

**External review of the Agency for Quality Assurance through Accreditation of Study Programmes (AQAS)
by the European Association for Quality Assurance in Higher Education (ENQA)**

Annex I: TRIPARTITE TERMS OF REFERENCE BETWEEN AQAS, ENQA AND EQAR

February 2021

I. Background and context

AQAS e.V. – Agency for Quality Assurance through Accreditation of Study Programmes – is a non-profit organisation, founded in 2002 by Higher Education Institutions and has meanwhile more than 90 member institutions. The operational part of the accreditation procedures (coordination and organisation) takes place in the Head Office located in Cologne. At present, there are two managing directors, thirteen consultants, three project assistants and three administrative employees.

The core business of AQAS e.V.:

The Interstate Study Accreditation Treaty, which came into force in January 2018, defines standards for accreditation processes in Germany and ensure that accreditation occurs according to reliable, transparent, and internationally accepted criteria. Independent, non-governmental agencies are responsible for carrying out review procedures of study programmes or HEI quality assurance systems on the basis of the so called “Musterrechtsverordnung” (MRVO)/“Specimen decree”, a resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany. Based on the report provided by the agency as a result of the review process, the German Accreditation Council (GAC) decides on the outcome of the accreditation procedure.

The activities of AQAS in accreditation are not restrained to specific academic disciplines or degrees. AQAS carries out review procedures for study programmes in all academic disciplines.

On an international level AQAS offers accreditation procedures for programmes of different disciplines and institutions based on the European Standards and Guidelines (ESG). AQAS works in several countries inside and outside Europe.

Other activities of AQAS:

- On the European level AQAS e.V. is quite involved in different activities which target to accredit joint programmes and to implement the European Approach (ESG-based).
- AQAS e.V. accredited two PhD-programmes in Germany (using criteria set in the MRVO).
- AQAS e.V. carries out a pilot project for one TVET programme at a VET school abroad. Another one at a Politechnic just started. The basis are specific criteria developed by AQAS. In case of success an AQAS-Certificate will be given (no accreditation).

AQAS has been a member of ENQA since 2008 and is applying for ENQA renewal of membership.

AQAS has been registered on the European Quality Assurance Register for Higher Education (EQAR) since 2008 and is applying for renewal of EQAR registration.

AQAS e.V. has a daughter organisation “AQAS ARCH GmbH” which offers trainings/workshops, e.g. for DAAD, EU, UNESCO. Two procedures took place to assess modules/short-term courses of further education. The basis are specific criteria developed by AQAS. In case of success an AQAS-Certificate will be given (no accreditation). Accreditation is not part of the AQAS ARCH portfolio.

2. Purpose and scope of the evaluation

This review will evaluate the extent to which AQAS fulfils the requirements of Parts 2 and 3 of the *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)*. Consequently, the review will provide information to the ENQA Board to aid its consideration of whether membership of AQAS should be reconfirmed and to EQAR to support AQAS application to the register.

2.1 Activities of AQAS within the scope of the ESG

In order for AQAS to apply for ENQA membership and for registration in EQAR, this review will analyse all activities of AQAS that are within the scope of the ESG, i.e. reviews, audits, evaluations or accreditation of higher education institutions or programmes that relate to teaching and learning (and their relevant links to research and innovation). This is independent of whether the activities are carried out within or outside the EHEA and whether they are obligatory or voluntary in nature.

The following activities of AQAS have to be addressed in the external review because they fall within the scope of the ESG:

- Programme Review (BA/MA) in Germany, including review of joint programmes involving German universities
- Review of Joint Programmes based on the European Approach
- PhD-accreditations in Germany (using criteria set in the MRVO)
- Institutional (System) Review in Germany
- Programme Accreditation (BA/MA/PhD) international¹
- Institutional Accreditation international
- Alternative procedure²

The review should address the way in which AQAS ensures a clear presentation and separation between quality assurance activities within the scope of the ESG and its other activities, considering Annex 2 of the [Policy on the Use and Interpretation of the ESG](#).

¹ Including the evaluation pursuant to Section 27b of the Austrian Act on Quality Assurance in Higher education as an optional add on report.

² Considering its ad-hoc character and that this activity has only took place once.

Considering the renewal of AQAS' application to EQAR, the self-evaluation report and the external review report is expected to give specific attention to the issues where the Register Committee concluded in its last decision that the agency complied only partially with the ESG, namely ESG 3.1 and ESG 3.4.

Following EQAR's decision on AQAS's Substantial Change report in 2019, the review should also analyze whether the new arrangements and accreditation criteria, deriving from the Interstate treaty between German federal states, are consistently applied by the agency (i.e. ESG 2.3 and ESG 2.5).

3. The review process

The review will be conducted following the methodology of ENQA Agency Reviews. The process is designed in line with *the Guidelines for ENQA Agency Reviews* and the requirements of *the EQAR Procedures for Applications*.

The evaluation procedure consists of the following steps:

- Formulation and agreement on the Terms of Reference for the review between AQAS, ENQA and EQAR;
- Nomination and appointment of the review panel by ENQA;
- Notification of EQAR about the appointed panel;
- Self-assessment by AQAS including the preparation and publication of a self-assessment report;
- A site visit by the review panel to AQAS;
- Preparation and completion of the final evaluation report by the review panel;
- Scrutiny of the final evaluation report by the ENQA Review Committee;
- Analysis of the scrutiny by the ENQA Board and their decision regarding ENQA membership;
- Decision making by the EQAR Register Committee on the agency's registration on EQAR;
- Follow-up of the panel's and/or the ENQA Board's recommendations by the agency, including a voluntary progress visit.

3.1 Nomination and appointment of the review team members

The review panel consists of four members: one or two quality assurance experts (at least one of which is currently employed by an ENQA member agency), an academic employed by a higher education institution, a student member, and eventually a labour market representative (if requested). One of the members will serve as the chair of the review panel, and another member as a review secretary. For ENQA Agency Reviews at least one of the reviewers is an ENQA nominee (most often the QA professional[s]). At least one of the reviewers is appointed from the nominees of either the European University Association (EUA) or the European Association of Institutions in Higher Education (EURASHE), and the student member is always selected from among the ESU-nominated reviewers. If requested, the labour market representative may come from the Business Europe nominees or from ENQA. An additional panel member may be included in the panel at the request of the agency under review. In this case, an additional fee to cover the reviewer's fee and travel expenses is applied.

The panel will be supported by the ENQA Review Coordinator who will monitor the integrity of the process and ensure that ENQA's requirements are met throughout the

process. The ENQA staff member will not be the secretary of the review and will not participate in the discussions during the site visit interviews.

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

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

3.2 Self-assessment by AQAS, including the preparation of a self-assessment report

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

- Self-assessment is organised as a project with a clearly defined schedule and includes all relevant internal and external stakeholders;
- The self-assessment report is broken down by the topics of the evaluation and is expected to contain, among others: a brief description of the national HE and QA system; background description of the current situation of the Agency; an analysis and appraisal of the current situation; proposals for improvement and measures already planned; a SWOT analysis; each criterion (ESG part 2 and 3) addressed individually, and considerations of how the agency has addressed the recommendations as noted in the ENQA Board's membership decision letter and the instances of partial compliance noted in the previous EQAR Register Committee decision of inclusion/renewal. All agency's QA activities (whether within their national jurisdiction or outside of it, and whether obligatory or voluntary) will be described and their compliance with the ESG analysed.
- The report is well-structured, concise and comprehensively prepared. It clearly demonstrates the extent to which AQAS fulfils its tasks of external quality assurance and meets the ESG.
- The self-assessment report is submitted to the ENQA Secretariat which has four weeks to pre-scrutinise it before forwarding the report to the panel of experts. The purpose of the pre-scrutiny is to ensure that the self-assessment report is satisfactory for the consideration of the panel. The Secretariat will not judge the content of information itself but whether the necessary information, as stated in the guidelines for ENQA Agency Reviews, is present. For the second and subsequent reviews, the agency is expected to enlist the recommendations provided in the previous review and to outline actions taken to meet these recommendations. In case the self-assessment report does not contain the necessary information and fails to respect the requested form and content, the ENQA Secretariat reserves the right to reject the report and ask for a revised version within two weeks. In such cases, an additional fee of 1000 EUR will be charged to the agency.
- The report is submitted to the review panel a minimum of six weeks prior to the site visit.

3.3 A site visit by the review panel

The review panel will draft a proposal of the site visit schedule which shall be submitted to the agency at least two months before the planned dates of the visit. The schedule is to include 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 usually 2,5 days. The approved

schedule shall be given to AQAS at least one month before the site visit, in order to properly organise the requested interviews.

The review panel will be assisted in a site visit by the ENQA Review Coordinator.

The site visit will close with a final de-briefing meeting outlining the panel's overall impressions but not its judgement on the ESG compliance of the agency or the granting or reconfirmation of ENQA membership.

3.4 Preparation and completion of the final evaluation report

On the basis of the review panel's findings, the review secretary will draft the report in consultation with the review panel. The report will take into account the purpose and scope of the evaluation as defined under articles 2 and 2.1. It will also provide a clear rationale for its findings concerning each standard of part 2 and 3 of the ESG. A draft will be first submitted to the ENQA Review Coordinator who will check the report for consistency, clarity and language, and it will be then submitted to AQAS usually within 10 weeks of the site visit for comment on factual accuracy. If AQAS chooses to provide a position 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 AQAS and finalise and submit the document to ENQA.

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

When preparing the report, the review panel should also bear in mind the *EQAR Policy on the Use and Interpretation of the ESG* to ensure that the report will contain sufficient information for the consideration of the Register Committee of the agency's application to EQAR³.

For the purpose of applying for ENQA membership, AQAS is also requested to provide a letter addressed to the ENQA Board outlining its motivation for applying for membership and the ways in which AQAS expects to contribute to the work and objectives of ENQA during its membership. This letter will be taken into consideration by the Board together with the final evaluation report when deciding on the agency's membership.

4. Follow-up process and publication of the report

AQAS will receive the expert panel's report and publish it on its website once the ENQA Board has approved the report. The report will also be published on the ENQA website, regardless of the review outcome and decision by the ENQA Board. As part of ENQA Agency Review follow-up activities, AQAS commits to react on the review recommendations and submit a follow-up report to the ENQA Board within the timeframe indicated in the Board's decision on membership. The follow-up report will be published on the ENQA website, in addition to the full review report and the Board's decision.

The follow-up report could be complemented by a small-scale progress visit to the agency performed by two members of the original panel (whenever possible). This visit will be used to discuss issues, based on the ESG, considered to be of particular importance or a challenge to AQAS. Its purpose is entirely developmental and has no impact on the judgement of

³ See here: https://www.eqar.eu/assets/uploads/2020/09/RC_12_1_UseAndInterpretationOfTheESG_v3_0.pdf

membership and/or judgment of compliance of the agency with the ESG. Should the agency not wish to take advantage of this opportunity, it may opt out by informing the ENQA Review Coordinator about this.

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 used by the ENQA Board for the purpose of reaching a conclusion on whether AQAS can be admitted/reconfirmed as a member of ENQA. The report is also used as a basis for the Register Committee's decision on the agency's registration on EQAR. The review process is thus designed to serve these two purposes. However, the review report is to be considered final only after being approved by ENQA. Once submitted to ENQA and until it is approved by its Board, the report may not be used or relied upon by AQAS, the panel, or any third party and may not be disclosed without the prior written consent of ENQA. The approval of the report is independent of the decision of the ENQA Board on membership.

For the purposes of EQAR registration, the agency will submit the review report (once approved by the ENQA Board) via email before expiry of the agency's registration on EQAR. The agency should also include its self-assessment report (in a PDF format), a Declaration of Honour, full curriculum vitae (CVs) of all review panel members and any other relevant documents to the application (i.e. annexes, statement to the review report, updates). EQAR is expected to consider the review report and the agency's application at its Register Committee meeting in March 2022 or June 2022.

6. Indicative schedule of the review

Agreement on Terms of Reference	February 2021
Appointment of review panel members	February 2021
Self-assessment completed	10 May 2021
Pre-screening of SAR by ENQA Review Coordinator	May 2021
Preparation of site visit schedule and indicative timetable	June 2021
Briefing of review panel members	July-August 2021
Review panel site visit	Early September 2021 (possibly 1-3 September)
Draft of evaluation report and submitting it to ENQA Review Coordinator for pre-screening	End October 2021
Draft of evaluation report to AQAS	Early November 2021
Statement of AQAS to review panel if necessary	November 2021
Submission of final report to ENQA	End November 2021
Consideration of the report by ENQA Board	December 2021 or February 2022
Publication of report	January/February 2022
EQAR Register Committee meeting	March/June 2022