since the early 1990s. It is therefore important that these standards are integrated into the processes applied by external quality assurance agencies towards the higher education institutions.

The standards for external quality assurance should together with the standards for external quality assurance agencies constitute the basis for professional and credible external quality assurance of higher education institutions.

Conclusion

Based on the review team’s conclusions for the ESG Part 2, where it judged three of the ESG to be substantially compliant, the overall judgment for ENQA Criterion 1.A/ ESG 3.1. is: Substantially compliant

The review team’s evaluation of ESG 2.1 – 2.8 follows.

ESG 2.1: USE OF INTERNAL QUALITY ASSURANCE PROCEDURES

ESG 2.1	<p>External quality assurance procedures should take into account the effectiveness of the internal quality assurance processes described in Part 1 of the European Standards and Guidelines:</p> <ul style="list-style-type: none"> 1.1 Policy and procedures for quality assurance 1.2 Approval, monitoring and periodic review of programmes and awards 1.3 Assessment of students 1.4 Quality assurance of teaching staff 1.5 Learning resources and student support 1.6 Information systems 1.7 Public information
----------------	--

ESG GUIDELINES

The standards for internal quality assurance contained in Part 1 provide a valuable basis for the external quality assessment process. It is important that the institutions' own internal policies and procedures are carefully evaluated in the course of external procedures, to determine the extent to which the standards are being met. If higher education institutions are to be able to demonstrate the effectiveness of their own internal quality assurance processes, and if those processes properly assure quality and standards, then external processes might be less intensive than otherwise.

Evidence

The "Principles of the external assessment" in Article 19 of the Law 38/2007 on *The Legal Framework for the Evaluation of Higher Education* reflect the ESG Part 1. The agency has incorporated these into its guidelines for quality audits, launched in 2013 on a pilot basis. The "Auditing Internal Quality Assurance Systems in Higher Education Institutions, Manual for the Audit Process" develops the standards and provides a matrix for evaluators to judge the degree of compliance with its criteria. The introduction to the audit guidelines stresses the responsibility of institutions for their own quality and the aim for a lighter touch external assessment when trust for a rigorous internal quality mechanism has been established.

The law in Article 4 sets down the "Quality Assessment Parameters" for evaluating study programmes. A3ES has separate guidelines for institutions applying for launching new programmes and programmes running, and for the evaluators on the "decision criteria" against which to assess them. The criteria are developed from the quality assessment parameters, which reflect the standards in ESG Part 2 relevant for new programmes. They focus on the proficiency of the academic staff and the teaching and learning structures and environment. The guidelines for running programmes also assess the programmes' internal quality assurance mechanisms, including their periodic assessment and quality monitoring. The SER (p. 23) provides a list of the quality assurance elements the agency requests in its guidelines.

Analysis and Conclusion

The review team is confident that A3ES has put in place a well thought-through external quality assurance system that builds on the ESG Part 2. The assessment criteria for programmes are fully operational. The quality audit procedure is fully operational on a voluntary basis for institutions and will be carrying out at all institutions after the first cycle of programme accreditation is completed in 2016. In the view of the review team, the agency is proactive in helping higher education institutions build up the internal quality assurance systems. While several elements of the ESG have been implemented at the institutions, however, the team learned in several interviews in the site visit, that there are other elements and systems that are not yet fully in place in the majority of them. By requesting information on internal quality assurance when evaluating existing programmes and, in particular, with its initiation of the quality audit procedures, A3ES has paved the way for assuring that its full compliance with the ENQA criterion/ESG can be achieved when its second external review comes around.

The review team judges the agency to be Substantially compliant with this standard.

ESG 2.2: DEVELOPMENT OF EXTERNAL QUALITY ASSURANCE PROCESSES

ESG 2.2	The aims and objectives of quality assurance processes should be determined before the processes themselves are developed, by all those responsible (including higher education institutions) and should be published with a description of the procedures to be used.
----------------	--

ESG GUIDELINES

In order to ensure clarity of purpose and transparency of procedures, external quality assurance methods should be designed and developed through a process involving key stakeholders, including higher education institutions. The procedures that are finally agreed should be published and should contain explicit statements of the aims and objectives of the processes as well as a description of the procedures to be used.

As external quality assurance makes demands on the institutions involved, a preliminary impact assessment should be undertaken to ensure that the procedures to be adopted are appropriate and do not interfere more than necessary with the normal work of higher education institutions.

Evidence

While a framework for quality evaluation is set into law, A3ES has effectively developed its evaluation processes in consultation with its stakeholders. Its Advisory Council, which consists of academics with experience in public and private university and polytechnic sectors, was closely consulted and the membership of the Management Board, which established the procedure, itself includes representatives from public and private universities and polytechnics.

In addition, A3ES has issued an extensive Assessment Handbook for programme evaluations, which describes the basic concepts behind quality assurance taking into account international practice. For institutional audits, the Manual for the Audit Process follows a similar line.

Analysis and Conclusion

A3ES was established building on the lessons learned from the practices of its predecessor agency. While establishing a reputation for consistent judgment with the preliminary accreditation round, the A3ES from the beginning was careful to consider the impact of its procedures on the institutions. It conducts ongoing research into various aspects of quality assurance, holds forums with various stakeholders, and adapts its procedures intermittently based on the feedback gained.

A3ES has been in dialogue with higher education institutions regarding the cost of their procedures and is currently reviewing its options to reduce the demands placed on them.

The agency focuses its discussions on academic stakeholders. The review team explored in how far A3ES consults with employers and learned during the site visit that in the national setting, employers are not yet fully engaged in a dialogue on higher education and its impact on the employment market, given that the vast majority themselves have no higher education qualifications.

Students had the opportunity to contribute to the discussions in the development of the agency's procedures via their membership in the Advisory Council and are playing an increasingly important role in the agency, which has introduced their participation in expert panels.

The review team judges the agency to be Fully compliant with this standard.

ESG 2.3: CRITERIA FOR DECISIONS

ESG 2.3	Any formal decisions made as a result of an external quality assurance activity should be based on explicit published criteria that are applied consistently.
----------------	---

ESG GUIDELINES

Formal decisions made by quality assurance agencies have a significant impact on the institutions and programmes that are judged. In the interests of equity and reliability, decisions should be based on published criteria and interpreted in a consistent manner. Conclusions should be based on recorded evidence and agencies should have in place ways of moderating conclusions, if necessary.

Evidence

Criteria for accreditation decisions of study programmes are set down in the assessment guidelines used by evaluators to draft their reports. There is a separate set of Qualifications Criteria for Teaching Staff used to evaluate the academic and research background in study programmes. Audits result in judgments of “Insufficient Development”, “Partial Development”, “Substantial Development”, and “Very Advanced Development” of the individual evaluation areas, the criteria for which are defined the audit manual.

The chairs of evaluation teams are responsible for the evaluation reports, which may be drafted by team members individually or the chair alone based on team input, and for ensuring sufficient evidence and consistency to justify their judgments. Agency staff members accompany the evaluation processes as project coordinators and screen reports for consistency and evidence. They ask team chairs for further clarification if needed.

Accreditation decisions are passed by the Management Board on the basis on the evaluation reports. They may alter the decision if there is any inconsistency or the evidence does not corroborate the team’s decisions. This is done in dialogue with the team chairs.

Appeals may be lodged with the Appeals Council if an institution is not satisfied that a decision has been based on due procedure.

Analysis and Conclusion

The multiple layers of reaching accreditation decisions, from the detailed guidelines to the reports to the actual decision-making by the Management Board, screen the output for consistency and evidence.

In the criteria it has developed and the processes to apply them, A3ES has achieved a good balance between decisiveness and consistency and the necessary openness toward its stakeholders to explain its processes and decision-making and to ensure their transparency.

The review team judges the agency to be Fully compliant with this standard.

ESG 2.4: PROCESSES FIT FOR PURPOSE

ESG 2.4	All external quality assurance processes should be designed specifically to ensure their fitness to achieve the aims and objectives set for them.
----------------	---

ESG GUIDELINES

Quality assurance agencies within the EHEA undertake different external processes for different purposes and in different ways. It is of the first importance that agencies should operate procedures which are fit for their own defined and published purposes. Experience has shown, however, that there are some widely-used elements of external review processes which not only help to ensure their validity, reliability and usefulness, but also provide a basis for the European dimension to quality assurance.

Amongst these elements the following are particularly noteworthy:

- insistence that the experts undertaking the external quality assurance activity have appropriate skills and are competent to perform their task;
- the exercise of care in the selection of experts;
- the provision of appropriate briefing or training for experts;
- the use of international experts;
- participation of students;
- ensuring that the review procedures used are sufficient to provide adequate evidence to support the findings and conclusions reached;
- the use of the self-evaluation/site visit/draft report/published report/follow-up model of review;
- recognition of the importance of institutional improvement and enhancement policies as a fundamental element in the assurance of quality.

Evidence

Law 38/2007 provides the aim of higher education quality assurance in Portugal as being accreditation – meeting minimum requirements – based on the quality assurance of higher education institutions and their study cycles (Article 6). The law also establishes the framework procedures to be used in the institutions' self-assessment and the agency's external assessment (Articles 18 and 19, reflecting ESG Parts 1 and 2 respectively). Reports of assessments have to be published (Article 16).

Starting from this framework, the agency has developed its statutes, procedures, guidelines and criteria. Experts for external evaluation teams are selected on the basis of their professional background. The Management Board selects the team chairs who in turn recommend the team members. The rules are set down in the "Norms for the appointment and conduct of the External Assessment Team" (SER appendix 7). No-conflict-of-interest is additionally promoted through the agency's Code of Ethics. It is a rule that experts may not have been in a financial or contractual relationship with the institution for the previous two years. At least one foreign expert on the team, as well as gender and geographical balance are requirements. The institution is given the opportunity to object to a team member on the grounds of a conflict of interest.

Experts receive a one-day training, with the exception of foreign team members, who are given individual guidance and instructions from the team chair.

Legislation calls for the participation of students only in the internal quality assurance of higher education institutions. Article 12 of Law 38/2007 also requires them to participate in external quality assurance by way of being interviewed during external procedures and to ensure the "appointment of student association representatives to the agency body". In the derived Government Decree (369/2007, Article 15) this requirement is fulfilled with mandating two student representatives in the A3ES Advisory Council. There is, however, no mention of students participating in the external evaluation of higher education.

Nevertheless, the agency includes students in its audit teams and increasingly in the programme assessments. Their involvement was preceded by a study of student participation whose conclusions were discussed by the Advisory Council; a pilot procedure agreed on by the institutions was also evaluated, and its results were appraised in a survey. Students from all levels are selected in a public call and by request from student organisations. They are given a one-day training, in which also experienced student trainers are involved, and they are requested to write a short paper on the subject of quality assurance, after which the selection to the pool is made by the agency.

Article 2 of Law 38/2007 calls for separate evaluation criteria for universities and polytechnics, with consideration for the institutional mission. Hence the agency has distinct assessment guidelines for the two types of institutions. The guidelines, published in the “Official Journal”, were provided to the review team in the appendices to the SER and are publically available on the website of the agency.

Agency guidelines and the online self-evaluation and team report structures request evidence for the evaluated areas. The team reports also have rubrics for recommendations for the areas encouraging a quality enhancement focus.

Follow-up procedures involve a report by the assessed study programme of actions to address recommendations when conditional accreditation was given. With audits, a follow-up report is required after 18 months of the evaluation report.

Analysis and Conclusion

It was evident to the review team from the SER and the interviews in the site visit that the quality approach by A3ES is remarkably assiduous in focusing on enhancement and engaging higher education institutions as partners. The agency develops procedures in dialogue with stakeholders and on the basis of studies by its research department.

The review team felt that there is room for improvement in the agency’s involvement of students. A3ES is well aware of this prerequisite, having taken the initiative even without legislated mandate, and is taking action to sensitise the teams and institutions to student contribution. Students the team has interviewed were of the opinion that A3ES is making a great effort to involve students but also could do more. On the other side, the team was told that they have encountered difficulties such as recruited students often not being available on the dates set for evaluations, but that the student pool is increasing and especially the involvement of post-graduates has been fruitful.

The team also believes that the training of foreign experts might be upgraded. While understandably, they often cannot be flown in for the expert training day, the agency could explore alternate possibilities such as preparing an electronic package and/or involving them via video-conference or similar means. More rigorous training of foreign experts would serve not only to ensure their preparedness but also that they are perceived by the whole team as integral members.

The review team judges the agency to be Substantially compliant with this standard.

ESG 2.5: REPORTING

ESG 2.5	Reports should be published and should be written in a style, which is clear and readily accessible to its intended readership. Any decisions, commendations or recommendations contained in reports should be easy for a reader to find.
----------------	---

ESG GUIDELINES

In order to ensure maximum benefit from external quality assurance processes, it is important that reports should meet the identified needs of the intended readership. Reports are sometimes intended for different readership groups and this will require careful attention to structure, content, style and tone.

In general, reports should be structured to cover description, analysis (including relevant evidence), conclusions, commendations, and recommendations. There should be sufficient preliminary explanation to enable a lay reader to understand the purposes of the review, its form, and the criteria used in making decisions. Key findings, conclusions and recommendations should be easily locatable by readers.

Reports should be published in a readily accessible form and there should be opportunities for readers and users of the reports (both within the relevant institution and outside it) to comment on their usefulness.

Evidence

Reporting at all stages is done online, starting from the programme's self-evaluation to the expert team to the Management Board decision and any follow-up documents. The online format consists of closed and open questions and invites recommendations.

The Assessment Handbook (SER Appendix 6) describes the reporting procedure, stressing the need for evidence to substantiate conclusions, to consider the context in which the programme operates, and to be improvement oriented.

External reports are the responsibility of the chair of the expert team but are commonly written in assigned parts by the team members before being approved by the chair. An accreditation decision or audit conclusions are made by the Management Board, who may change the decision proposed by the external team but not the report itself. Team members are informed of the decision.

Institutions receive electronic access to the report after the decision of the Management Board and may add factual corrections and comments, after which the Management Board makes its final decision.

Analysis and Conclusion

The online platform developed by A3ES ensures comparability and consistency of its reports. The decisions are sent to the ministry and made available on the agency website. On the Portuguese website, the reports are provided, including the conditions if a less than full term accreditation has been awarded.

It was reported in several interview groups that the webpage is not user-friendly for finding agency conclusions. The review team spot checked some reports and found that while the online platform provides a standard format, the resulting reports are factual but offer only limited elaboration, beyond some sentences of reasoning and concrete recommendations. The team believes that, in line with the ESG, agencies should consider a broad audience rather than the institution affected by its decision, keeping in mind prospective students and their parents. A3ES noted that they are discussing the readability of their reporting, an issue that its Scientific Council also commented on repeatedly, and plan to improve their reports more accessible.

The review team judges the agency to be Substantially compliant with this standard.

ESG 2.6: FOLLOW-UP PROCEDURES

ESG 2.6	Quality assurance processes which contain recommendations for action or which require a subsequent action plan, should have a predetermined follow-up procedure which is implemented consistently.
----------------	--

ESG GUIDELINES

Quality assurance is not principally about individual external scrutiny events: It should be about continuously trying to do a better job. External quality assurance does not end with the publication of the report and should include a structured follow-up procedure to ensure that recommendations are dealt with appropriately and any required action plans drawn up and implemented. This may involve further meetings with institutional or programme representatives. The objective is to ensure that areas identified for improvement are dealt with speedily and that further enhancement is encouraged.

Evidence

Follow-up measures are an integral part of A3ES procedures and are described in its documents. Study programmes are accredited for five years, but conditions for improvement may be set to be addressed by a given deadline. The Management Board may subsequently decide for or against full accreditation.

Audit certificates are granted from six years. After 18 months of the certification, institutions are required to submit progress reports. In the evaluated areas where the judgment was “partial development”, an additional report must be submitted after three years. Where audit certification is given conditionally, the institution is required to submit annual progress reports during the conditional period.

A3ES also has the remit to look into institutional annual reports to monitor quality assurance. It periodically organises seminars to discuss quality assurance progress with institutions.

Analysis and Conclusion

The evidence provided in the documents and presented at the site visit suggests that A3ES is implementing sound follow-up procedures consistently with the clear objective to promote quality enhancement at higher education institutions.

The review team judges the agency to be Fully compliant with this standard.

ESG 2.7: PERIODIC REVIEWS

ESG 2.7	External quality assurance of institutions and/or programmes should be undertaken on a cyclical basis. The length of the cycle and the review procedures to be used should be clearly defined and published in advance.
----------------	---

ESG GUIDELINES

Quality assurance is not a static but a dynamic process. It should be continuous and not “once in a lifetime”. It does not end with the first review or with the completion of the formal follow-up procedure. It has to be periodically renewed. Subsequent external reviews should take into account progress that has been made since the previous event. The process to be used in all external reviews should be clearly defined by the external quality assurance

agency and its demands on institutions should not be greater than are necessary for the achievement of its objectives.

Evidence

The legislative framework mandates periodic assessment (Law 38/2007) and allows the agency to set the duration of accreditation cycles and conditional accreditation (Decree 369/2007). A3ES has published guidelines where the duration of accreditation or certification is given, with five years for study programmes and six years for quality audits.

The agency will complete its first cycle of programme accreditation in 2016.

Analysis and Conclusion

The review team was provided with a work plan for 2013 and 2014 according to which the agency conducts its various procedures and their stages. Nearing the completion of the first accreditation cycle, the agency reported to be planning to adapt its guidelines and procedures to incorporate the results of preceding procedures.

The review team judges the agency to be Fully compliant with this standard.

ESG 2.8: SYSTEM-WIDE ANALYSES

ESG 2.8	Quality assurance agencies should produce from time to time summary reports describing and analysing the general findings of their reviews, evaluations, assessments etc.
----------------	---

ESG GUIDELINES

All external quality assurance agencies collect a wealth of information about individual programmes and/or institutions and this provides material for structured analyses across whole higher education systems. Such analyses can provide very useful information about developments, trends, emerging good practice and areas of persistent difficulty or weakness and can become useful tools for policy development and quality enhancement. Agencies should consider including a research and development function within their activities, to help them extract maximum benefit from their work.

Evidence

A dedicated research department at A3ES conducts studies on higher education quality assurance and specific issues affecting the quality of higher education in Portugal and internationally. Numerous publications are issued in Portuguese and many also in English and the vast majority of them are available on the agency website. The agency holds workshops and seminars to discuss quality issues with its stakeholders and feeds back the results to its Management Board.

Analysis and Conclusion

Given the set-up at A3ES with a dedicated and active research department, the review team believes that the agency is a best-case example in Europe on practicing dedicated and systematic analyses on the effects of the agency's work. It is fully satisfied that the results are fed into the ongoing improvement of the agency's procedures.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 1 B. / ESG 3.3: ACTIVITIES

ESG 3.3	Agencies should undertake external quality assurance activities (at institutional or programme level) on a regular basis.
----------------	---

ESG GUIDELINES:

These may involve evaluation, review, audit, assessment, accreditation or other similar activities and should be part of the core functions of the agency.

Evidence

The activities of A3ES include

- accreditation of new study programmes
- accreditation of existing study programmes in five-year cycles
- audits of institutional quality assurance systems in six-year cycles, currently conducted on a voluntary basis and to start fully after the first programme accreditation cycle is completed in 2016
- research on higher education quality assurance.

The accreditation and audit activities involve

- evaluation by expert teams set up by the Management Board, based on a self-evaluation by the applicant; for existing programmes and for audits also a site visit; and a team report
- decision-making by the Management Board based on the team report
- publication of the report
- in case of appeal, a review by the Management Board of the soundness of the procedure and a confirmation or change of its decision.

The activities are outlined in the national legislation, from which the agency has derived its procedures in consideration of the ESG and international practice. The agency periodically refines its activities in consultation with its stakeholders.

Analysis and Conclusion

Based on the above listed activities conducted by A3ES, the review team found that the agency conducts its core activities in line with its mission, the ESG, and legislated assignment, which included research on higher education quality assurance, that are set down in particular in Government Decree 369/2007.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 2 / ESG 3.2: OFFICIAL STATUS

ESG 3.2	Agencies should be formally recognised by competent public authorities in the European Higher Education Area as agencies with responsibilities for external quality assurance and should have an established legal basis. They should comply with any requirements of the legislative jurisdictions within which they operate.
----------------	--

Evidence

A3ES is constituted as an agency operating under private law by a Government Decree (No. 38/2007) and its assignments are stipulated in national laws (Nos. 38/2007 and 68/2007). The SER lists seven laws and decrees that govern its objectives and activities. The legislation mandates higher education institutions to submit to the agency’s external evaluation and decisions and to supply requested information for the evaluations.

Analysis and Conclusion

The review team was provided with excerpts of the laws and regulations governing A3ES and it is confident that the agency enjoys full legal status. During the site visit interviews the team came to the conclusion that the agency seems to be accepted as a legally authorised partner within the higher education community.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 3 / ESG 3.4: RESOURCES

ESG 3.4	Agencies should have adequate and proportional resources, both human and financial, to enable them to organise and run their external quality assurance process(es) in an effective and efficient manner, with appropriate provision for the development of their processes and procedures <i>and staff</i>
----------------	---

Evidence

Under Article 2, the Government Decree 38/2007 establishes A3ES as a legal public entity operating under the law on private foundations. The private foundation status entails that “Considering the nature of its aims, any evaluations conducted by the Agency shall not be subject to the procedures provided for under the legal regulations for public procurement, and may be the object of direct agreement with the interested parties” (Article 3). A3ES was to be provided initial financial support from the government budget of 3 million Euros for launching its operations and a “set-up subsidy” (Article 4) or 1 million Euros; subsequently it was to be self-supporting.

The financial strategy of A3ES on its establishment was to ask for fees for its services. The level of the fees for each type of procedure was set by the Management Board, based on a cost analysis and may be periodically adjusted in consultation with stakeholders.

The agency invests some of its income that constitutes its reserve fund.

Expenses incurred for human resources currently cover

- four executive members of the Management Board

- the Secretary General
- a staff of 19
 - 9 project coordinators
 - 4 research staff
 - 6 technical and administrative staff.
- external experts incurring incidental fees and expenses.

Operational expenses include the upkeep of the offices and the cost of a subcontractor for the IT system.

The SER includes the income and expenditure for 2011 and 2012.

Analysis and Conclusion

The review team discussed the financial strategy with members of the Management Board. It commends A3ES for its evidently efficient financial structure. The funding structure for its evaluation procedures, with fees determined on an average costing basis by the Management Board, ensures the sustainability of the agency’s operations. It allows the involvement of foreign experts and for the staff to engage in regular international activity. The financial structure, with additional income from commissioned research activities on quality assurance issues, ensures the development and ongoing enhancement of the agency’s activities and procedures. The presented financial reports for 2011 and 2012 provided a clear indication that the financial structure is sound.

The review team heard, in the site-visit interviews, that the cost of undergoing the agency’s procedures is seen by some as a burden on higher education institutions. The agency is well aware of this concern and is addressing it by engaging in dialogue with the institutions. It plans to conduct a detailed cost and expenditure analysis to evaluate the adequacy of its fees following the end of the first accreditation cycle in 2016.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 4 / ESG 3.5: MISSION STATEMENT

ESG 3.5	Agencies should have clear and explicit goals and objectives for their work, contained in a publicly available statement.
----------------	---

ESG GUIDELINES:

These statements should describe the goals and objectives of agencies’ quality assurance processes, the division of labour with relevant stakeholders in higher education, especially the higher education institutions, and the cultural and historical context of their work. The statements should make clear that the external quality assurance process is a major activity of the agency and that there exists a systematic approach to achieving its goals and objectives. There should also be documentation to demonstrate how the statements are translated into a clear policy and management plan.

Evidence

The mission of A3ES, derived from its status and assignment set down in the legislation, appears in its Quality Manual and on its website. It is followed by a set of objectives that elaborate the mission (SER Appendix 14 p. 1).

“The mission of A3ES is to contribute to improving the quality of Portuguese higher education, through the assessment and accreditation of higher education institutions and their study programmes, and to ensure the integration of Portugal in the European quality assurance system of higher education.

The main objective of A3ES is to promote the improvement of the performance of higher education institutions and their study programmes and to guarantee the fulfilment of the basic requirements for their official recognition.

This objective is pursued through the assessment and accreditation activities carried out by the Agency, and the promotion of an internal quality assurance culture within higher education institutions.

The specific objectives of A3ES are, therefore:

- To develop the quality assessment of the performance of higher education institutions and their study programmes;
- To determine the accreditation criteria in order to translate their results into qualitative appreciations, as well as to define the consequences of assessment for the operation of study programmes and institutions;
- To promote the accreditation of study programmes and institutions, for the purpose of ensuring the fulfilment of the legal requirements for their recognition;
- To provide society with information on the quality of the performance of higher education institutions;
- To promote the internationalisation of the assessment process.”

The law governing higher education institutions (Law 38/2007) stipulates that they must have internal quality assurance systems in place (SER Appendix 1, Article 17, p. 7). The agency’s quality policy as stated in the Manual (p. 5) focuses on the ongoing enhancement of quality at higher education institutions based on their own internal quality assurance, taking into consideration the ESG and ensuring transparency in its activities and procedures.

A one-page Strategic Plan (SER Appendix 15) and an Activity Plan for 2013 (Appendix 16), as well as an Activity Report for 2012 (Appendix 17) outline the activities derived from the agency mission.

Analysis and Conclusion

The review team confirmed that the agency has a clear mission statement that is translated into operational policies and guidelines. In particular the Assessment Handbook (SER Appendix 6) describes in detail the place of the agency in the development of quality assurance in Portugal and the philosophy

and practice of quality assurance. In the second part, it describes the role of and division of labour within the agency and its bodies. The Advisory Council brings external stakeholder representatives into the agency. The Handbook (p. 33) also contains an operational strategy that the agency has pursued for the development of its operations from 2011. It is stipulated in several documents, including the SER, that the system is to be reviewed in the time leading up to the completion of the first cycle of accreditation in 2016. A succinct Strategic Plan was provided to the team (SER Appendix 15) reflecting the strategic thinking that leads up to the review of the system and the implementation of such in two years. The team was assured during the meetings with the agency and its stakeholders that strategic thinking is well developed at A3ES. Reviewing and improving its procedures has been a topic of workshops with external stakeholders and in internal meetings. The work of the staff, most notably the research department, allows for the preparation of discussion documents at these forums and the input of the external stakeholders via the Advisory Council sustains an ongoing strategic dialogue.

In its SER (pp. 17-18), A3ES notes the conflicting notions in the legislation that mandate it to contribute to the quality enhancement of higher education institutions while also stipulating that its decisions may lead to a quality ranking (Law 38/2007 Article 22). The agency holds the unambiguous position that its mission is to enhance quality and it has not implemented ranking activities.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 5 / ESG 3.6: INDEPENDENCE

ESG 3.6	Agencies should be independent to the extent both that they have autonomous responsibility for their operations and that the conclusions and recommendations made in their reports cannot be influenced by third parties such as higher education institutions, ministries or other stakeholders.
----------------	---

ESG GUIDELINES:

An agency will need to demonstrate its independence through measures, such as:

- its operational independence from higher education institutions and governments is guaranteed in official documentation (e.g. instruments of governance or legislative acts);
- the definition and operation of its procedures and methods, the nomination and appointment of external experts and the determination of the outcomes of its quality assurance processes are undertaken autonomously and independently from governments, higher education institutions, and organs of political influence;
- while relevant stakeholders in higher education, particularly students/learners, are consulted in the course of quality assurance processes, the final outcomes of the quality assurance processes remain the responsibility of the agency.

Evidence

The agency's legal status as a private law foundation and the legal framework governing its activities enact its legal independence. Government Decree 369/2007 declares that "The Agency shall be independent in carrying out its functions, within the framework of the law and its Statutes, notwithstanding the guiding principles set by the State through its own bodies" (p. 7). Furthermore, the judgements of the agency must be abided by, as the decree stipulates that when a decision is "Favourable, a consequence [is] the authorisation of the coming into operation of a study cycle" (p. 8).

With the Appeals Council being the only instance where the decisions of the Management Board can be challenged, the legal framework precludes the interference of any other entity (p. 25).

Members of the agency’s decision-making body, the Management Board, are elected by the agency’s Board of Trustees in accordance with the terms of the legislation. The Board members may not hold a management position in a higher education institution, and the termination of membership before the due term is legislated as well (p. 17).

The Management Board decides on inviting external experts, following the rules set by it. The rules stipulate strict conditions to avoid conflict-of-interest in the Norms for Appointment and Conduct of EAT (External Assessment Teams).

The agency is sovereign in securing its financial resources and deciding its expenditures.

Analysis and Conclusion

Both the legal framework and the internal documents and actions of A3ES ensure its independence. The review team noted in its site visit that the agency is recognised by the external stakeholders interviewed as being fully independent as an organisation and in its decision-making and that, moreover, independence defines the identity of the agency, its members and staff.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 6 / ESG 3.7: EXTERNAL QUALITY ASSURANCE CRITERIA AND PROCESSES USED BY THE AGENCIES

ESG 3.7	<p>The processes, criteria and procedures used by agencies should be pre-defined and publicly available. These processes will normally be expected to include</p> <ul style="list-style-type: none"> - a self-assessment or equivalent procedure by the subject of the quality assurance process - an external assessment by a group of experts, including, as appropriate, (a) student member(s), and site visits as decided by the agency; - publication of a report, including any decisions, recommendations or other formal outcomes; - a follow-up procedure to review actions taken by the subject of the quality assurance process in the light of any recommendations contained in the report.
----------------	---

ESG GUIDELINES:

Agencies may develop and use other processes and procedures for particular purposes. Agencies should pay careful attention to their declared principles at all times, and ensure both that their requirements and processes are managed professionally and that their conclusions and decisions are reached in a consistent manner, even though the decisions are formed by groups of different people. Agencies that make formal quality assurance decisions or conclusions which have formal consequences should have an appeals procedure. The nature and form of the appeals procedure should be determined in the light of the constitution of each agency.

Evidence

Law 38/2007 describes the principles for assessment and the features of higher education institutions to be evaluated, from successful teaching and learning to research to services to the community (Article 4). It also declares that the procedure is to involve self-assessment and external assessment (Article 10), a “significant number” of foreign experts (Article 14), and calls for the participation of students and external bodies (Articles 12 and 13). Reports should contain recommendations for improvement (Article 15) and be publicly available (Article 16).

The agency’s internal regulations, as developed over the four years of its operation, constitute a congruent set that builds on its mission and principles. Criteria and procedures are predefined and published on the agency website. Accreditation activities are organised according to an annual schedule and institutions are informed of the procedures and timeline in advance.

Audits are initially voluntary but will begin as a regular procedure when the first cycle of programme accreditation is completed. Students are increasingly involved in expert teams and the student pool is being built up. Full provision is made for the preliminary training of student auditors.

The evaluation and decision-making is conducted via the agency’s tailor-made database. In addition to saving resources the database is able to identify certain inconsistencies, should they arise, by ensuring that all questions required in the procedure are dealt with.

The possibility for appealing against the decisions of the Management Board is ensured with a legislated Appeals Council and the rules for the appeals procedure.

Analysis and Conclusion

The review team scrutinised the agency’s procedures in interviews during the site visit and was assured that they are sound in light of the agency’s mission and goals. There are procedures in place to encourage the consistency of decisions, spanning from the guidelines for experts to the guidance of project coordinators in the procedure and writing of reports to the judicious decision-making of the Management Board.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 7 / ESG 3.8: ACCOUNTABILITY PROCEDURES

ESG 3.8	Agencies should have in place procedures for their own accountability.
----------------	--

ESG GUIDELINES:

These procedures are expected to include the following:

1. A published policy for the assurance of the quality of the agency itself, made available on its website;
2. Documentation which demonstrates that:
 - the agency’s processes and results reflect its mission and goals of quality assurance;
 - the agency has in place, and enforces, a no-conflict-of-interest mechanism in the work of its external experts;
 - the agency has reliable mechanisms that ensure the quality of any activities and material produced by subcontractors, if some or all of the elements in its quality assurance procedure are subcontracted to other parties;

- the agency has in place internal quality assurance procedures which include an internal feedback mechanism (i.e. means to collect feedback from its own staff and council/board); an internal reflection mechanism (i.e. means to react to internal and external recommendations for improvement); and an external feedback mechanism (i.e. means to collect feedback from experts and reviewed institutions for future development) in order to inform and underpin its own development and improvement.

3. A mandatory cyclical external review of the agency's activities at least once every five years, *which includes a report on its conformity with the membership criteria of ENQA.*

Evidence

A3ES has in place procedures for its own accountability. It has compiled the internal quality procedures developed since its establishment into a single Quality Manual, adopted in January 2013, and a two-page Quality Policy Statement summarises the main quality principles and measures. The twelve-page Quality Manual sums up the main lines of the agency's activities with a focus on quality.

"The main activities of A3ES when developing its mission are:

- To define and enforce the quality standards of the HE system;
- To assess and to accredit study programmes and higher education institutions, as well as to audit and certify the internal quality assurance systems of institutions;
- To promote the public disclosure of the assessment, accreditation and certification results;
- To promote the internationalisation of the Portuguese higher education system.

The Agency also performs the following additional activities:

- To provide the Portuguese State with expertise in matters of higher education quality assurance;
- To elaborate studies and expert reports on its own initiative or in answer to State demands;
- To participate in the European Quality Assurance Register - EQAR;
- To coordinate assessment and accreditation activities in Portugal with international institutions and mechanisms" (SER Appendix 14, p. 3).

The Manual lists the documents issued to ensure quality, such as the Qualification Criteria for Teaching Staff. It describes how internal quality is monitored, for example, by regular formal and informal feedback and follow-up discussions within the staff, Management Board and other bodies as well as in exchanges with external stakeholders. The Manual contains a Code of Ethics, which serves to ensure impartiality and transparency and to avoid any conflicts of interest, applicable to everyone who works with or for the agency.

External Experts are governed by the Norms for Appointment and Conduct of EAT (External Assessment Teams), which include the agency's Code of Ethics and other norms of behaviour in the course of the experts' evaluation work.

The Scientific Council, established on the agency's initiative, meets once a year to evaluate its work and make recommendations, which are discussed in the Management Board.

All documents are available on the agency website.

The legal framework (Law 38/2007 Article 5) mandates the agency's periodic reviews and the Government Decree 369/2007 (Article 24) states that the agency should aim to be included in the European Register. In its own Quality Manual, the agency sets the periodicity of its external evaluations at five years.

Analysis and Conclusion

The review team witness a keen quality awareness on all levels of the agency, which is encapsulated in its Quality Policy, and which is translated into its daily activity. External evaluators and institutions are asked for periodic feedback. The team was provided an example with the Survey for External Team Members (SER Appendix 19). Surveys are analysed by the research division, which are published. The review team is assured that the quality loop is practiced by the agency on an ongoing basis and is a particular strength of A3ES.

The review team judges the agency to be Fully compliant with this standard.

ENQA CRITERION 8: CONSISTENCY OF JUDGEMENTS, APPEALS SYSTEM AND CONTRIBUTION TO ENQA AIMS

- i. The agency pays careful attention to its declared principles at all times, and ensures both that its requirements and processes are managed professionally and that its judgments and decisions are reached in a consistent manner, even if the judgments are formed by different groups;
- ii. If the agency makes formal quality assurance decisions, or conclusions which have formal consequences, it should have an appeals procedure. The nature and form of the appeals procedure should be determined in the light of the constitution of the agency
- iii. The agency is willing to contribute actively to the aims of ENQA

Evidence

This report has acknowledged the dedication to quality enhancement in Portuguese higher education as well as within the agency itself in the preceding sections.

A functioning appeals procedure is in place and the team heard that of the estimated twenty cases heard by the Appeals Council a small number are returned to the Management Board for reconsideration. The process involves a dialogue with the Management Board and between the Management Board and the external evaluation team and, if necessary, the higher education institution.

A3ES is active in international quality organizations and projects and has participated in several ENQA events.

Analysis and Conclusion

The review team believes that professionalism and consistency of judgment are ensured and that A3ES fulfils the requirements in Criterion 8.

The review team judges the agency to be Fully compliant with this standard.

5. Conclusion and Development

In the light of the documentary and oral evidence considered by it, the review team is of the opinion that, in the performance of its functions, A3ES is fully compliant with the ENQA Membership Provisions. The review team could not unequivocally declare that “the agency is entirely in accordance with the criterion/ESG” only with three standards in ESG Part 2 because of an aspect within them where there the team believes that there is room for continuing improvement. In the opinion of the review team the agency is, however, an excellent organisation contributing to the enhancement of higher education quality in Portugal. The review team believes that the agency meets all expectations to justify full membership of ENQA.

The ESG where only substantial compliance has been achieved are:

2.1 Use of internal quality assurance procedures – since most higher education institutions do not yet have fully developed internal quality assurance mechanisms in place;

2.4 Processes fit for purpose – since the review team encourages the agency to do more to involve students in the procedures;

2.5 Reporting – since reports could be more geared to the general public with respect to their readability and accessibility on the agency website.

and the agency is recommended to take appropriate action, so far as it is empowered to do so, to achieve full compliance with these criteria at the earliest opportunity.

5.2. Commendations and Recommendations

The review team was impressed by the quality focus with which A3ES has developed in the four years of its existence. It has found that there is a consensus among the stakeholders it has met that the agency is respected for its achievements and effectiveness in ensuring the quality of higher education in Portugal. The features the team found especially noteworthy were

- the quality enhancement orientation that permeates the agency’s activities, exemplified in its introduction of the “lighter touch” quality audit procedure
- the research department and its professionalism, and the quality of its publications
- the professionalism and efficiency of the staff and the rigorous vetting procedure in hiring
- the data platform used in all phases of the evaluation procedures
- the use of foreign experts in all evaluations and the evaluation process conducted in both Portuguese and English

The team commends the agency for its analytical and self-critical SER and endorses the presented SWOT analysis. The team encourages A3ES to progress the issues it has identified and in particular recommends it to:

- continue actively supporting higher education institutions to develop their internal quality assurance mechanisms in an effective but self-critical manner
- reconsider the structure and accessibility of its reports to ensure that a broader audience, in particular students and their parents, are informed and, indeed, sensitised to the significance of quality and its assurance
- continue developing the engagement of students in the external evaluation teams.

A3ES is well aware of the issues described and has already taken the initiative to ameliorate them. The review team's comments are intended to encourage the agency to do so in order to ensure that the progress the agency has undergone in its short existence is sustainable in the future.

6. Annexes

Annex 1: Review Visit Schedule

Annex 2: Terms of Reference for the Review

Annex 3: Review Team

6.2. Annex 1: Review Visit Schedule

14.01.2014 (at Hotel Lutécia)		
17:00 - 20:00	Private meeting of the review panel	<i>Review panel only</i>
20.00	<i>Dinner</i>	<i>Review panel only</i>

15.01.2014 (at A3ES's Offices)		
08:30 – 09:15	Meeting with the Board of Trustees	<i>João Lobo Antunes, Chairman</i> <i>Eduardo Marçal Grilo</i>
09:30 - 10:45	Meeting with the Management Board of A3ES	<i>Alberto Amaral, Chairman</i> <i>Jacinto Jorge Carvalhal</i> <i>João Duarte Silva</i> <i>Sérgio Machado dos Santos</i>
10:45 - 11:00	<i>Coffee break with internal review panel discussion</i>	<i>Review panel only</i>
11:00 - 11:45	Meeting with A3ES staff	<i>Madalena Fonseca, Secretary-General</i> <i>Amélia Veiga, Office of Research and Analysis</i> <i>Orlanda Tavares, Office of Res. and Analysis</i> <i>Elisabete Malveiro, Project Manager</i> <i>Lucília Mata, Project Manager</i> <i>Raquel Santos, Project Manager</i>

		<i>Rosa Bento</i> , Project Manager
11:45 - 12:00	<i>Coffee break with internal review panel discussion</i>	<i>Review panel only</i>
12:00 - 13:00	Meeting with representatives of Higher Education Institutions	<i>António Rendas</i> , President of the Council of Rectors of Portuguese Universities (CRUP) <i>Armando Pires</i> , Vice-President of the Coordinating Council of Portuguese Polytechnics (CCISP) <i>Miguel Faria</i> , Vice-President of the Portuguese Association of Private Higher Education Institutions (APESP)

15.01.2014 (at A3ES's Offices)

13:00 - 14:00	<i>Internal review panel discussion with lunch</i>	<i>Review panel only</i>
14:00 - 15:00	Meeting with representative of the Ministry of Education and Science	<i>José Ferreira Gomes</i> , Secretary of State for Higher Education
15:00 - 15:30	<i>Coffee break with internal review panel discussion</i>	<i>Review panel only</i>
15:30 - 16:30	Meeting with members of External Assessment Teams (EAT) – including Teams for the Assessment/Accreditation of Study Programmes and for the Audit Process	<i>António Cachapuz</i> , President of the EAT for Education / Teacher Training <i>Arminda Costa</i> , President of the EAT for Nursing <i>Jorge Mota</i> , President of EAT for Sports Science <i>Virgílio Meira Soares</i> , President of EAT for Chemical Engineering, President of Audit Team <i>Bruno Carapinha</i> , student (Audit Team) <i>Hélder Castro</i> , student (EAT)
16:30 - 16:45	<i>Coffee break with internal review panel discussion</i>	<i>Review panel only</i>
16:45 - 17:45	Meeting with students' representatives	<i>Bruno Fragueiro</i> , member of Advisory Council <i>Ricardo Morgado</i> , member of Advisory Council

		<p>Council</p> <p><i>Daniel Freitas</i>, public university sector</p> <p><i>Marco André Eliseu</i>, public polytechnic sector</p> <p><i>Joel Pereira</i>, private university sector</p> <p><i>Miguel Pinheiro</i>, private polytechnic sector</p> <p><i>Eduardo Melo</i>, President of FAIRe</p>
17:45 - 19:00	<i>Review panel meeting to summarize outcomes of day one</i>	<i>Review panel only</i>
19:30	<i>Dinner</i>	<i>Review panel only</i>

16.01.2014 (at A3ES's Offices)

09:00 - 09:30	Meeting with the Appeals Council	<p><i>João Martins e Silva</i>, Appeals Council</p> <p><i>Andrée Sursock</i>, Appeals Council (skype interview)</p>
09:45 - 10:15	Meeting with the Advisory Council	<p><i>Adriano Pimpão</i>, President of Advisory Council</p> <p><i>José Pereira Vieira</i>, Representative of the Portuguese Association of Engineers (Skype interview)</p> <p><i>Nuno Biscaya</i>, Representative of the Portuguese Confederation of Industry</p> <p><i>Vérter Augusto da Silva Gomes</i>, Representative of the Portuguese Confederation of Commerce and Services</p>
10:15 - 11:00	<i>Presentation of database platform</i>	
11:00 - 11:15	<i>Coffee break with internal review panel discussion</i>	<i>Review panel only</i>
11:15 - 11:45	If questions remain: Meeting with the President of the agency	<i>Alberto Amaral</i>
11:45 - 12:30	<i>Final discussion of review panel to agree outcomes and to discuss main lines of the report</i>	<i>Review panel only</i>

12:30 - 13:00	Final meeting with the Management Board	<i>Alberto Amaral</i> <i>Jacinto Jorge Carvalhal</i> <i>João Duarte Silva</i> <i>Sérgio Machado dos Santos</i>
	<i>Lunch</i>	<i>Review panel only</i>

6.3. Annex 2: Terms of Reference for the Review

1. Background and context

The “Agência de Avaliação e Acreditação do Ensino Superior” (Agency for Assessment and Accreditation of Higher Education - A3ES) is a private law foundation established by Decree-Law no. 369/2007, of 5th November 2007, aiming at promoting and ensuring the quality of higher education.

The assessment and accreditation regime developed by the Agency is defined in Law no. 38/2007, of 16th August 2007.

The mission of A3ES is to contribute for the improvement of the quality of Portuguese higher education, through the assessment and accreditation of higher education institutions and their study cycles.

A3ES promotes the improvement of the performance of higher education institutions and their study cycles and guarantees the fulfilment of basic requirements for its official recognition. These general objectives are pursued through the assessment and accreditation activities carried out by the Agency, and, thus, promoting an internal quality assurance culture in every higher education institution.

Therefore, the objectives of A3ES are:

- To develop the quality assessment of the performance of higher education institutions and their study cycles;
- To substantiate the accreditation criteria, in order to translate them into qualitative appreciations, as well as to define the consequences of evaluation for the operation of study cycles and institutions;
- To promote the accreditation of study cycles and institutions, aiming at ensuring the fulfilment of the legal requirements for their recognition;
- To provide society with information on the quality of the performance of higher education institutions;
- To promote the internationalisation of the assessment process.

A3ES has been an Affiliate of ENQA since January 2009 and undergoes an external review for the purpose of applying for the first time for Full membership in ENQA.

2. Purpose and scope of the evaluation

This is a type A review, as defined in the *Guidelines for external reviews of quality assurance agencies in the European Higher Education Area*. It will evaluate the way in which and to what extent A3ES fulfils the criteria for the ENQA membership and thus the *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)*. Consequently, the review will also provide information to the ENQA Board to aid its consideration of whether A3ES should be granted Full

membership of ENQA. The review panel is not expected, however, to make any judgements as regards granting A3ES Full membership in ENQA.

3. The review process

The process is designed in the light of the *Guidelines for external reviews of quality assurance agencies in the European Higher Education Area*.

The evaluation procedure consists of the following steps:

- Formulation of the contract and Terms of Reference for the review;
- Nomination and appointment of the review panel;
- Self-evaluation by A3ES including the preparation of a self-evaluation report;
- A site visit by the review panel to A3ES;
- Preparation and completion of the final evaluation report by the review panel;
- Scrutiny of the final evaluation report by the Review Committee of the ENQA Board;
- Analysis of the scrutiny by the ENQA Board and their decision regarding ENQA membership;
- Follow-up of the panel's and/or ENQA Board's recommendations by the agency.

3.1 Nomination and appointment of the review team members

The review panel consists of five members: Four external reviewers (one or two quality assurance experts, representative(s) of higher education institutions, student member) and a review secretary. Three of the reviewers (including the review secretary) are nominated by the ENQA Board on the basis of proposals submitted to ENQA by member agencies. The fourth external reviewer is drawn from a nomination provided by the European University Association (EUA). The nomination of the student member is asked from the European Students' Union (ESU). One of the panel members serves as the chair of the review.

Current members of the ENQA Board are not eligible to serve as reviewers.

ENQA will provide A3ES with the list of suggested experts with their respective curriculum vitae to establish that there are no known conflicts of interest. The experts will have to sign a non-conflict of interest statement as regards A3ES review.

3.2 Self-evaluation by A3ES, including the preparation of a self-evaluation report

A3ES is responsible for the execution and organisation of its own self-evaluation process and shall take into account the following guidance:

- Self-evaluation is organised as a project with a clearly defined schedule and includes all relevant internal and external stakeholders;
- The self-evaluation report is broken down by the topics of the evaluation: background description of the current situation of the Agency; analysis and appraisal of the current situation; proposals for improvement and measures already planned; a summary of perceived strengths and weaknesses.
- The report is well-structured, concise and comprehensively prepared. It clearly demonstrates the extent to which A3ES fulfils its tasks of external quality assurance and meets the criteria for the

ENQA membership and thus the ESG. The report is submitted to the review panel a minimum of eight weeks prior to the site visit.

3.3 Site visit by the review panel

A3ES will draw up a draft proposal of schedule of the site visit to be submitted to the review panel at least three months before the planned dates of the visit. The schedule includes an indicative timetable of the meetings and other exercises to be undertaken by the review panel during the site visit, the duration of which is 2 days. The approved schedule shall be given to A3ES at least two months before the dates of the visit, in order to properly organise the requested interviews.

The review panel will be assisted by A3ES in arriving to Lisbon.

The site visit will close with an oral presentation and discussion of the major issues of the evaluation between the review panel and A3ES.

3.4 Preparation and completion of the final evaluation report

The main outcome of the review process is the report. On the basis of the self-evaluation report, site-visit and review panel's findings, the review secretary will draft the report, in collaboration with the chair and the rest of the panel members.

The report will take into account the purpose and scope of the evaluation as defined under article 2. It will also provide a clear rationale for its findings with regards to each ENQA membership criteria. A draft will be submitted for comment to A3ES within two months of the site visit for comment on factual accuracy. If A3ES chooses to provide a statement in reference to the draft report it will be submitted to the chair of the review panel within two weeks after the receipt of the draft report. Thereafter the review panel will take into account the statement by A3ES, finalise the document and submit it to A3ES and ENQA.

The report is to be finalised within three months of the site visit and will not exceed 40 pages in length.

4. Follow-up process and publication of the report

A3ES will consider the expert panel's report and inform ENQA of its plans to implement any recommendations contained in the report.

Subsequent to the discussion of the evaluation results and any planned implementation measures with ENQA, the review report and the follow-up plans agreed upon will be published on A3ES website.

The final review report will be published on the ENQA website, regardless of the review outcome and decision by the Board.

5. Use of the report

ENQA shall retain ownership of the report. The intellectual property of all works created by the expert panel in connection with the review contract, including specifically any written reports, shall be vested in ENQA.

The review report is to be used by the Board of ENQA for the purpose of reaching a conclusion on whether A3ES has or has not met the membership criteria/ESG.

Once the report is submitted to A3ES and ENQA and until the decision by the Board is made, the report may not be used or relied upon by A3ES, the panel and any third party and may not be disclosed without the prior written consent of ENQA.

6. Budget

A3ES shall pay the following review related fees:

Fee of the Chair	4,750 EUR
Fee of the Secretary	4,750 EUR
Fee of the 3 other panel members	8,250 EUR (2,750 EUR each)
Administrative overhead for ENQA Secretariat	5,000 EUR
Experts Training fund	1,250 EUR
Travel and subsistence expenses (approximate)	6,000 EUR

This gives a total indicative cost of 30,000 EUR for a review team of 5 members. In the case that the allowance for travel and subsistence expenses is exceeded, A3ES will cover any additional costs after the completion of the review. However, the ENQA Secretariat will endeavour to keep the travel and subsistence expenses in the limits of the planned budget, and will refund the difference to A3ES if the travel and subsistence expenses go under budget.

In the event of a second site visit required by the Board and aiming at completing the assessment of compliance, and should the agency accept a second visit, an additional fee of 500 EUR per expert, as well as travel and subsistence costs are recoverable from the agency.

7. Duration of the review and indicative schedule

The duration of the evaluation is scheduled to take about 11 months, from April 2013 to March 2014:

A3ES begins self-evaluation	April 2013
Agreement on terms of reference and protocol for review	June 2013
Appointment of review panel members	June 2013
Preparation of site visit schedule and indicative timetable	September 2013
A3ES self-evaluation completed	15 August 2013
Briefing of review panel members	September 2013
Review panel site visit	October 2013
Draft of evaluation report to A3ES	December 2013
Statement of A3ES to review panel if necessary	December 2013
Submission of final report to A3ES and ENQA	January 2014
Consideration of the report by ENQA and response of A3ES	February 2014
Publication of report and implementation plan	March 2014

6.4. Annex 3: Review Team

Name	Background
Stephen Jackson , chair	Director of Reviews, Quality Assurance Agency for Higher Education (QAA), UK
Mihai Floroiu	Head of International relations at the Agency for Quality Assurance in Higher Education (ARACIS), Professor at the "Dunarea de Jos" University of Galati (Law Faculty), Romania
Jean-Marc Rapp	Professor at the University of Lausanne (Law Faculty), Director of the Business Law Centre (CEDIDAC), Switzerland – EUA nomination
Karina Ufert	Educational Advisor at Spark, Former chair person of ESU, Lithuania - ESU nomination
Christina Rozsnyai , secretary	M.A., MLS, German Studies and Library Science, Program officer, Hungarian Accreditation Committee