

ENQA AGENCY REVIEW

GERMAN ACCREDITATION COUNCIL (GAC)

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EXECUTIVE SUMMARY

This report analyses the compliance of the German Accreditation Council (GAC) with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG). It is based on an external review conducted from June 2021- March 2022. The online site visit took place from November 30th to December 2nd 2021. In assessing the extent to which GAC meets the ESG 2015 standards, the panel relied on the self-assessment report (SAR) with annexes, the additional documents provided by GAC and the GAC website, together with interviews held during the site visit.

In the decentralised German higher education system, GAC is established by the regulations adopted by all German states as the central decision-making body in its quality assurance system. As such, it is responsible for the following QA activities which have been addressed in this review:

1. the programme accreditation
2. the system accreditation,
3. alternative procedures accreditation and
4. equivalency assessment (specifically for German Jordanian University).

In programme and system accreditation, GAC receives reports from procedures coordinated by other German agencies as a basis for decision-making. In the equivalency assessment, it will use a similar process to pass non-official assessments. In the alternative procedures accreditation, GAC itself acts as an agency from the beginning to the end of the process. GAC is also responsible for adopting the decisions made by international agencies within the European Approach for Quality Assurance of Joint Programmes, and has other tasks within the German system. GAC has functioned since 1998, and it gained legal personality in 2005 as a North Rhine-Westphalian foundation with a seat in Bonn. Before the significant legal changes in the German system which were implemented between 2016 and 2018 and changed the roles of GAC, its primary responsibility was accreditation of agencies. GAC is still formally responsible for authorising agencies but this is done on the basis of their EQAR membership. Even though it has acted as a decision-making body in accreditations only since 2018, GAC has managed to establish a functioning ELIAS database and develop processes that enable it to make about 1000 decisions annually.

The panel has analysed the SAR with annexes, additional documents submitted by GAC and found on its website, and evidence provided during the site visit interviews, and concluded that GAC compliance with the ESG is as follows:

- Fully compliant with four ESGs: 3.2, 3.6, 2.1 and 2.6;
- Substantially compliant with seven ESGs: 3.1, 3.3, 3.7, 2.2, 2.3, 2.4 and 2.7;
- Partially compliant with three ESGs: 3.4, 3.5 and 2.5.

Overall, the panel has noted 8 examples of good practice and made 11 recommendations as well as 9 suggestions for improvement.

In light of the documentary and oral evidence considered by it, the ENQA review panel thinks that in the performance of its functions GAC is in compliance with the ESG.

INTRODUCTION

This report analyses the compliance of the German Accreditation Council (in German, Stiftung Akkreditierungsrat, GAC) with the *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)*. It is based on an external review conducted from June 2021 to March 2022.

According to the Terms of Reference of the review, the need for this review was defined in Article 15 of the Interstate Study Accreditation Treaty, which presents the basis of the German accreditation system: “*The accreditation system shall be evaluated on behalf of the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors’ Conference, in particular with respect to the organisational structure and work of the foundation as well as the other rules of procedure, regularly and at appropriate intervals, for the first time five years after this interstate treaty comes into effect.*” Taking Art. 15 into account, GAC wished to be reviewed as an organisation (“*in particular with respect to the organisational structure and work of the foundation*”), and on the other hand the review should consider that GAC is integrated in an “*accreditation system*”, consisting also of the 16 German states (Lands or “Länder”) laying down the criteria for accreditation, and of the agencies that provide the reports GAC decides upon. This review is aimed solely at checking the work of GAC against the ESG, and it cannot in itself constitute a full evaluation of the work of GAC which should, in the very least, include a much more comprehensive overview of stakeholders’ views. A broader evaluation of the work of GAC and the overall German accreditation system could, and in the eyes of the panel should, take place as part of a revision of regulations planned for 2022. Because the revision of the whole system is soon coming, this was a topic of discussion for all stakeholders during the site visit, and the panel has taken care to separate the comments on the system as a whole from the comments relevant for GAC itself and its compliance with the ESG.

BACKGROUND OF THE REVIEW AND OUTLINE OF THE REVIEW PROCESS

BACKGROUND OF THE REVIEW

ENQA’s regulations require all member agencies to undergo an external cyclical review, at least once every five years, in order to verify that they act in compliance with the ESG as adopted at the Yerevan ministerial conference of the Bologna Process in 2015.

GAC was an ENQA member between 2000 and 2018. In 2018 it decided to postpone the external review, and has since been an ENQA affiliate, now again applying for membership. As this is GAC’s fourth review, the panel is expected to provide clear evidence of results in all areas and to acknowledge progress from the previous review. The panel has adopted a developmental approach, as the *Guidelines for ENQA Agency Reviews* aim at constant enhancement of the agencies.

This review and the findings of the panel are also used towards GAC’s application to become listed in the European Quality Assurance Register for Higher Education (EQAR). For the complete terms of reference (ToR), please see Annex 2. For the glossary of terms used, please see Annex 3.

MAIN FINDINGS OF THE 2013 REVIEW

The last ENQA review of GAC took place in 2013, before the revision of ESG and before the thorough change in the operations of GAC and German QA system which took place between 2016 and 2018, when the current Interstate Study Accreditation Treaty came into effect.

The 2013 ENQA panel found GAC compliant with the 2005 ESG¹. It established substantial rather than full compliance regarding GAC independence and resources. Regarding independence, they found that the “*Council is faced with a difficult federal setup, but has all the same taken steps to disengage itself from dominant stakeholders.*” They primarily questioned the role of the representatives of the states’ ministries in the Accreditation Council, suggesting that it could be good to remove their voting rights, or replace them with experts (still appointed by the states) instead of direct representatives. Regarding resources, the panel found that “*the Council has made the most with the resources put at its service and can only plea for a better alignment between the Council’s endowment and its core role.*” They also added the following: “*A major limitation already criticised in the previous Review report five years ago was that the Council’s resources were only just sufficient to cope with its day-to-day operations. The panel finds that this situation still largely prevails, in spite of some modest recent increases. With the current level of resources it is difficult to see how the Accreditation Council could play in the future the central and proactive role in German external quality assurance that its position really calls for, or how the international aspects could be further strengthened and the German quality seal could be constructively promoted abroad. The Panel thinks that the forthcoming Review, in about five years from now, should pay particular attention to these issues.*”

The 2013 panel provided the following final recommendations:

- *To develop a real strategic plan for the Accreditation Council, with particular attention paid to the areas of system development and internationalisation.*
- *To carry out a careful evaluation of the development of system accreditation; such an evaluation should consider the multifaceted consequences of this development on the operations of the Council and the accreditation agencies, as well as on quality assurance and quality improvement at the various types of HEIs, with a view to striking a desirable balance between the two types of accreditation.*
- *The Council should consider the desirability of including doctoral studies in its portfolio and raise a discussion with regulating authorities about this.*
- *The Council should pay significantly more attention to its role, performance and impact beyond German borders, in particular with regard to the certification of non-German accreditation agencies, the international activities of German accreditation agencies and the visibility and value of the official German quality seal in the world.*
- *The Council should also consider reviewing a number of pending issues, in particular with respect to:*
 - *the desirable balance between generic and subject-specific standards and the linkage (or separation) of generic (academic) and professional accreditation;*
 - *the simplification and possible mainstreaming of the procedure for private HEIs and the guarantee of their equal treatment;*
 - *the necessary updating and desirable upgrading of the mission statement;*
 - *the adjustment of the name of the Foundation following the introduction of system accreditation;*
 - *the further development of the Foundation’s website and communications strategies in general.*

In addition to the passage of time since the last review, the revision of the ESGs and the range of changes in the German system since 2013 explain why the 2013 recommendations appeared to the current panel to be outdated to a large degree. Thus, the panel was only able to make some partial observations on the progress made with regard to the recommendations, focusing on those that seemed to be still relevant in the changed context.

¹ The 2013 review report is available on https://www.enqa.eu/wp-content/uploads/GAC_Review_Report2013_Final-31July2013.pdf.

REVIEW PROCESS

The 2021 external review of the German Accreditation Council was conducted in line with the process described in the *Guidelines for ENQA Agency Reviews* and in accordance with the timeline set out in the Terms of Reference. The panel for the external review of GAC was appointed by ENQA and composed of the following members:

- Oliver Vettori, HE Researcher and Dean of Accreditations and Quality Management, Vienna University of Economics and Business, Austria (Chair, EUA nominee)
- Durdica Dragojevic, Senior Expert Advisor in the Department for Higher Education, Ministry of Science and Education, Croatia (Secretary, ENQA nominee)
- Luut Kroes, Director, NVAO, The Netherlands (ENQA nominee)
- Beatriz Atienza Carbonell, Student in Political Science and Public Administration, National University of Distance Education, Spain (member of the European Students' Union Quality Assurance Student Experts Pool)

Mr. Goran Dakovic, Reviews Manager at ENQA Secretariat, acted as the review coordinator, with the support of Ms. Milja Homan, Project and Reviews Officer at ENQA Secretariat.

GAC produced a self-assessment report (SAR) that provided the basis for the panel's work. In addition to 10 Annexes, some of which were in German, it included links to an exceptionally large number of publicly available documents, some of which the panel found essential in performing the review process. In analysing the documents, the panel relied on language skills of its two German-speaking members, as well as machine translations.

Panel members received the SAR from GAC in June 2021 and immediately began to evaluate its contents against the ESG. The standard debriefing call took place in October 2021 and launched the written discussions of the panel regarding the SAR, the site visit and the need for additional documentation. The ENQA coordinator facilitated an online meeting in November 2021 where the panel was able to conclude the discussions which took place via email. The review panel's final preparation meeting took place on November 29th 2021. The panel conducted an online site visit to GAC from 30th November to 2nd December 2021, where it further examined the claims made in the self-assessment report, cross-checked evidence provided by the agency, and clarified the points at issue. Finally, the review panel produced the external review report based on the SAR and the linked documents and texts available on the GAC website, additional information and documentation provided by the agency upon the panel's request as listed in Annex 4, information collected during the online site visit, and other evidence (e.g., GAC website, previous external evaluation reports, external evaluation reports on the agencies in the German system). In doing so, the panel provided an opportunity for GAC to comment on the factual accuracy of the draft report. The review panel confirms that it was given access to all documents it wished to consult throughout the review process.

Self-assessment report

In the spring of 2021 GAC produced a very informative 93-page SAR, with, as noted, 10 annexes and numerous links to publicly available documents. According to the SAR (p. 7), the SAR was a joint project involving the GAC Board, the Accreditation Council, and the staff of the Head Office. GAC's management together with senior staff prepared the first draft based on an analysis of the evidence and an assessment of progress made since the last review. A working group of the Accreditation Council supported the editorial work. A first draft of the SAR was sent to the working group, the whole Accreditation Council, and the staff members in April 2021. At the end of April 2021, the working group met to discuss and revise the draft. The final draft was debated and adopted in the Accreditation Council on 23 June 2021. No external input, from stakeholders who are not members of the GAC bodies, was sought.

The panel found SAR very helpful regarding the overall setup of the German system, as well as GAC's claims for compliance to the ESG. However, the SAR was written in a very self-confident tone and included only a draft of a SWOT analysis, and thus the self-critical and analytical perspective was missing to a degree. For a more elaborate self-reflection of GAC's work, the panel thus also relied on the documents listed in SAR, especially the 2020 Interim Review.

Site visit

Due to the travel restrictions caused by COVID-19 pandemic, the review panel members agreed on having the site visit online. The site visit was conducted from November 30th to December 2nd 2021, in line with the visit schedule (Annex I). The visit schedule was drafted by GAC and agreed upon by the panel members. The panel was able to meet the majority of the internal stakeholders of the agency, including the chair of the Accreditation Council and the Board, GAC director and almost all members of GAC bodies and GAC staff. The members of the Accreditation Council and other GAC bodies are themselves representatives of GAC external stakeholders, so the panel was able to talk to them also from this perspective. Unfortunately, the stakeholder organisations which appoint members to GAC bodies were not, upon panel's request transmitted via GAC, able to send additional representatives to meet the panel. The panel was able to meet, as representatives of external stakeholders, representatives of other German agencies, experts who participated in procedures conducted by GAC, and HEIs which have undergone various types of accreditation procedures. All meeting participants were very eager to provide additional comments and explanations, and in the eyes of the panel, virtually all meeting discussions have been open, informative and succinct. The discussions in the meetings were triangulated with the SAR and the documentary evidence as provided by the agency in advance, which altogether allowed the panel to come to conclusions and judgements on the compliance as presented in this report.

The panel wishes to express its thanks to all involved parties that dedicated their time to meet with and help the panel to better understand the activities of GAC and the context within which it operates.

The staff of the agency demonstrated high professionalism during the entire review process and provided excellent assistance to the panel regarding all matters. At the end of the site visit, the panel held an internal meeting where it agreed on the preliminary conclusions on the level of compliance of GAC on each of the standards of Part 2 and 3 of the ESG. The panel secretary drafted the report in cooperation with the rest of the panel. Panel members discussed the findings and judgments in an additional online meeting held in January 2022. The draft report was submitted to GAC for fact checking in February 2022 and then finalised and sent to ENQA in March 2022.

HIGHER EDUCATION AND QUALITY ASSURANCE SYSTEM OF THE AGENCY

HIGHER EDUCATION SYSTEM

Due to the federal system in Germany, responsibility for education, including higher education, lies for the most part with the sixteen states (Lands). The Lands are responsible for the basic funding and organisation of institutions. Each state has its own higher education legislation. The Standing Conference of the Ministers of Education and Cultural Affairs of the Lands in the Federal Republic of Germany (*Kultusministerkonferenz – KMK*) is an important coordination body in that context.

The German Diploma Supplement template² classifies German higher education institutions (HEIs) as follows:

- *Universitäten* (universities) including various specialised institutions, offer the whole range of academic disciplines. In the German tradition, universities focus in particular on basic research so that advanced stages of study have mainly theoretical orientation and research-oriented components.

² https://www.hrk.de/fileadmin/redaktion/hrk/02-Dokumente/02-11-Mitglieder/Diploma_Supplement_englisch_2018.pdf

- *Fachhochschulen /Hochschulen für Angewandte Wissenschaften* (Universities of Applied Sciences) concentrate their study programmes in engineering and other technical disciplines, business-related studies, social work, and design areas. The common mission of applied research and development implies an application-oriented focus of studies, which includes integrated and supervised work assignments in industry, enterprises or other relevant institutions.
- *Kunst- and Musikhochschulen* (Universities of Art/Music) offer studies for artistic careers in fine arts, performing arts and music; in such fields as directing, production, writing in theatre, film, and other media; and in a variety of design areas, architecture, media and communication.

Higher Education Institutions are either state or state-recognised institutions. In their operations, including the organisation of studies and the designation and award of degrees, they are both subject to higher education legislation. According to various sources listed in the SAR (p. 9) and the German Rectors' Conference data³, there are currently 423 HEIs with about 2.9 million students and more than 700 thousand employees, out of which about 400 thousand are academic staff. 108 are universities, 211 are universities of applied sciences, 52 are universities of art/music and 52 belong to other categories (universities of public administration, universities of theology, often established and funded by churches, and universities of education in charge of teacher training). 116 of the HEIs are private, state-recognised institutions. About 90 per cent of all students are enrolled at public HEIs. In total, there were over 20,000 study programmes at HEIs in Germany in the winter semester 2020/2021. The most common university-level academic qualifications are Bachelor's degrees and Master's degrees. In addition, there are courses that lead to state-certified exams in some subject areas (e.g. medicine, law and, in some Lands, teacher education). A few degree programmes still lead to the pre-Bologna, long-cycle *Diploma* qualification. Doctorates are awarded for individual research and doctoral studies are not considered to be study programmes.

QUALITY ASSURANCE

As summarised in the SAR, the essential foundations for accreditation in the German HE system were laid in 1998: the Bundestag and Bundesrat passed the fourth amendment to the Higher Education Framework Act and abolished the compulsory development of framework examination regulations. In the same year, the KMK and the German Rectors' Conference (*Hochschulrektorenkonferenz – HRK*) passed fundamental resolutions on the introduction of an accreditation system. After a pilot phase, the basic structure of a decentralised system was fixed in 2002, valid for the next 15 years. In this system, GAC set out basic requirements for the accreditation procedure and certified and monitored independent agencies, while the agencies in turn carried out accreditation procedures and accredited study programmes. In 2007/08, in addition to programme accreditation, the system accreditation was introduced through which HEIs could acquire powers to self-accredit their own programmes; the first system accreditations were completed in 2011.

Due to a decision of the German Federal Constitutional Court in February 2016, which asked for a better legal basis and a strengthened role of the academia for the German accreditation system, the system has been reformed. The basis for the current system is the Interstate Treaty on the Organization of a Joint Accreditation System to Ensure the Quality of Teaching and Learning at German Higher Education Institutions (Interstate Treaty) by all 16 Lands which came into effect on January 1st 2018 and the corresponding Specimen Decree (issued by KMK on 7th December 2017 and known in German as MRVO – *Musterrechtsverordnung*). The Interstate Treaty serves as the basis for the corresponding decrees adopted by each Land. It provides HEIs with the main responsibility for

³ https://www.hrk.de/fileadmin/redaktion/hrk/02-Dokumente/02-06-Hochschulsystem/Statistik/2020-08-27_Statistikfaltblatt_Deutsch_2020_Hochschulen_in_Zahlen.pdf (in German)

teaching and learning, with each Land assuring the comparability of the qualifications awarded by its HEIs – the obligation which they delegate to GAC. The Treaty establishes three basic types of external QA procedures – programme accreditation, system accreditation, and alternative procedures accreditation, and sets their basic standards and principles. It also defines GAC organisation and functions. The Specimen Decree provides further details on the system; it establishes the formal and the academic criteria for the three procedures and provides the basic rules of procedure.

In the current system the standards are thus no longer set by GAC, but defined by the Land, i. e. the Interstate Treaty and the Specimen Decree. GAC is still able to issue supplementary resolutions ensuring consistency in applying the criteria and the procedural rules, as well as submit suggestions for decrees. The authority to take accreditation decisions has been transferred from agencies to GAC, which as a public body is authorised to issue accreditation decisions as administrative acts. The evaluation of agencies, which was previously carried out by GAC, has been transferred to EQAR. Currently there are 11 agencies operating in the German system, out of which 1 is Austrian, 1 is Belgian and 1 is Swiss; out of the 8 German ones, 7 were listed in EQAR at the time of the site visit and 1, AKAST, has been registered directly after the site visit. The change in the system is shown in the image⁴ below.

The agencies perform both programme and system accreditations, in line with the legal standards and, where applicable, GAC and HRK guidelines. GAC makes the formal decisions in all of the processes, and is currently involved in implementing the alternative procedures accreditations, with a view that the agencies could take over this task in the future.

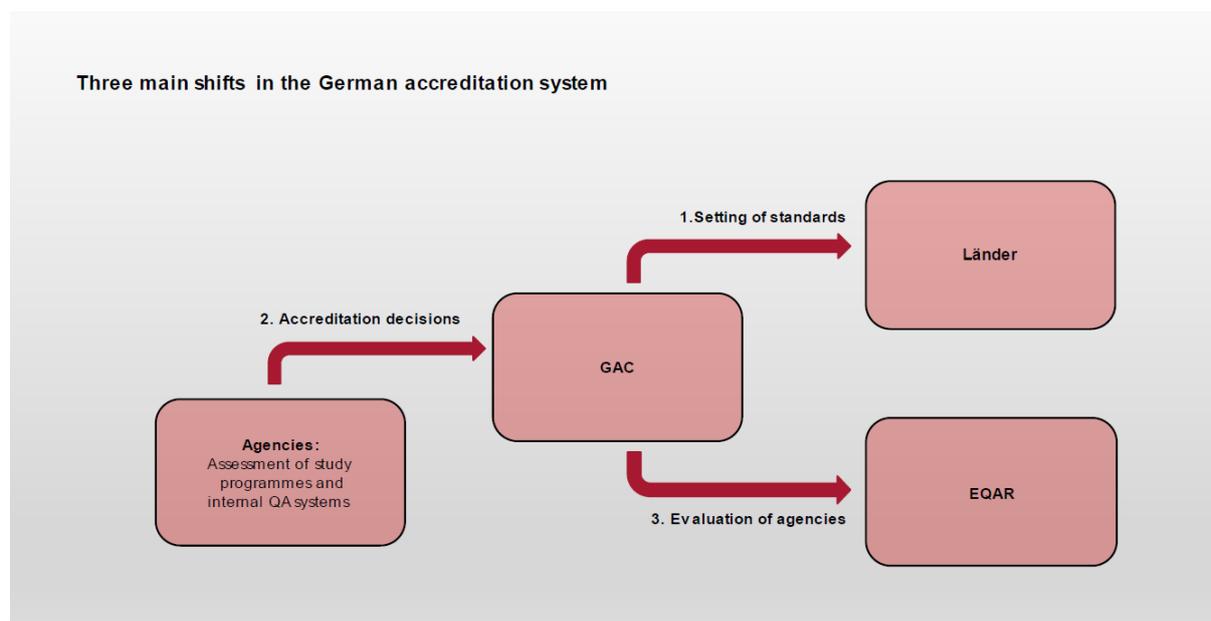


Image 1: the shifts in the German accreditation system

THE GERMAN ACCREDITATION COUNCIL

After establishing the German accreditation system through a pilot phase that started in 1998, and was fixed in 2002, the German Accreditation Council acquired legal capacity in 2005 with the North Rhine-Westphalian Law on the Establishment of a 'Foundation for the Accreditation of Study Programmes in Germany.' It became an ENQA member in 2000. As described above, in the 2005-2018 period GAC was in charge of accrediting agencies operating in the German system and setting accreditation standards for programme and, later, system accreditation. In the new system, GAC no

⁴ Source: GAC SAR

longer passes the accreditation standards but is in charge of the accreditation decisions, issuing them on the basis of the agency reports. The task of evaluating agencies operating in the German system has been transferred to EQAR. The new legal framework also changed the name of GAC so that it no longer refers specifically to the accreditation of study programmes. While the name was changed to 'Foundation Accreditation Council', in international contexts the foundation is referred to as the German Accreditation Council (GAC). The new legal framework in conjunction with GAC's new tasks made it necessary to revise its Statutes as well as the Rules of Procedure of the Accreditation Council and of the Foundation Council. The Statutes and Rules of Procedure entered into force at the end of 2018. Via its role in accreditation, GAC is thus an agency in the sense of the ESG. It is also a public institution with one of the central roles in an otherwise decentralised QA system.

GAC'S ORGANISATION/STRUCTURE

As defined by the Interstate Study Accreditation Treaty, supplemented by GAC Statutes where appropriate, GAC has three bodies: the Accreditation Council, the Foundation Council and the Board.

The **Accreditation Council (AC)** resolves all GAC's matters, so that in practice, GAC and Accreditation Council mostly coincide. The Council decides on the accreditation and re-accreditation of study programmes, internal quality assurance systems of HEIs and alternative procedures. The Accreditation Council has 23 members, as stipulated by the Interstate Accreditation Treaty:

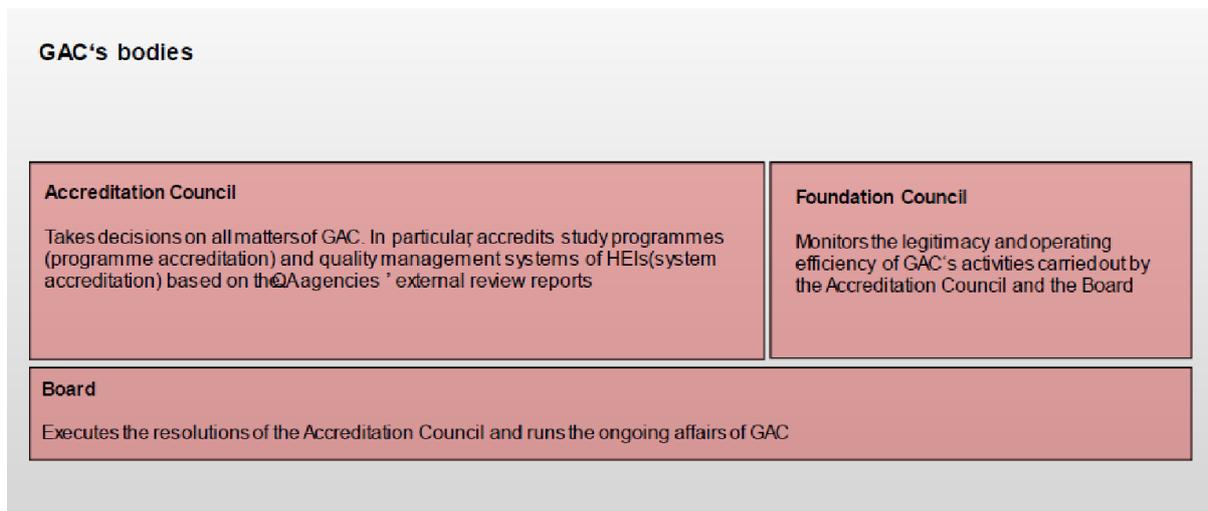
1. Eight professors from state or state-recognised HEIs in the Federal Republic of Germany who have to represent at least four groups of subjects from the humanities, social sciences, natural sciences and engineering sciences,
2. One representative of the German Rectors' Conference,
3. Four representatives of the states,
4. Five representatives from professional practice, one of whom is a representative of the state ministries responsible for service and collective bargaining law,
5. Two students,
6. Two foreign representatives with accreditation experience,
7. One representative of the agencies in an advisory capacity.

The members of the Accreditation Council are supplemented by substitute members and permanent guests, as defined by the GAC Statutes. In line with the legislation, the professors have the majority and their votes are counted double when deciding on the fulfilment of academic criteria.

The **Board** implements the resolutions of the Accreditation Council and conducts the current business of GAC, unless the Accreditation Council has reserved tasks for itself. Its members are the chairperson of the Accreditation Council, the deputy chairperson of the Accreditation Council and the managing director of GAC.

The **Foundation Council** monitors the lawfulness and economic efficiency of the management of the foundation's business by the AC and the Board. The Foundation Council consists of six representatives of the states and five representatives of the German Rectors' Conference.

Image 2: GAC bodies⁵



The work of the GAC bodies is supported by the **Head Office** in Bonn managed by the managing director and subject to instruction from the chairperson of the Board which is the chairperson of the Accreditation Council. The Head Office currently employs 15 people, with additional temporarily contracted staff.

In addition to this, in 2019 the Accreditation Council decided on a complaints procedure and thus established an external **commission to address complaints and appeals**. It consists of three external members: a professor, a student member and a member proposed by the agencies.

GAC'S FUNCTIONS, ACTIVITIES, PROCEDURES

According to the Interstate Accreditation Treaty, GAC ('the foundation' in the language of the Treaty) "serves to fulfil the following tasks:

1. The accreditation and re-accreditation of study programmes and internal quality assurance systems as well as other quality assurance procedures agreed with the accreditation council and the respective state (...) through the award of the foundation's seal.
2. It determines the requirements for the recognition of accreditations through foreign institutions, taking the developments in Europe into consideration.
3. It promotes international cooperation in the field of accreditation and quality assurance.
4. It reports to the states regularly on the development of the two-cycle study system and the quality enhancement within the scope of accreditation.
5. It authorises the agencies (...). As a requirement for the authorization the agency must prove that it is reliably able to exercise the tasks of the assessment and the preparation of the review report; this is refutably assumed for agencies that are listed in the EQAR.
6. It supports the states in the further development of the German quality assurance system and makes suggestions for the decrees (...)."

Regarding point 1, as summarised by the Terms of Reference for this review, GAC has a role in the following **quality assurance procedures**:

1. programme accreditation
2. system accreditation,
3. alternative procedures accreditation and
4. equivalency assessment (specifically for the German Jordanian University)

⁵ Source: GAC SAR, p. 20

All of the procedures are carried out in line with the Specimen Decree, and the formal and academic criteria for programmes as well as for HEIs' internal QA systems which it lays out. The accreditation cycle is eight years for all procedures.

The subject of **programme accreditation** are Bachelor's and Master's programmes of German HEIs. In general, all HE programmes in Germany are legally required to undergo initial accreditation before being delivered or, depending on the Land regulations, within the first few years of delivery. The accreditation period is eight years, and programmes have to be reaccredited within this period to continue. The procedure is led by the HEI – it commissions an agency to prepare the accreditation report, and then submits it to GAC (possibly with additional comments) along with the SAR. Programme accreditations can be organised as a cluster accreditation if programmes are similar. The agency independently chooses the expert panel to perform the accreditation, following the guidelines issued by HRK as well as the GAC guidelines for panels in cluster accreditations. The panel checks programme quality against the criteria from the Specimen Decree, using GAC templates and guidelines in the process. Upon receiving the submission, GAC first checks the report quality, potentially returning it to HEI for amendments. Once the report is deemed satisfactory, the Accreditation Council uses it as a basis for making the final decision. If programmes are accredited as a cluster, GAC still issues an individual decision for each programme. This is not merely a formal procedure – AC can deviate from the recommendations given in the report. If deviations are significant, GAC sends a preliminary decision to HEI which has a month to comment or submit additional evidence. Once the decision is made, GAC publishes it together with the review report. If any accreditation conditions are imposed, HEI has up to a year to implement improvements, and GAC is responsible for follow-up. Since 2019, GAC has taken between 500 and 1000 programme-accreditation decisions annually.

The **equivalency assessment** is so far a singular project for which only the contract has been concluded between GAC and the German Jordanian University (GJU). It stipulates that GJU will hire German agencies to assess its programmes, following the above described procedure of programme accreditation. In case of a positive decision, GAC will issue a certificate of equivalence which has no legal consequences. In case of a negative decision, GAC will suggest improvements. The reports will be published in the GAC ELIAS database.

The subject of **system accreditation** are HEI's internal QA systems. The procedure itself was launched in 2007, and so far about a hundred HEIs have been system-accredited, which is a slower uptake than originally expected. The procedure follows the same steps as the programme accreditation, with the difference that in addition to checking a sample of programmes according to the programme criteria, the panel also looks at the two criteria from the Specimen Decree that refer to quality of internal QM systems. If HEIs are system-accredited, and have thus demonstrated that they ensure that their programmes meet the programme quality standards, they receive the right to self-accredit new programmes with the GAC seal, and are obliged to submit the related quality reports to GAC for publication. HEIs are then obliged to undergo re-accreditation within an eight-year period. GAC issued less than 10 system-accreditation decisions annually in 2019 and 2020, with 14 issued in 2021.

The objective of the **alternative procedures accreditation** is similar to system accreditation – to confirm that the internal QMS of the institution (or a cluster of HEIs), is able to guarantee that all institutional programmes and processes meet the programme quality standards. The procedure also checks a sample of programmes and the internal system, but in addition to the Specimen Decree criteria, all three parts of the ESG are also checked directly. The implementation of the procedure is not defined by the Specimen Decree but by the Rules of Procedure⁶ issued by GAC. The HEI's

⁶<https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/Rules%20of%20Procedure%20for%20Alternative%20Accreditation%20Procedures.pdf>

alternative procedure itself needs to be pre-approved by state bodies. After that, HEIs and GAC enter an agreement which specifies the details of the accreditation procedure. The accreditation procedure has to be aligned with the ESG, but does not necessarily follow the standard structure of SAR submission followed by a single site visit and development of the report. After 6 years, a different evaluation body is meant to evaluate the procedure, and the HEIs remain subject to the eight-year accreditation cycle. An alternative design of quality management systems became a possibility in 2014, and the first four pilot accreditation procedures for such HEIs were launched in 2016 and completed in 2020. The 2018 regulations formally adopted the procedure, and two were started in 2020, with one completed so far. All procedures so far were implemented directly by GAC, with some participation of the agencies in advisory roles. GAC believes that after these first procedures, the work will be to some extent taken over by other bodies.

As for point 2 from the Interstate Treaty list of tasks, GAC adopts the decisions of the agencies outside its system when they are done according to the **European Approach for Quality Assurance of Joint Programmes**, for joint programmes involving German HEIs. In line with the Specimen Decree, this is done only for the programmes that award joint degrees – and not for joint programmes that award double or multiple degrees. The programme also needs to have an integrated curriculum, at least 25 percent completed at one or more foreign HEIs, and all characteristics specified in the European Approach, but does not have to meet the regular criteria from the Specimen Decree. When receiving the report, which has to be available in German, GAC checks if the procedure was done in line with the European Approach criteria and by an agency listed in EQAR, and if the report is sufficiently clear. If any conditions were imposed, GAC waits for these to be fulfilled. Then the decision is made by way of recognition of the assessment, and published in the database just like other programme accreditations. Since 2018, GAC has issued 8 decisions according to the European Approach. The decision-making has been delegated from AC to the Board.

As noted in point 5, GAC still performs the formal **authorisation of the agencies operating in the German system**, however, this is done only in the form of an exchange of notes for agencies listed in EQAR, and GAC no longer conducts procedures of agency evaluation. GAC has kept the power to authorise agencies that have been externally evaluated against the ESG but are not listed in EQAR, as well as to revoke the authorization in case the agency is no longer listed in EQAR or if it repeatedly fails to act in line with the German regulations.

GAC is not responsible for the third cycle, doctoral education, which in Germany is implemented as independent research and within the remit of other bodies. It is also not responsible for professional accreditation, however, some aspects of professional accreditation are built into the procedures for which GAC is responsible – in the case of teacher education, theological programmes, and all programmes that are supposed to provide access to a regulated profession.

GAC performs some **activities outside the scope of the ESG**. Primarily, as listed in points 4 and 6, it reports to the states regularly on the development of the two-cycle study system and the quality enhancement within the scope of accreditation. It also supports the states in the further development of the German quality assurance system, which includes suggesting decrees to be enacted.

Finally, point 3 lists as one of GAC roles the promotion of **international cooperation** in the field of quality assurance and accreditation. This is done through membership in international associations – GAC was an ENQA member from 2000 to 2018 and continues to be an affiliate. It is also a member of the global network of agencies, INQAAHE. In addition to cooperation through networks, it has cooperation agreements with the Japanese and Chilean national QA agencies, and is a member of the US CHEA International Quality Group. GAC participates regularly in international working groups, meetings and conferences, and its members participate in quality assurance activities abroad. GAC also implements international projects, however, it notes in the SAR that it is careful that these never

include accreditation procedures. It participated in an Erasmus+ funded project on cross-border cooperation in QA, QACHE, completed in 2016, as well as the recently completed EHEA peer support project focused on exchange of experience between countries. It has also been a partner in a Twinning project in Georgia aimed at supporting the development of Georgian qualifications framework and its quality assurance.

GAC'S FUNDING

In line with the Interstate Accreditation Treaty, GAC is funded jointly by the 16 states. In addition to this permanent funding, which is meant to provide 55% of the total as agreed by the states and the Rectors' Conference, it is entitled to charge accreditation fees from HEIs, which it has done since August 2018. The fees, paid by HEIs, include an annual fee as well as fees for individual procedures, and provide 45 percent of the GAC budget, which currently amounts to about 1.4 million euro.

FINDINGS: COMPLIANCE OF THE GERMAN ACCREDITATION COUNCIL (GAC) WITH THE STANDARDS AND GUIDELINES FOR QUALITY ASSURANCE IN THE EUROPEAN HIGHER EDUCATION AREA (ESG)

ESG PART 3: QUALITY ASSURANCE AGENCIES

ESG 3.1 ACTIVITIES, POLICY, AND PROCESSES FOR QUALITY ASSURANCE

Standard:

Agencies should undertake external quality assurance activities as defined in Part 2 of the ESG on a regular basis. They should have clear and explicit goals and objectives that are part of their publicly available mission statement. These should translate into the daily work of the agency. Agencies should ensure the involvement of stakeholders in their governance and work.

2013 review recommendation

“In the complex context in which the Council is operating, it would find high benefits from the development of a real strategic plan for the Accreditation Council, with particular attention paid to the areas of system development and internationalisation.”

Evidence

GAC functions and procedures after the 2018 change of the German QA system have been presented in the previous chapter. Even though the relevant regulations have all come into effect at the beginning of 2018 or before, ‘old’ **procedures** were still ongoing and GAC really started with the current type of work in 2019, as shown by the table.

Table 1: The number of procedures submitted to GAC in the past 4 years

Procedure	Number of submissions per year			
	2018	2019	2020	2021
Programme Accreditation	0	553	971	529 (as of June)
System Accreditation	0	1	8	8 (as of June)
Alternative Procedures Accreditation	0	0	4	1 (as of November)

In programme and system accreditation procedures, GAC was responsible for adoption of the report, decision-making and, in case of conditions imposed, follow-up. Within its regulatory role, GAC has issued guidelines on reporting for both agencies and system-accredited HEIs, with templates, as well as guidelines for composing panels in cluster programme accreditations. Alternative accreditations have all been implemented by GAC – in addition to the five completed, one, of a consortium of HEIs, was ongoing at the time of the site visit. The equivalency assessment, as noted, is a one-time project, and GAC has had no activity so far apart from entering an agreement with the involved HEI. The HEI is currently in the process of commissioning agencies, and it will submit the reports to GAC in due

time. In the same period, GAC has accepted a total of 7 decisions from accreditations conducted by EQAR-listed agencies in line with the European Approach for Quality Assurance of Joint Programmes.

The accreditation procedures are at the heart of the GAC's 2019 revised **mission statement**, as follows.

“The German Accreditation Council is a joint institution of the states for external quality assurance of teaching and learning in Germany. It fulfils the tasks assigned to it in the Interstate Study Accreditation Treaty and actively participates in the design and further development of goals and requirements of the accreditation system in Germany.

- The German Accreditation Council is committed to academic freedom and autonomy of higher education institutions and sees the primary responsibility for the quality of teaching and learning at higher education institutions.*
- It understands accreditation as a regular, external quality assurance process, which is carried out as a scientifically guided procedure with peer review and the participation of the relevant stakeholders.*
- It ensures that the accreditation procedures are carried out quickly, reliably, on time and transparently from the application to the decision of the Accreditation Council. In particular, the administrative work involved in submitting applications should be kept to a minimum for higher education institutions and agencies.*
- It acts in accordance with the European Standards and Guidelines (ESG) and the Interstate Study Accreditation Treaty as well as its implementation through corresponding decrees of the Länder.*
- It ensures that accreditation decisions are taken independently of third parties and that potential conflicts of interest are prevented by means of appropriate measures.*
- It promotes the dialogue between all actors involved in the accreditation system and works towards a trustful cooperation of all represented stakeholders.*
- It reflects on the implementation of its tasks and regularly evaluates the feedback from higher education institutions and agencies in order to use the results for an experience-based further development of the quality assurance system and the application procedures in accordance with its legal mandate.”*

During the site visit, the GAC staff and stakeholders all confirmed that accreditation was a clear priority in the daily work of GAC, taking precedence over other tasks, in line with the mission statement. The mission statement is further operationalised in the 2020 Interim Review, part of which documents GAC's **strategic planning**, mostly for the short term (2021/22). It again lists “Handling of the expected large wave of accreditation applications” as the key among the set three priorities. In order to implement this priority in a timely and efficient manner, without overtly burdening the HEIs, GAC lists a number of measures introduced. All procedures are administered via the ELIAS system, which has a number of supportive and communication functionalities, from submitting the reports by HEIs to AC voting and automatic report publication. Procedures are prioritised so that initial accreditations are usually done within 12 weeks (depending on the timing of the submission and the AC meeting), while the accreditation period is automatically prolonged for the duration of re-accreditation procedures on the basis of a GAC resolution. AC has also reorganised to improve efficiency, e.g. structuring the preparation of sessions with the support of ELIAS and GAC staff, delegating part of decisions to the Board, introducing rapporteurs, en-bloc voting and an internal commission to discuss issues. The regulations stipulate that the accreditation decisions need to be science-led and independent; to support this, GAC has adopted a Code of Conduct, and it was clear from site visit discussions that it was well known to members of AC and other bodies.

GAC's SAR also included a SWOT analysis which was described as a ‘snapshot’ of two meetings of GAC staff and the Board Chair, in 2019 and 2021, to be revised through discussions of the Accreditation Council.

The second GAC priority was set as a “systematic reflection of GAC's work”, meant to take place in a “reflection congress” with **stakeholders** in 2021, which however did not happen due to the

pandemic. SAR states that it was replaced by a 'Quality Dialogue' event focused on dual study programmes. GAC normally finds that stakeholders' views are well represented by the stakeholder representatives in the GAC bodies, which indeed represent the HEIs, the Rectors' Conference, the KMK, professional associations and ministries, the students and the agencies. As members of AC and other bodies, they actively participate in strategic planning and GAC reflection, primarily by providing feedback to documents drafted by GAC staff, as in the case of the Interim Review and the SAR. They are also able to draw AC attention to various issues and add issues as items of discussion for the AC sessions. Via formal communication and a survey built into the ELIAS database, GAC regularly collects feedback on the accreditation procedures from HEIs, and the panel was able to see samples of results of an ELIAS survey upon request. GAC representatives also regularly participate at events organised by HEIs, or organise joint events, such as the annual Quality Dialogue. Similarly, once a year GAC organises an AC meeting with the agencies from its system, and there are feedback meetings with individual agencies. At the site visit, the agency representatives reported the high quality of these meetings, but also their dissatisfaction with the number of opportunities to discuss issues with GAC. The agencies also saw the need to discuss the role of GAC in the system – if it was still the regulator of agencies, as it used to be, or not – as well as the merits of the whole system established in 2018. GAC representatives confirmed that the relationship with the agencies was a weak point, that more cooperation was needed at the staff level, and that more discussion was needed of the exact division of roles and responsibilities between the agencies and GAC in the new system.

The third priority was GAC evaluation in the European context, as fulfilled by this review.

Regarding GAC's **governance**, external stakeholders are represented in all GAC bodies. Primarily these are the academics, who are the majority in the AC, and are allowed double votes in line with the regulations. But, as discussed above, AC also has representatives of the states, students, professional organisations, and a non-voting agency representative. The representatives are appointed, depending on the group, by HRK or KMK. AC is the main GAC body and the Board is the operational body which, just like the Head Office, works following the directions from the AC. The Foundation Council is a supervisory body which, in line with the regulations and as explained by its members, does not participate in discussions of GAC QA activities – it is focused solely on assuring sufficient funding, and monitoring GAC so that it operates in line with the regulations.

GAC has very few **activities outside the ESG**, as it is a public foundation not involved in consultancy or commercial projects. Its advisory activities are limited to its public role – such as staff acting as Bologna experts, or participating in various pilot procedures. Its international activities and projects are limited to knowledge and experience exchange, and the staff have reported that they take care that these do not involve implementation of accreditation procedures.

Analysis

Already on the basis of the documents received, the panel had no doubts that GAC was regularly undertaking external QA activities based on Part 2 of the ESG. In the eyes of the panel, GAC's tasks in the accreditation procedures were also very well explained in the GAC mission statement, and it was clear how the objectives listed in the mission statement (which is extensive enough to be regarded as what other institutions might call their quality policy) were transferred to GAC's daily work. As discussed also under other standards, the focus of the staff is clearly on the timeliness of accreditation procedures and there are functional mechanisms aimed at ensuring that they are implemented in line with the documents and principles listed in the mission statement. The site visit meetings confirmed all of the above, and showed a broad satisfaction of HEIs with GAC's work and the openness of the accreditation procedures to HEI input.

What surprised the panel in the documents received from GAC was, first, the apparent lack of feedback from external stakeholders, even though it is listed as a priority in the mission statement. There is no doubt that all relevant stakeholders are represented in the GAC bodies, primarily the large Accreditation Council, which ensures that their voice is heard. The AC and other bodies were also involved in drafting GAC SAR, and discussed most other GAC evaluations. However, the panel is of the opinion that once a person becomes a member of an agency body, they lose part of their external perspective, and necessarily at least partly align with the culture and opinions already existing within the institution. During the site visit, it indeed became clear that a number of GAC body members have been long in the system or even participated in creating it, which has its benefits but also prevents them from having a critical distance. The panel was thus sorry that it was not able to meet more of the actual external representatives of e.g. students and professional organisations, as the respective organisations struggled to find people well acquainted with HE and QA issues who were not already involved with GAC in some way. Thus, the panel asked for additional evidence of stakeholder feedback. The evidence received however referred primarily to individual accreditation procedures, rather than the overall GAC evaluation in the scope of strategic planning. Judging from the input of the agencies as well as HEIs, everyone would benefit from more regular exercises such as the unfortunately postponed “reflection congress.”

GAC seems to be – in the view of different stakeholders as well as in parts of its own language and culture – entangled in search for a clear identity: is it still a system level regulator? A quality assurance agency? A public authority? Where does its ownership of quality assurance processes start and end? Especially, the discussions with the agencies showed that after the 2018 system change, doubts remain about the new system design, and the role of GAC within it is not yet firmly established. In the eyes of the panel, a complicating factor is also the fact that the design of the new system all but excluded the agencies from communication with GAC, as the whole communication around the accreditation procedure is formally done between GAC and the HEI undergoing the accreditation.

Furthermore, while the 2013 panel was critical of the lack of strategic planning and ambition in particular regarding the international role of GAC, this panel finds the same to be true of the role of GAC within the German system. GAC’s mission statement, for one, does not mention the fact that it is one of the very few central organisations in a large, decentralised system, or the role of GAC as a regulator in the QA system, aiming to ensure consistency. The mission statement is focused on the services GAC provides, rather than its ownership of the system and its responsibility for the outcomes. At the same time, GAC continues to behave as a regulator of agencies, and at least a part of the GAC staff and members are aware of the agencies’ dissatisfaction with this. The relationship is well described in the SAR: *“GAC is the one institution in the accreditation system that bears responsibility, directly or indirectly, on the accreditation of all Bachelor’s and Master’s study programmes in Germany. At the same time, however, its activity builds substantially on the preliminary work of the agencies.”* For the panel, this serves to further emphasise the need to involve the agencies, as well as other stakeholders, in a broad discussion of GAC’s role and strategy. Such an exercise would be timely in the context of the current revision of the Specimen Decree. It seems even more urgent in comparison with previous reviews which indicate that a lack of serious strategic planning could be a persistent issue. The plans to produce strategic documents or organise strategic meetings often seem to be postponed. A few of the ENQA reviews of German agencies similarly point to a lack of stakeholder involvement and/or strategic planning, and GAC would do well to serve as an example of improvement in this respect. It can be concluded from the Interim Review, as well on-site discussions, that GAC understands its strategy either as short-term planning, or a long-term positioning regarding the interpretation of accreditation criteria. From the panel’s perspective, it is time to develop a clear strategy describing the role GAC plans to assume in the system and stating its priorities in the midterm.

Panel recommendations

The panel invites GAC to urgently launch a reflection process regarding its role and future strategy, in collaboration with its key stakeholders and constituencies (and beyond the stakeholder representatives already involved in the agency), and to subsequently revisit its mission statement and strategic plans accordingly.

Panel commendations

The panel would like to commend GAC for the invested efforts that resulted in an admirable progress in implementing its activities after relatively recent changes.

The panel was also impressed by the GAC governance bodies, which appear well composed, with a wide array of stakeholder representatives involved, and apparently a smooth interplay of those actors, formally as well as informally.

Panel conclusion: substantially compliant

ESG 3.2 OFFICIAL STATUS

Standard:

Agencies should have an established legal basis and should be formally recognised as quality assurance agencies by competent public authorities.

Evidence

As noted above, according to the Interstate Accreditation Treaty, GAC is established as a foundation under North Rhine-Westphalian Law to which the states have discharged their tasks “*and thus fulfil their overall state responsibility in the higher education sector to guarantee the equivalence of corresponding study and examination results as well as qualifications and the possibility of transfer between higher education institutions.*” As a foundation, GAC is in line with German law as an independent legal person controlled by its bodies. While the strategic role of GAC in the German system was a point of discussion, as noted under 3.1, there was no question during the site visit of recognising GAC as the central official QA body in the German HE system. GAC has represented Germany in a number of EHEA working groups and bodies, and its status is recognised by international bodies such as INQAAHE.

While GAC authorises EQAR-listed agencies from other countries to operate in Germany, GAC itself has no interest in operating outside of German borders.

Analysis

GAC is established by the relevant German authorities and regulations as a central body in the decentralised German HE system, and as a foundation under the law of one of the states.

Regarding GAC’s role in international accreditation – the adoption of joint programme decisions, authorisation of non-German agencies, and the equivalency assessment – they all are activities aimed at the German system, whose outcomes have no bearing for other jurisdictions.

Panel conclusion: fully compliant

ESG 3.3 INDEPENDENCE

Standard:

Agencies should be independent and act autonomously. They should have full responsibility for their operations and the outcomes of those operations without third party influence.

2013 review recommendation

“The SER refers to the Accreditation Council’s “positive experience with the representation of all stakeholders, including those of the Länder”. The Panel found no reason, either in the SER or the interviews with Council members and other actors, to challenge this view. It suggests nonetheless that some additional measures might help fencing off the Council against scepticism in this respect:

- One possibility would be that Länder-nominated members become non-voting members, as suggested by the Council itself in its interim report of 2010;

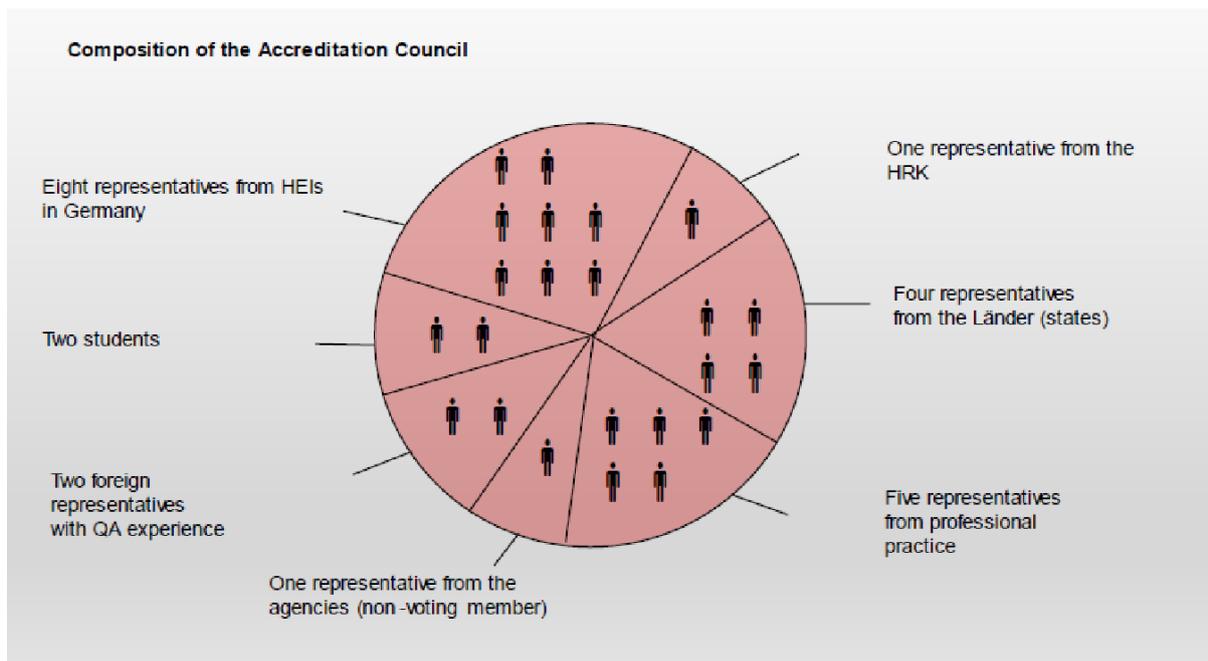
- Yet, there may be better ways, in particular through a clearer, more explicit differentiation between Länder and KMK representatives sitting on the Foundation Council, and Länder experts (or at least qualified persons) dealing with quality issues in higher education and sitting on the Accreditation Council.”

Evidence

As a foundation GAC is governed by its **Foundation Council** which oversees legal and financial issues, and consists of six representatives of KMK and five representatives of HRK, in proportion to the portion of funding provided by each of the two. As confirmed at the site visit and stated in the documents and regulations, the Foundation Council does not in any way participate in GAC quality assurance activity.

The **Accreditation Council** is the body that makes all decisions relevant to GAC quality assurance activities, delegating some of those to the GAC Board whose members are the AC chairperson and deputy chairperson and the GAC managing director. In line with the system-changing decision of the German Constitutional Court, the majority of AC members are academics. As explained in the SAR, the Interstate Treaty prescribes that eight professors are appointed for a four-year period by the KMK, at the suggestion of HRK. According to the Interstate Treaty and again in line with the Constitutional Court decision, the professors have double votes in accreditation decisions. The nomination criteria and process are described in the HRK documents, while their disciplinary and diversity of the institutions they come from is already prescribed by the Interstate Treaty. Additionally, HRK nominates its own as well as two student representatives, the latter upon suggestion from the student organisation, the German Student Accreditation Pool. The students the panel spoke to during the site visit confirmed that HRK always upholds their nominees. KMK nominates four Land representatives from education ministries, and one representative of state ministries responsible for service and collective bargaining. Those nominations are formally approved jointly by both KMK and HRK. Finally, they jointly appoint four representatives of professional practice, on suggestion of relevant organisations, and two foreign experts. The agencies appoint one representative in an advisory role. The composition is depicted in Image 3.

Image 37: composition of the Accreditation Council



The same procedures apply for deputy members. GAC Statutes also allow the AC chairperson to invite guests to AC sessions in an advisory role, or to appoint permanent guests, to whose appointment KMK and HRK have to agree. As highlighted by the 2013 ENQA Review, while this is not a formal rule, in practice KMK still appoints as state representatives, people who are currently working for the state ministries. Again in line with the Treaty, members of the Accreditation Council may be dismissed by the Foundation Council for good cause; this has not yet happened in practice.

All of the AC members have to abide by the **Code of Conduct** passed by the AC, which states that they act in their personal capacity, independently from third parties; this was confirmed by the members present at the site visit. The Code also obliges them to abstain from discussions and voting if they consider themselves partial, or in a conflict of interest, and maintain confidentiality. Finally, the Code prevents persons in any way related to the accreditation agencies and other organisations conducting assessment procedures, from being appointed as the voting members of the Council.

Once the states have adopted the regulations, and the above described appointment procedures are completed, the states and the stakeholder organisations do not interfere in **GAC operations**. Guidelines and decisions for accreditation procedures in which other agencies participate are passed by the AC, or delegated to the Board; the same is true of decisions regarding alternative procedures accreditation, in which GAC also defines the methodology and selects expert panels. The staffing and financial decisions are made by the managing director, with the Foundation Council pre-approving only the most crucial decisions, as explained at the site visit.

As discussed in detail under appropriate standards, in all system and programme accreditation procedures GAC makes **decisions on the basis of the reports coordinated by agencies** authorised to operate in the German system, along with accompanying documentation submitted by HEIs which can also include comments on the report. There is no formal interaction with these agencies, and AC can decide to deviate from the recommendations of the report through a pre-defined procedure which includes submitting the preliminary decision to the HEI for comments. The final decision is published along with the original report, and the sample of decisions that the panel looked

⁷ Source: SAR

at clearly describe the report conclusions and HEI comments, and provide arguments for any deviations. This is all in line with the regulations and the stated aims of the system change. At the site visit, HEIs reported satisfaction with this process, while agencies were dissatisfied with the perceived interference in their work for which they, and the review panels, are normally not consulted.

Analysis

Regarding the **organisational independence** of GAC, the panel is of the opinion that in the context of regulations that ask for the majority of academics in its decision-making AC, the balance of interests was successfully established. There are eight professors, HEI representatives, and two foreign academics; with one HRK representative, there are a total of 11 academic voting members in the GAC, not all of whom are appointed by HRK, and 11 'non-academics' (students, professional association and state representatives).

As did the 2013 review, the panel found it unusual in the EHEA context that the state representatives are people working directly for the ministries, rather than outside experts appointed by the ministries. As evidenced by the current AC composition and usual in ministries dealing with higher education, these are mostly people with advanced academic qualifications and some work experience in the higher education sector. The panel can also see the benefits of direct participation of ministry staff and officials – they are informed of the latest developments at the regional, but also at the European level, and are experts regarding the interpretation and application of potentially relevant regulations outside of the field of QA. At the same time, the panel concurs that it could be discussed if they needed voting rights, but does not see evidence of their participation being a threat to GAC independence either way.

Regarding the **operational independence** of GAC, it is only in the case of alternative accreditation procedures that GAC independently manages the whole process from the beginning to the end, and for the alternative accreditation procedures both GAC staff and the experts the AC appointed were highly appreciative of the cooperation with AC. However, in all other procedures GAC relies on the reports created by experts appointed by other agencies, and it was clear to the panel that the collaboration between GAC and the other agencies is in need of some clarity and relationship management. In the current system the roles and responsibilities are not defined in detail and are sometimes shifted from one actor to the other, leading to a situation where it is difficult to assess ESG compliance of any player in its entirety - in particular regarding follow-up (ESG 2.3), the selection of experts (ESG 2.4) criteria for outcomes (ESG 2.5) and reporting (ESG 2.6).

Regarding the **independence of formal outcomes**, it seems as a potential issue that the professors have double votes regarding accreditation decisions. The panel is of the opinion that this is balanced by the diversity of institutions represented in the HRK, the fact that all members act in their personal capacity, and the ability of other members to initiate discussions and call decisions into question. At the site visit, the members who are not professors did confirm that their voice was heard in the Council, and that they were able to participate on equal footing with other members. The panel is satisfied that the fact that the professors have a controlling stake in making decisions on the accreditation outcomes, does not endanger the independence of AC's decisions.

Panel recommendations:

GAC should get together with other agencies with the goal of clarifying responsibilities and procedures, not just in the light of the German Specimen Decree, but also with regard to the ESG. Establishing a regular dialogue where all institutions see eye to eye as partners in the system far beyond the annual "feedback meeting" will also be pivotal in the long run, as will be a clearer formal communication line regarding decisions.

Panel conclusion: substantially compliant

ESG 3.4 THEMATIC ANALYSIS

Standard:

Agencies should regularly publish reports that describe and analyse the general findings of their external quality assurance activities.

2013 review recommendation

The 2013 panel repeated the recommendation of the 2008 panel “*that the impact of system accreditation on higher education (both universities and non-university, public and private) is carefully monitored through empirical data and research supplementing declarations from governments and HEIs about its expected results and desirability*” and additionally recommended “*to carry out a careful evaluation of the development of system accreditation; such an evaluation should consider the multifaceted consequences of this development on the operations of the Council and the accreditation agencies, as well as on quality assurance and quality improvement at the various types of HEIs, with a view to striking a desirable balance between the two types of accreditation.*”

Evidence

In the 2015 Progress Report, GAC mentioned it was too early to analyse system accreditations as not enough procedures had taken place. As noted in the SAR and GAC website, GAC has published an analysis of joint programmes in 2015, and franchise cooperation in the German HE system in 2016. In 2018, they have published an analysis of a sample of system accreditations⁸, focusing on the design of the QM systems of accredited HEIs and the manner of application of selected criteria. In the document, desk research was supplemented with findings from a discussion with HEIs and agencies involved. In 2017, GAC started to focus on the conditions for accreditation, identified by the states in the Specimen Decree as a practice that should be discouraged. In 2018, they published a comprehensive analysis of the differences in imposing conditions between German agencies and the main issues they focused on. The work prompted GAC to employ a person qualified in this type of research. The analysis of the old QA system was compared to the conditions imposed by GAC in the new system in the GAC Interim Review, published in 2020. The Review also discussed the criteria to which the conditions most often refer to, and the AC practice in interpreting those criteria. GAC continues to work on the topic of conditions and plans to repeat the analysis on an annual basis.

Another continuing project is the further development of the ELIAS database which should, according to the SAR, enable GAC to check the validity and functionality of the categorisations developed for the first two analyses of conditions, as well as analyse specific topics in the German system and subsets of programmes or accreditations. System accreditation is noted as another important topic of future analyses, as well as the alternative procedures accreditation. The SAR notes that additional analyses would become possible in 2026, when the current accreditation cycle is completed. The Strategic Plan in the Interim Review notes that in 2022/23 the focus should be on GAC evaluation as well as the evaluation of the new German QA system. At the site visit, it was noted that work is ongoing on the analysis of causes for returning the review reports to agencies for improvement. As future topics of analysis, a quantitative analysis of dual study programmes was mentioned, as well as the analysis of the implementation of the Lisbon Recognition Convention, recognition of prior learning, and diploma supplements.

⁸https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/Bericht_themenbezogene_Stichprobe_Sytemakkreditierung_2017_01.pdf

It should also be noted that in a number of ENQA review reports German agencies express the opinion that GAC should produce the bulk of the thematic analyses in the German system, as it issues the final decisions and is also the only organisation that has an overview of the whole system. GAC also administers ELIAS, the German database of accredited programmes and institutions, which is used as a source for other databases, and to which GAC is continuously adding new data – it is currently working on publishing the decisions and reports issued before 2018.

Analysis

In considering the degree of implementation of this standard, the panel looked at GAC as a central body in a highly decentralised, diverse and large HE system, rather than a ‘regular’ QA agency. It is often expected of similar, national agencies to give additional focus to thematic analyses as an important source for policy-making. This seems especially important for the German QA system, which is constantly being changed and challenged, and has very recently gone through a major reform whose outcomes are still heatedly debated. Various stakeholders look to GAC as one of the few sources of nationally valid interpretations and guidelines, and its analytical activities should, in the eyes of the panel, reflect this role. In this perspective, the current publishing rate of one analytical paper per year seems insufficient. This is even more so when considering that half of the recent publications have dealt with the conditions imposed by the agencies and GAC – a topic obviously useful for GAC self-evaluation and informative for the stakeholders inasmuch as it provides guidelines for interpreting some criteria, but not necessarily a crucial topic in the development of the HE system. This is not to say that GAC should not focus on evaluating itself and the wider QA system, but rather that such activities are covered by other ESG standards (e.g. 2.2, 2.5 and 3.6).

The panel also noticed a lack of (strategic) planning in this regard. The plan described in the SAR does not only lack ambition (with the idea to leave most of the analysis for the period after the completion of the current cycle), it is also different from what GAC management has mentioned as plans during the site visit. It is commendable that the latter included a topic suggested by students as important – diploma supplements – but otherwise it is not clear if the topics are chosen on the basis of stakeholder input. According to the stakeholder comments during the site visit as well as both the 2008 and 2013 review, further work on analysing HEI’s QA systems and the outcomes of system accreditation seems especially pressing in this regard, yet there are no concrete plans for this. Furthermore, GAC implemented the 2013 recommendation only in 2017/18 and then only partially, by producing an analysis of a sample of system accreditations that focused on the manner in which the agencies assess the relevant criteria.

The fact that in spite of the general lack of staff, GAC decided to hire people with specific expertise in producing thematic analyses and analysing the ELIAS database does show that they take the analytical role seriously. However, as the current resource situation means that even these specialists can be overwhelmed with processing accreditation applications, GAC could consider outsourcing part of its analytical activities to specialised organisations and research groups, making use of Germany’s well developed higher education research sector.

Panel recommendations

GAC is recommended to strategically plan thematic analyses in consultation with the external stakeholders as soon as possible, rather than wait for the end of the accreditation cycle. In developing the new plan, GAC should consider the centrality of its role in the system for producing thematic analyses. The strategic plan should thus be more ambitious than is currently the case, both in the number of the analyses produced annually and the topics they cover.

Panel suggestions for further improvement

GAC might find it useful to outsource a part of the work on thematic analyses.

Panel conclusion: partially compliant

ESG 3.5 RESOURCES

Standard:

Agencies should have adequate and appropriate resources, both human and financial, to carry out their work.

2013 review recommendation

“A major limitation already criticised in the previous Review report five years ago was that the Council’s resources were only just sufficient to cope with its day-to-day operations. The panel finds that this situation still largely prevails, in spite of some modest recent increases. With the current level of resources it is difficult to see how the Accreditation Council could play in the future the central and proactive role in German external quality assurance that its position really calls for, or how the international aspects could be further strengthened and the German quality seal could be constructively promoted abroad. The Panel thinks that the forthcoming Review, in about five years from now, should pay particular attention to these issues.”

Evidence

As already noted, GAC functions and the scope of its responsibilities have significantly changed and increased since the 2013 review. GAC’s funding has since quadrupled, from 330.000 euro annually and 4 FTE staff, to 12 FTEs and 1.4 million euro. Two additional programme managers have been temporarily employed in 2021, with an option to prolong their contracts, and there is an academic assistant working 20 hours per month. The sources of funding were also balanced, by increasing fees paid by HEIs, from 80.000 euro in 2013 and 200.000 euro in 2016, to the current 700.000 euro or almost half of the total GAC budget (45% as agreed upon by the Lands HRK). The fees are a combination of annual fees defined by HEI size, and fees paid for each procedure. The rest (55%) comes from the states’ annual contribution. The largest increase in the budget took place in 2018, when the states tripled their annual contributions, which have since decreased. A very small portion is other, miscellaneous income. GAC is registered as a foundation and its funding is defined by regulations, leaving little room for various kinds of market-based activities which could support it in supplementing its income.

A portion of GAC income has been invested in the development of the Electronic Information and Application System, ELIAS. The system enables semi-automatic processing of accreditation applications all the way to the follow-up phase, enabling HEIs to submit documents and communicate with GAC, and GAC staff and AC members to prepare and issue decisions. ELIAS also contains the public database of accredited programmes and HEIs which is connected to other German (HE Compass) and European databases (DEQAR). Two of GAC staff work on ELIAS, supporting HEIs but also conducting analyses and working on the development of its functionalities. In total, GAC currently employs 12 programme managers, the managing director, three administrative assistants, one academic, and a secretary – a total of 12 FTE. They are employed as civil servants, and 1000-euro is earmarked for staff training connected to a workshop plan, in addition to participation in national and international conferences, meetings and working groups.

In 2020, GAC processed submissions for about 1000 programmes and 8 system accreditations, and it is expected that this number will increase in 2021 due to the backlog caused by the COVID-19 pandemic. The introduction of system accreditations has so far not decreased the number of applications for programme accreditations as expected in 2013. GAC staff are having to prioritise

among their numerous tasks, often giving priority to initial programme and system accreditations where they are trying to keep a self-imposed 12-week deadline, in which they are not always successful. For this reason, the re-accreditations and the analytical tasks are often postponed. Apart from the accreditation tasks, the staff are participating in GAC international activities which include Twinning projects and participation in various meetings and working groups. During the site visit, HEIs have also reported that in addition to their formal tasks, GAC staff are always open for additional informal consultations and meetings regarding HEI's applications. GAC is currently applying to the KMK for a significant increase in the number of staff, and the KMK members at the site visit were generally positive about this request. GAC management also mentioned that it has indications HRK would be willing to raise fees to match the increase in the KMK funding. At the same time, the members of the Foundation Council noted at the site visit that their wish is to prevent GAC from developing into a large administration, as this is not the direction towards which the system should be aiming. Another potential limitation is that the HEIs have been promised by the Interstate Treaty that the total fees in the new system would remain equal or decrease.

AC members typically meet 4 times a year but have to prepare well in advance and at least get acquainted with a vast volume of documents. The academics who act as rapporteurs, about 15 people, have an exceptional workload of preparing a total of more than 100 decisions for each session. They all do this voluntarily and in addition to their regular full-time jobs. At the site visit, they praised the support received by GAC staff in this work, as well as the usefulness of the ELIAS system. External stakeholders, both HEIs and agencies, at the site visit expressed doubts if AC was able to cope with such a large number of programme-oriented decisions. Already in 2013 there was hope that the system accreditations would decrease the workload imposed by the numerous programme accreditations. However, at the site visit some HEI representatives also expressed the view that there were reasons to keep the programme accreditation – they see it as an objective, external procedure, and believe that any decrease in the agency and GAC workload brought about by introducing system accreditation would also be connected to an increase in the workload of the HEIs. Similarly, GAC notes in the SAR (p. 64) that *“an open question is how the equivalence of the procedures across the system-accredited HEIs and to the study programmes accredited by way of external programme accreditation can be guaranteed.”*

Analysis

The need to increase GAC resources has been a constant topic in GAC ENQA evaluations, pointed out in 2008 and highlighted again in 2013 as an issue to be monitored by future panels. GAC funding has indeed increased and it is obvious from the substantial, albeit one-time, increase in 2018 that the states understood that the changed role of GAC would require additional resources, human as well as IT support. In spite of all this, the situation with GAC resources has not actually improved. Just like was the case in 2013, GAC staff only manage to perform their basic, everyday tasks which for the QA staff involve processing accreditation applications and decisions. In this they are supported by the AC, who put much emphasis on the timeliness and efficiency of their work. However, the AC members themselves have an exceptionally large workload, especially the academic members who serve as rapporteurs for more than 100 decisions per meeting – while all of the members still need to at least get acquainted with the relevant documents before voting. The AC members are also doing this work voluntarily and in addition to their regular full-time work. Thus, the staff and the AC members are left with very little time for critical additional tasks, including self-reflection, analysis, training, development of guidelines and GAC communication channels, and personal development which includes international activities. The system seems to run on the commendable motivation and devotion of everyone involved, which is not sustainable in a longer term. The lack of resources seems to force GAC to put undue focus on rationalising procedures and improving efficiency. This panel's assessment of GAC compliance on a number of other ESG standards, including 3.4 and 2.5, is no doubt partly a reflection of this lack of resources, primarily human resources.

GAC has been given the role of a central body in an otherwise decentralised system, and it performs important services to HEIs, states and agencies. To be able to perform its role well, it critically needs additional staff and a permanent increase in resources in the following period, as seems to be well understood by the GAC management. It is the hope of the panel that they will be successful in achieving this goal.

Panel commendations

The panel wishes to commend GAC on the impressive commitment and dedication of the staff and Council members.

Panel recommendations

If GAC is to fulfil its tasks in the following period -which include handling an increased number of accreditations and self-reflection as well as an evaluation of the wider German QA system - it urgently needs a substantial increase in human resources.

The organisation of the work of the Accreditation Council should also be reconsidered – some suggestions include increasing the number of potential rapporteurs (e.g. by involving students) and the frequency of meetings.

Panel conclusion: partially compliant

ESG 3.6 INTERNAL QUALITY ASSURANCE AND PROFESSIONAL CONDUCT

Standard:

Agencies should have in place processes for internal quality assurance related to defining, assuring and enhancing the quality and integrity of their activities.

Evidence

GAC quality management is based on a 2019 resolution adopted by the Accreditation Council⁹. As the goals of the quality management system, it lists those set by the ESG and GAC mission statement, including the timeliness, reliability, transparency and independence of procedures, adherence to regulations, and promoting dialogue between all the actors involved. The resolution also states that GAC will seek feedback from applicants in all of its procedures, including all types of accreditations, requests for substantial changes, request for extension of accreditation periods, applications for approval of a cluster composition, and decisions of the Appeals and Complaints Commission. The feedback – which should be collected through the ELIAS system, as well as various meetings and working groups GAC members participate in – is according to the resolution analysed by the Head Office and then, depending on the subject, analysed and the required changes implemented by the Office staff, the Board or the Accreditation Council. In addition to preventing conflicts of interests as defined by the Interstate Treaty and the Specimen Decree, GAC has also developed a Code of Conduct for AC members.

In 2020, GAC issued its first Quality Report, which was annexed to the SAR. The Report describes in more detail the way in which GAC QMS is implementing the PDCA cycle. It lists the above goals in the “Plan” section. As the core operation processes in the “Do” phase it identifies the use and

⁹https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/Quality%20Management%20in%20the%20German%20Accreditation%20Council_PM_AR_69-2019_0.pdf

development of the ELIAS system, communication with all stakeholders, and creation of internal and external process descriptions and orientation aids. The aids – such as the publication of FAQs – are themselves based on the stakeholder demand. The ‘Check’ phase activities encompasses collecting feedback via the questionnaires, annual Quality Dialogue with HEIs, annual joint conference with the agencies, annual one-on-one meetings with the agencies on accreditation topics, and regular communication with stakeholders via website, a newsletter and a Twitter account. In practice, there is also regular communication with accredited HEIs via letters they submit to GAC along with the accreditation reports and their responses to GAC decisions, as well as via informal meetings. The ‘Act’ phase encompasses implementing steps defined at staff monthly meetings and Jours Fixes and meetings of the Board and the Accreditation Council. While no examples are provided in the Quality Report, during the site visit, the panel has heard examples of changes implemented based on stakeholder feedback: changes in the ELIAS system, additional focus on teaching hours in dual programmes, better scrutiny of diploma supplements, etc.

Not all of the plans have been implemented in practice – the SAR cites the pandemic and the volume of applications as the main reasons for this. The ELIAS system has only recently been upgraded with the questionnaire tools, and the panel was able to see the results of a questionnaire for HEIs which have gone through recent accreditation procedures. The upgrade of the system is ongoing, and the first results should be published in the 2021 Quality Report. GAC staff also organise annual training in using the system for HEIs as well as AC members. The communication tools have all been set up, and the website upgraded. Two Quality Dialogues with HEIs took place, the first focusing on continuing education and the second on dual programmes – the panel received materials from both. GAC staff also regularly participate in Exchange Forums organised by system accredited HEIs. In March 2020 and again in March 2021, all agencies participated in open sessions of the Accreditation Council, discussing the GAC Interim Review on the first, and drafting assessment reports on the second. Depending on the availability of the agencies, the Office staff held one-on-one talks with about four agencies per year. Finally, FAQs are published regularly, the process descriptions have been developed for accreditation procedures, and the development of Programme Accreditation Handbook is ongoing. Jours Fixes on programme accreditation are held before every AC meeting.

At the site visit, the panel heard a number of positive comments by the newly employed staff members on the 4-week on-boarding process which includes appointment of a mentor, scheduled discussions with specific colleagues, the availability of all colleagues for additional comments and explanations, and a feedback session at the end. The process descriptions and the Handbook are developed to formalise this form of support. In addition to this, the staff are able to participate in agency site visits, meetings and working groups within the country as well as internationally. As GAC has a policy of employing experienced staff with specific expertise, there is less need for formal training. However, there is a small budget of 1000 euro earmarked for this purpose and a plan of workshops, and the panel learned at the site visit of plans to increase it. The staff at the site visit noted the availability of development opportunities, but also expressed their hopes for hiring additional staff and decreasing workload so that they could use them more extensively. While there is no formal training provided for them apart from induction by Office staff and the materials available in ELIAS, informal support by colleagues and staff was also praised by the new AC members.

The only procedure GAC conducts in full, the alternative procedures accreditation, is meant to provide room for experimentation, and thus has an extensive planning phase, including HEIs and outside agencies, continued cooperation with GAC throughout the accreditation period, as well as an external evaluation at the end of the accreditation period as part of the process. As noted, only one procedure was implemented at the time of the site visit, with three more ongoing. The HEIs at the site visit were very positive about the professionalism of GAC staff and their availability for comments and questions, and confirmed that the procedure was being implemented with the aim of mutual learning.

Analysis

The panel was impressed with the importance GAC gives to internal quality assurance, and the awareness of internal stakeholders that the checks and balances introduced by the internal QMS are key for guaranteeing the fulfilment of GAC tasks and mission statement. The informal mechanism seems to work particularly well in this regard. The staff and the AC members have all been selected thanks to their relevant experience and are committed and engaged. There is an overall willingness to share knowledge and opinions, and to take extra time and invest additional effort into getting a point across. While this was the main and apparently well-functioning mechanism of staff induction, the panel also appreciated the formal training opportunities offered and the plans to develop them.

The openness and reflectiveness of the external stakeholders at the site visit indicate that in general there is an atmosphere of dialogue with plenty of room for constructive criticism and objective feedback. In the eyes of the panel, all of this demonstrates GAC's commitment to quality and developing a quality culture. GAC staff and management are also well aware of the relevance of safeguarding the existing system with formal mechanisms, and they have developed the relevant documents and set up concrete plans, with clear indicators of goal achievement. The relevant documents were issued in 2019, after the implementation of the changes in the accreditation system, and thus the formal mechanisms developed so far have been functioning since 2020. The panel can thus only recommend GAC to continue with the implementation of the QMS as they envisaged.

At the same time, the panel has indicated several specific issues in which formal QA instruments are lacking and feedback loops should be improved – these have been discussed under appropriate standards.

Panel commendations

The ELIAS, even though it is still work in progress and even though it is very resource-intensive – is a great IT support system, enabling GAC to automate some of the chores (e.g., publishing reports, feedback) and functioning as the system's main memory core with regard to reports and decisions.

Panel conclusion: fully compliant

ESG 3.7 CYCLICAL EXTERNAL REVIEW OF AGENCIES

Standard:

Agencies should undergo an external review at least once every five years in order to demonstrate their compliance with the ESG.

Evidence

GAC was an ENQA member between 2000 and 2018 and externally evaluated in 2001, 2008 and 2013. In 2018, after the system change, GAC postponed the external review and let its membership expire, thus becoming an ENQA affiliate. SAR explains that this was done in order to avoid combining the timing of the reform with self-evaluation and review. Instead, they decided to apply for both EQAR and ENQA once the system has settled, and they have gained some experience in implementing it. At the site visit, GAC management confirmed that this was a much-debated issue. In the end they decided it would be good to combine the timing of the review with the overall evaluation of the accreditation system.

Analysis

The panel understands the GAC arguments in favour of waiting for some implementation to take place before applying for external evaluation. The panel also observed relative leniency that exists in the German system towards HEIs wishing to extend the accreditation if valid arguments are offered. At the same time, the panel would like to note that the system is not completely new, as already in the old system GAC had some oversight over agencies' reports and decisions, and the current accreditation procedures all already existed in a very similar form. GAC itself has kept most of its management and staff throughout the system change.

The panel finally agreed that the agencies should not be encouraged to stay out of ENQA (and EQAR), even in the case of substantial changes to their operations and system reforms – all cases for which appropriate extension measures already exist. With hindsight, it does seem that if GAC had gone through an external review at an earlier time, it would have had an opportunity to build trust from the very outset, implement some of the needed changes and use this time to focus on its role in the evaluation of the German system.

Panel recommendations

In the future, GAC should focus on the continuity of ENQA membership, as it has done in the less recent past.

Panel conclusion: substantially compliant

ESG PART 2: EXTERNAL QUALITY ASSURANCE

ESG 2.1 CONSIDERATION OF INTERNAL QUALITY ASSURANCE

Standard:

External quality assurance should address the effectiveness of the internal quality assurance processes described in Part I of the ESG.

Evidence

One of the primary principles behind the recent change of the German QA system was the need to strengthen the role of the academia – HEIs as well as the academic staff. The Interstate Accreditation Treaty thus starts by stating that “Assuring and enhancing the quality of teaching and learning is the primary responsibility of higher education institutions”¹⁰. GAC procedures are defined so that they centre around HEIs, which apply for programme or system accreditation to GAC, commission a QA agency to review them, and then submit the review report to GAC. The alternative procedures accreditation is meant to take the institutional practises as the starting point in defining the procedure itself; to give an example, in one such procedure the review panel participated as external experts in regular quality feedback workshops for students.

The Interstate Treaty defines as the formal criteria to check the quality of study programmes, their structure, duration and profiles of study, admission requirements and student transitions, qualifications, modularisation, mobility and the credit points system, as well as measures to recognise outcomes achieved outside higher education. Among the academic criteria, it lists qualification goals,

¹⁰ Article I; the Treaty available in English on https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/161208_Studienakkreditierungsstaatsvertrag_mit%20Begruendung_Englisch.pdf

programme coherence, equality and academic success measures, and the concept of quality management and the measures through which it is implemented. The formal and academic criteria are then further defined and specified in the Specimen Decree¹¹.

All of the QA procedures GAC participates in – the programme accreditation, system accreditation and alternative procedure as well as the equivalency assessment – use as criteria the formal and academic standards from the Specimen Decree. In addition to this, in the alternative procedure accreditation the ESG parts 1 to 3 are used directly. All three parts of the ESG are used in the procedure as it is aimed at HEIs that develop alternative models of quality assurance, both internal and external. The latter is done in cooperation with agencies and other bodies, and could in the future replace the current model of external evaluation as implemented by GAC. Members of the Accreditation Council also noted during the site visit that when the Specimen Decree is not sufficiently detailed, any open questions are interpreted with the help of the ESG standards on which it is meant to be based on, as noted in the Substantiation of the Interstate Treaty.

GAC developed report templates to ensure that there is an evidence-based discussion of each standard. During the site visit, the agencies' representatives commented that the 'check each keyword' approach behind the templates was burdensome and not always necessary. A HEI representative noted that especially in programme accreditations there is a danger of passing solely on the basis of knowing the bureaucratic demands and language well. A member of the AC with international experience confirmed that the German system was precise in comparison to others, but also commented that the AC has been taking a broader view, emphasising trust.

The GAC SAR includes the table below, in which sections of the Specimen Decree (§) are listed according to the ESG part 1 standard to which they refer to. A more detailed version of the same table, with links to the Decree text and subsections listed, was annexed to the SAR.

¹¹ Available on https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/171207_Musterrechtsverordnung_Englisch.pdf

Table 1: Correspondence of the Specimen Decree criteria to the ESG part I¹²

	Programme accreditation and equivalency assessments	System accreditation	Accreditation of alternative procedures
ESG 1.1	§ 14	§ 14; § 17	§ 14; § 17; ESG 1.1 ¹⁰²
ESG 1.2	§§ 6,8,11,12,13	§§ 6,8,11,12,13; § 17	§§ 6,8,11,12,13; § 17; ESG 1.2
ESG 1.3	§§ 12,15	§§ 12,15; § 17	§§ 12,15; § 17; ESG 1.3
ESG 1.4	§§ 5,6,12,14	§§ 5,6,12,14; § 17	§§ 5,6,12,14; § 17; ESG 1.4
ESG 1.5	§ 12	§ 12; § 17	§ 12; § 17; ESG 1.5
ESG 1.6	§§ 12,15	§§ 12,15; § 17	§§ 12,15; § 17; ESG 1.6
ESG 1.7	§ 14	§ 14; § 18	§ 14; § 18; ESG 1.7
ESG 1.8	Publication of examination regulations which contain information on study programmes is obligatory according to the higher education acts of the German states	Publication of examination regulations which contain information on study programmes is obligatory according to the higher education acts of the German states; § 18	Publication of examination regulations which contain information on study programmes is obligatory according to the higher education acts of the German states; § 18; ESG 1.8
ESG 1.9	§ 14	§ 14; §§ 17 and 18	§ 14, §§ 17 and 18; ESG 1.9
ESG 1.10	§ 26: Period of validity for the accreditation	§ 26: Period of validity for the accreditation	§ 34 Abs. 5: Period of validity for the accreditation

The panel was able to compare this table to the criteria in the Specimen Decree¹³ as well as refer to the analyses done in recent (published in 2021) ENQA reviews of the agencies in the German system, which use the same criteria. In addition to the reports available in the public ELIAS database¹⁴ the panel was also able to check a sample of documents from programme, system and alternative procedure accreditations which also included HEIs' SARs and the correspondence between GAC and HEI (all submitted by GAC in German). GAC also performed an analysis of the criteria in relation to which it most often imposed conditions, published in its Interim Review.¹⁵ These were the criteria

¹² Source: SAR, p. 56.

¹³ Available on https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/171207_Musterrechtsverordnung_Englisch.pdf

¹⁴ <https://antrag.akkreditierungsrat.de/>

¹⁵ Available on https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/interim_review_2020.pdf.

related to teaching staff, student success, and programme specificities (such as dual, international or online programmes). Throughout the document, GAC emphasises that any performance indicator needs to be interpreted in the context and means little by itself; that while there is a need to consolidate the interpretations, each case needs to be looked at individually; and that the basic principle was “*allowing higher education institutions maximum latitude in the means of implementation.*” The same document elaborates on the GAC’s aim to give additional focus to quality development. The measures taken so far include the establishment of a quality award, and introduction of a dedicated rubric in review reports.

During the site visit, apart from the representatives in GAC bodies, the panel was able to discuss the relation of the procedures to the ESG part I with HEIs participating in the alternative procedure, system and programme accreditation, as well as reviewers from the alternative procedure accreditation. It was confirmed that all 3 parts of the ESG were listed for discussion in the SAR specifications for the alternative procedure accreditations, and then in the report templates – however, with a note by an institution that the latter might have been more elaborate. Regarding the degree in which institutions are autonomous in interpreting the recommendations received, an example was provided of an institution that disagreed on the need to employ additional teaching staff, imposed by the AC as a condition. They were able to provide their counterarguments to the AC, through the procedure in which institutions receive preliminary notification of the AC decision, and the AC changed the condition.

Any ‘substantial changes’ in the programmes need to be reported to GAC –previously they were reported to the agencies - and first such reports have only started coming in. According to the GAC staff, the procedure is being implemented in ELIAS. On the basis of current experience, for 90% of reports they establish that the change is within the existing regulations, and only 10% are forwarded to the Board, which is just building its decision-making practice. Opening a new programme location was mentioned as an example of a substantial change for which they would ask for additional information.

Analysis

The panel started the analysis by comparing the table submitted by GAC to the text of the Specimen Decree. This analysis confirmed that the majority of the ESG part I are ‘covered’ by the Specimen Decree criteria. The remaining open issues were identified as the degree in which the ESG I.1 is actually checked in programme accreditation; the degree to which assessment is student-centred; the criteria for admission to bachelor programmes; the use of the Lisbon Recognition Convention outside the joint programmes, and the degree to which information on HEIs is made public. Checking the supplementary materials – the HEI SARs, the correspondence between HEIs and GAC, agency reports and the resulting GAC decisions – led the panel to the conclusion that the ESG part I are fully encompassed by the Specimen Decree criteria and the way the agencies and GAC take them into account, as follows.

ESG I.1: it is understood as a bare minimum in programme accreditation that institutions involve students and graduates in regular monitoring and updating of each study programme, and that each institution has ‘teaching principles’ which are reflected in its programmes and QA procedures. The QA systems and processes are further checked in system or alternative procedures accreditation.

ESG I.2: the criteria clearly define the programme goals and profiles, as well as the qualifications they can lead to; the manner of involving students to programme monitoring and cooperating with ‘non-university institutions’ from the professional practice; modularisation and crediting; student progression and programme specifics, such as those for dual or joint programmes. Related formal and academic criteria are often a subject of conditions. In the system and alternative procedures accreditations, the focus is on the process connected to programme approval and development. The

sampled programme accreditation reports are quite detailed in this regard and check all the aspects listed also in the light of the ESG standard.

ESG 1.3: there is a lot of focus in the criteria on adapting workload and the programme to individual student needs, explicitly noting disadvantaged and employed students, as well as those who change programmes of study. In the programme accreditation reports, the focus is on how easy it is for students to navigate the programme, including examinations, and have their needs met. In the system and alternative accreditation, there is a lot of emphasis on student representation and active student involvement at all levels.

ESG 1.4: the criteria for student progression and certification seem to be very detailed, and recognition is checked in line with the Lisbon Recognition Convention. Recognition of prior learning, including professional experience and lifelong learning, seem to be guaranteed.

ESG 1.5: the criteria have specific provisions for staff at different types of institutions, and the reports look at their profile as well as development opportunities and institutional planning of human resources. As noted, in its decisions, AC often prescribed conditions related to teaching staff.

ESG 1.6: the criteria contain provisions on learning resources and student services which are checked in the reports. Changes brought about by online teaching had to be notified by HEIs to the AC (this obligation was suspended for about a year at the peak of the pandemic).

ESG 1.7: the institutions collect a number of indicators connected to learning resources and students' satisfaction and academic success; as noted, these are among the main areas of concern for AC, as shown by the number of related conditions imposed.

ESG 1.8: publicity of information is part of the legislation of each state rather than the Specimen Decree, and thus the panel was not able to check the criteria directly. However, all reports check if the information provided to prospective students was correct, and those in system and alternative procedures accreditations discuss this criterion in more detail.

ESG 1.9: the degree in which the programmes are adapted to student feedback, success indicators and changes in the profession and the discipline are all part of the criteria and discussed in the reports. Any 'substantial changes' in the programmes also need to be reported to GAC.

ESG 1.10: all institutions in the German system are obliged by the Specimen Decree to undergo an accreditation once in 8 years. While the accreditation is defined as expiring after the 8-year period, it is possible to prolong it in specific cases, e.g., when applying for a system accreditation for the first time. It also follows from the general principles of the administrative law that it is possible to terminate an accreditation procedure for specific reasons – which in effect can mean pausing it for up to a year to implement changes in order to avoid losing an accreditation. GAC takes special care that no programmes or institutions lose accreditation due to system changes or its organisation of work. While the reports contain rubrics for listing any developments since the last accreditation, it is the impression of the panel, supported by the agencies and HEIs met at the site visit, that this aspect should be more elaborated and more prominent.

As follows from the above elaboration, the system is aimed at checking the criteria and assuring compliance in some detail. During the site visit words like 'precise,' 'bureaucratic' and 'formal' were used to describe the system. Especially the HRK representatives and documents often mention the need to make the system "more focused on the ESG" by which they mean, apparently, the need to make the system more IQA, rather than EQA-driven. The introduction of the first system, and now alternative procedures accreditation, were planned as steps in that direction. However, it seems that system accreditation has not fully delivered in this regard, as a number of institutions develop their systems specifically to meet its demands, with lots of policy copying and borrowing, and most

institutions simply introducing a version of programme accreditation as implemented by the agencies. It remains to be seen if the alternative procedures accreditation will be more successful in encouraging diversity in the development and design of IQA – as commented elsewhere, it does so far seem to be a sufficiently flexible procedure for such a purpose, while it does continue to perform ‘regular’ programme accreditation on a sample. At the same time, HEI comments at the site visit also show that some are happy with the current system precisely because it is predictable and does not require too much institutional innovation or effort, and the work of GAC seems to enable such a position.

Panel commendation

The panel would like to commend GAC on introducing measures to increase focus on quality development.

Panel suggestions for further improvement

The national legal framework dominates the entire system as the main point of reference for everyone. The panel would like to strongly encourage GAC to make use of the revision of the Specimen Decree to strengthen alignment with the ESG Part I even further, taking the case of the alternative procedure accreditation as an example.

In its communication with HEIs (as well as agencies), GAC could put added emphasis on the role of HEIs in designing their IQA systems as they see fit, rather than to meet the criteria, and encourage experimentation and innovation also outside the ‘alternative procedures’.

Furthermore, in consultation with HEIs and agencies in the system GAC can look for ways to make institutional developments and good practises more prominent in the review reports and beyond.

Panel conclusion: fully compliant

ESG 2.2 DESIGNING METHODOLOGIES FIT FOR PURPOSE

Standard:

External quality assurance should be defined and designed specifically to ensure its fitness to achieve the aims and objectives set for it, while taking into account relevant regulations. Stakeholders should be involved in its design and continuous improvement.

Evidence

The 2016 Constitutional Court decision explicitly requires that the accreditation criteria, procedure and organisation of accreditation are defined by the states¹⁶. The system and programme accreditation procedures are fully defined by the regulations – the Interstate Treaty and the Specimen Decree – and thus not determined by GAC. The same is true of the joint programme accreditation. The relevant regulations are explicitly based on the ESG and interpreted in line with the ESG, as indicated in the procedural documents and reported by the stakeholders during the site visit. In the equivalency assessment, the HEI has agreed via a contract to undergo a procedure that mimics the programme accreditation, as its purpose is to show equivalency of programme quality. GAC is allowed by the regulations to issue interpretations and detailed guidelines in the form of various decisions or ‘supplementary resolutions’. So far, it has issued several decisions regarding the prolongation of

¹⁶ See

https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/2016/02/Is20160217_1bvl000810en.html;jsessionid=04E6CF9A53F3E1EB37505B7DD8928828.2_cid377, paragraph 67

accreditation deadlines, conduct of GAC body members, as well as guidelines for system accredited HEIs. The agencies, which implement the procedures along with GAC, are not allowed to modify or interpret them.

The alternative procedures accreditation is the only procedure which is mostly (but not fully) defined by GAC Rules of Procedure and in which GAC acts as an agency from the beginning to the end of the procedure. Before the site visit, the panel had difficulty understanding the design of the alternative procedures' accreditation. It asked and received documents from a sample of procedures, from the contract and statements of the involved HEIs and states, to the SAR and the final report (where available). This was an important line of questioning during the site visit. GAC staff explained that the Rules of the Procedure are closely followed, and the details are discussed and then agreed in the contract with HEI, with state approval. GAC staff are closely cooperating with HEIs, but it is the independent experts that ultimately assess the merits of the alternative procedures, in line with the Specimen Decree criteria as well as all three parts of the ESG. The procedure itself was developed in consultations with stakeholders which also included four pilot procedures and external evaluations. The stakeholders on the site visit agreed that this procedure placed additional burden on the institutions, which have to invest time and resources into developing the alternative procedure, and then proving to the authorities and GAC that it should be accredited and agreeing on the specific accreditation methodology. However, they also agreed that the investment seemed worthwhile as they could all witness the development of the quality culture it brought about, and the involved GAC staff and HEIs expressed particular enthusiasm about the procedure. The experts who participated in the procedures agreed that they were impressed by the level of student and teacher involvement they witnessed at the site visits.

In an effort to further support HEIs in developing quality, GAC has introduced a Prize for Quality Development. The prize has been awarded twice so far, in 2020 and 2021. It is awarded on the basis of published criteria that, among other things, look at innovativeness, student-centeredness, and the critical approach to development. The institutions can apply themselves, or be nominated by the AC, and the winner is chosen among a couple of finalists; according to the GAC website, 440 accreditation submissions were included in the last competition.

Analysis

As noted in the discussion of operational independence (ESG 3.3), *“in the current system the roles and responsibilities are not defined in detail and are sometimes shifted from one actor to the other, leading to a situation where it is difficult to assess ESG compliance of any player in its entirety - in particular regarding follow-up (ESG 2.3), the selection of experts (ESG 2.4), criteria for outcomes (ESG 2.5) and reporting (ESG 2.6).”* It is the impression of the panel that the Constitutional Court ruling and the manner in which it was implemented led to a situation in which no one is fully responsible for the design of any methodology. With the regulations defining the procedures and GAC and the agencies implementing them, it remains unclear where the ownership of quality assurance processes starts and ends. In the eyes of the panel, it would be the role of GAC to start a discussion of this issue and use the opportunity of the coming amendments to the Specimen Decree to define its role and thus help clarify the roles of other actors and their individual responsibilities.

It has been mentioned that one of the purposes set for the reform of the German QA system was to increase HEI's responsibility and flexibility towards HEIs. To the expert panel, the introduction of the alternative procedures' accreditation seems to be an important step in this direction. The regulations prescribe that it must check all the programme and system accreditation criteria and the ESG, thus ensuring that, just like system accreditation, it still performs a number of programme accreditations (and it is thus no wonder that the same methodology is then copied by the HEIs, as discussed under 2.1). However, even though the alternative procedures accreditation has pre-set criteria and broad

steps which still include programme accreditation on a sample, it is for the most part designed by GAC and its Rules of Procedure, and the exact methodology of each procedure is set in cooperation with the HEI, which is a commendable exercise. What seems to be missing so far is a clear plan for the roll-out of the procedure from GAC to other agencies in the system. The purpose of putting focus on quality development is also well emphasised by the connected prize.

The panel would also like to note that while joint programmes accreditation was not discussed during the site visit, the wish to encourage internationalisation of the German system was voiced a number of times. In that context, it would seem wise to broaden the definition of joint programmes to also include those that result in double and multiple degrees and think of other ways to encourage internationalisation from a QA perspective.

Panel commendations

The first alternative procedures look very promising, and the panel appreciates the balancing act GAC is undertaking by trying to keep the HEI's innovative momentum while also aiming for a robust process.

Panel recommendations

The panel believes that as the central body in the German system, GAC should start a reflection process on the ownership of processes and their methodologies in collaboration with its key stakeholders and constituencies (and beyond the stakeholder representatives already involved in the agency). One of the outcomes of the process can be a revision of its mission statement and quality policy.

Panel suggestions for further improvement

The panel suggests GAC to develop a clear plan for the way in which the agencies would take over the implementation of the alternative procedures' accreditation.

Panel conclusion: substantially compliant

ESG 2.3 IMPLEMENTING PROCESSES

Standard:

External quality assurance processes should be reliable, useful, pre-defined, implemented consistently and published. They include:

- a self-assessment or equivalent
- an external assessment normally including a site visit
- a report resulting from the external assessment
- a consistent follow-up

Evidence

In programme and system accreditation, the process starts with the development of a self-assessment by the HEI. In drafting the report, HEIs follow specifications from the Specimen Decree, and are also able to use the guidelines provided by GAC for review reports by agencies and system accredited HEIs. The SAR is submitted to the accrediting agency, which appoints the peer panel, conducts a site visit and creates the review report. The Specimen Decree allows for an accreditation without a site visit for initial programme accreditations or reaccreditations, but GAC SAR reports that this option

is rarely used. During the pandemic, online site visits have been considered sufficient, as noted in the SAR, in line with the EQAR guidelines, and the HEIs present at the site visit confirmed that this was successfully organised. The review report is submitted to the HEI, which comments on factual inaccuracies. This part of the accreditation procedures is fully implemented by other agencies in the German system.

Once the review report is complete, the HEI uses the ELIAS application system to submit the SAR and the report with annexes, possibly accompanied with a letter commenting on the report, to GAC. After checking the completeness of the report, GAC proceeds with making a decision. In case it deviates from the panel's assessment, it will submit it to HEI for comments as a preliminary decision. If the decision includes imposing accreditation conditions, there will be a follow-up – usually after one year, the HEI will have to prove in a document-based procedure that it met the conditions. If no conditions are imposed, and once they are met, there is no other form of follow-up. If the programme or the institution changes substantially within the 8-year period of accreditation, they report this to GAC. This second part of the accreditation procedure is fully implemented by GAC, without any participation of the accrediting agency.

As specified by the contract with GAC, the same procedure will be followed in the GJU equivalency assessment. The same steps are also included in the alternative procedures' accreditation, in line with the GAC Rules of Procedure¹⁷. In addition to these steps, before even starting the alternative procedures accreditation, HEI will have to submit a relatively extensive document describing its alternative procedure, evidence of involvement of external experts, etc., for consent by the relevant authority and GAC that the accreditation can be launched. If it does not delegate the procedure, as it has not so far, GAC will also organise the peer panel (of experts external to GAC) to conduct the site visit (or visits) and complete the review report. Once the decision is made, AC will start monitoring the implementation of the alternative procedure – either directly or delegating this task to GAC staff or another competent body. After 6 years, an independent evaluation of the alternative procedure will be organised. If the results of monitoring and the evaluation are positive, GAC will approve the continuation of the alternative procedure accreditation. The panel was worried that participation in monitoring will make AC biased in future decision-making but was reassured at the site visit that monitoring only starts once the accreditation is complete. Additionally, most future accreditations would be done by bodies other than GAC.

All agencies authorised by GAC to implement accreditations in the German system are also by law listed in EQAR. There was one exception, AKASt, the agency specialised in accrediting canonical study programmes, which was completing its partial review against the ESG standards as part of its EQAR application at the time of the site visit, and was successfully listed in EQAR during the drafting of this report. External review reports of these agencies confirm compliance with this ESG standard. It can be concluded from the reports that there is some confusion around follow-up in programme accreditation, as it is currently only implemented by GAC, and only in the case of conditions. Several panels have encouraged the agencies to develop their own follow-up measures in addition to what GAC does. During the site visit, the GAC staff confirmed that monitoring HEIs between two system or programme accreditations was not in GAC mandate, and that HEIs were solely responsible for upholding quality and reporting changes in this period. While the situation is formally the same with the system accredited HEIs, they do undergo some kind of follow-up when submitting reports on their newly accredited programmes to GAC.

¹⁷<https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/Rules%20of%20Procedure%20for%20Alternative%20Accreditation%20Procedures.pdf>

Analysis

Regarding the first part of the accreditation procedure in system and programme accreditations, as well as the equivalency assessment, the panel looked at the review reports on the agencies that implement it and found compliance in this regard. No issues were indicated at the site visit meetings. Thus, the panel can only repeat what is stated in the SAR (p. 63): *“The agencies act as partners of GAC in the sense of Interpretation 23 of the EQAR document Use and Interpretation of the ESG for the European Register of Quality Assurance Agencies. As the agencies authorised by the Accreditation Council are listed in EQAR, their ESG-compliance can be assumed. The experts regularly confirm that the agencies accredited by the Accreditation Council carry out their procedures in compliance with the ESG.”* At the time of the site visit, the exception was the agency AKAST, specialised for canonical study programmes, but it has become listed in EQAR directly after the site visit. The cooperation between GAC and agencies regarding the training and appointment of peer panels, interpretation of criteria and drafting review reports is discussed under the relevant standards.

The second part of the procedure – from receiving the review report until the application to the next accreditation, is in system and programme accreditations managed solely by GAC. The follow-up is performed only if there are accreditation conditions imposed, to check on the basis of the documents if they have been met, normally within a year after the accreditation procedure. As noted, the conditions often seem to relate to formalities, or very detailed aspects of the programme and/or system design, and rarely seem to be connected with major issues of quality development. If no conditions are imposed, no follow-up is performed. The panel is satisfied that GAC meets the EQAR interpretation of this criterion, as it conducts follow-up – albeit quite formal - when conditions are imposed. However, the panel agrees with other ENQA panels working in the German system that this is insufficient, especially concerning the long accreditation cycle of 8 years with possibilities of extension. It is an additional worry that GAC considers follow-up – apart from checking the fulfilment of conditions - not to be part of its mandate and does not really see it as an important aspect of the accreditation procedure.

GAC does have a form of monitoring HEIs after accreditation, through obligatory notification of substantial changes and, for system accredited HEIs, submission of programme quality reports. However, the procedure of reporting substantial changes is so far only in the beginning stages and not very transparent to HEIs, which thus tend to over-report changes that are not considered substantial by GAC. The system accredited HEIs also have issues with meeting the GAC requirements in submitting reports, and in both areas GAC has invested some efforts to provide them with guidelines and templates. Neither of the two procedures can, in the eyes of the panel, be considered as follow-up as expected by this standard.

Regarding the alternative procedure accreditation, the panel was satisfied that in all its various versions GAC met this standard. The interaction of the external peer panel and HEI differs from the usual but always includes at least one site visit. After the decision is made, the follow-up includes continuous monitoring of institutional procedures by GAC and, after six years, an evaluation by a separate body. The procedure itself is not fully pre-defined by the Rules of Procedure, but it is defined in detail during the application approval phase, which the panel finds is fit for the purpose of increased flexibility. However, with so few procedures reaching the follow-up phase, this is still a kind of a policy experiment in the early phases of implementation.

Panel recommendations

The panel recommends GAC to consult all of its stakeholders – agencies, states, HEIs, students and professional organisations, on the need to implement additional follow-up measures, and the forms in which they could be implemented. On the basis of such a consultation, GAC can agree with the agencies on the division of tasks.

Panel conclusion: substantially compliant

ESG 2.4 PEER-REVIEW EXPERTS

Standard:

External quality assurance should be carried out by groups of external experts that include (a) student member(s).

Evidence

The Interstate Treaty specifies that accreditations must be implemented by external experts, the majority of whom are academics. The Specimen Decree further specifies that in programme accreditations, the panels are composed of 2 academics, a student and a representative of professional practice. In system accreditation, the composition is the same but there are at least 3 academics per panel. The Decree also specifies that the majority of panel members need to have previous experience in accreditation and defines conflicts of interest. The composition of expert panels is further specified by the guidelines passed by the Rectors' Conference. Both the Binding HRK Guidelines, and their elaboration – the Non-binding HRK Guidelines – are publicly available and have been annexed to the SAR. The Guidelines further specify that also first-time experts have to be added to the panels, and that a diversity of backgrounds needs to be assured. They recommend including international experts, as well as additional members of the profession if relevant for the accreditation. International experts are members of GAC bodies and participate in GAC as well as procedures of other German agencies; primarily these are experts from other German-speaking countries. The procedure specified by the Guidelines starts with the HEI proposing the necessary disciplinary expertise in the panel. The agency then proposes a panel, with HEI allowed to comment if any conflicts of interest, as defined by the Specimen Decree and the Guidelines, are present. From the SAR and the site visit, the panel learned that in addition to the HRK guidelines, the German Student Accreditation Pool and the professional unions and associations also have their own guidelines on how to select experts whom they propose to panels on request by the agencies.

The regulations do not specify expert selection in the alternative procedures' accreditation or equivalency assessment. In the latter, rules for programme accreditation will be applied directly, as will all other aspects of the programme accreditation procedure, as specified in the contract with GAC. For alternative procedures accreditation, when designing the Rules of Procedure, GAC applied the provisions from the regulations for system accreditation. The HRK Guidelines are followed in each case.

GAC does not have a formal role in commenting on the composition of expert panels of other German agencies. The HRK Guidelines did expect that GAC would form a clearing house for any disputes between the HEIs and agencies regarding panel composition, but, as explained during the site visit, it was in the end concluded by HRK that such a body was unnecessary and was thus never formed. In addition to defining expert selection for alternative accreditations procedures, GAC has also issued Guidelines for Composing Panels in Cluster Accreditations, to supplement the HRK Guidelines in this specific case. Even though GAC is in principle not involved in panel composition, the SAR notes that there have been cases in which a report was returned to the agency for amendments with a comment that the panel did not sufficiently reflect the programme subject orientation. At the site visit, GAC management reported that training of experts was a point of discussion with the agencies, as the academics often try to avoid training, and there is a danger that there will not be a sufficient number of trained experts in the German system in the future. This is partly corroborated by the comments

of the international experts - who all considered the German system as robust, but also particularly regulated and detailed – as well as the local experts, who saw alternative procedures accreditation as an opportunity to move away from the very formal programme and system accreditation procedures.

The alternative procedures accreditation is currently the only procedure in which GAC participates directly and thus is also responsible for appointing panel members. Thus, the panel was able to meet experts participating in the alternative procedures' accreditation at the site visit. According to what was said at the meeting, the academic members and those coming from the agencies have been handpicked by the AC thanks to their previous cooperation and accreditation experience. The professional and student members were picked by their associations in line with the regular procedure which also includes training. They all signed the non-conflict of interest statements. Once selected, they received a two-hour briefing by GAC on the regulations and the procedure. This was followed by a meeting in which they had the opportunity to study the HEI SAR and start implementing the procedure. All of the experts confirmed that this was sufficient to remove their initial confusion with the new procedure. The HEIs participating in alternative accreditations reported satisfaction with the panels.

Analysis

The HRK guidelines and the German regulations are in the eyes of the panel well aligned with the ESG, and it is commendable that they emphasise the need for diversity and international representation in expert panels. The manner in which GAC applies those guidelines to alternative procedures accreditation seems satisfactory to the panel, and there was no criticism of the process during the site visit, while it should be borne in mind that this procedure is only in the early phases of the implementation, with only 5 completed in total. There are however potential issues in the division of roles between GAC and the agencies regarding the selection and training of experts in programme and system accreditation.

As discussed further under 2.5. and 2.7, GAC could be antagonising agencies and experts with overturning their recommendations without consultations, as is illustrated by the fact that the only formal complaint GAC has ever received was submitted by an expert. It is especially worrying that GAC has in rare cases returned the reports to agencies for improvement asking for an improved composition of the panel, as at the same time GAC does not consider itself responsible for panel composition nor assumes a role in advising agencies or HEIs on that issue – apart from providing formal guidelines for cluster panel composition. And even though expert training is not considered to be within the GAC mandate, a number of issues GAC does deal with, such as the content of the reports and the alignment of the recommendations with the regulations, are directly connected to expert training. GAC has recognized this and had some discussion with the agencies on the topic, but it has yet to conclude such discussion with a clear division of roles and responsibilities and adjust its decision-making process accordingly.

The panel is worried that all of the above could further contribute to the prospect of decreasing availability of experts in the future. There is an overall impression that the participation in QA procedures requires a level of commitment, and that it was necessary to keep it interesting for the participants in spite of the high degree of regulation. This, together with the need for training, could be one reason for which the agencies could struggle to find available experts. Considering that the overall aim of all stakeholders is to improve the developmental aspect of the system – which requires creative, responsible and innovative experts participating in it – GAC should be more careful in this regard.

Panel commendations

The panel was impressed by the German Student Accreditation Pool method of training interested students in order for them to be added to the expert pool, and then appointing them via public calls.

Panel recommendations

GAC should address its worries about the lack of interest of experts to participate in accreditations primarily by discussing the matter with the agencies and supporting them in coming up with new ways of attracting experts and keeping them committed and interested in this type of work.

Closer cooperation with the agencies and a clarification of their separate roles should also ensure that any issues regarding the selection of experts are prevented, rather than addressed by GAC *post hoc*.

Panel conclusion: substantially compliant

ESG 2.5 CRITERIA FOR OUTCOMES

Standard:

Any outcomes or judgements made as the result of external quality assurance should be based on explicit and published criteria that are applied consistently, irrespective of whether the process leads to a formal decision.

Evidence

As explained in the SAR, the formal and academic criteria as well as the main procedural rules for the accreditation processes are roughly outlined in the Interstate Study Accreditation Treaty and then spelled out in full in the Specimen Decree. Both sets of criteria are applied to all types of accreditation with alternative procedures accreditation using the ESG as an additional set of criteria. In line with the European Approach for Quality Assurance of Joint Programmes, those programmes that lead to a joint degree are exempt from these criteria by the Specimen Decree (§10 and 16), and only need to adhere to the criteria from the European Approach. In system accreditation and alternative procedure accreditation leading to self-accreditation rights for programmes, the assessment is multi-level: the internal QA system is assessed for fulfilling the criteria (§17 and 18 which apply specifically to the systems), along with a sample of study programmes.

The formal criteria (Part 2 of the Specimen Decree) relate to issues such as the Bologna three cycle structure, awarding a correct number of ECTS and issuing the correct qualification; the fulfilment of these is checked by agency staff using a template provided by GAC. The academic criteria (Part 3) are checked by a panel of experts and reported on (again using the template provided by GAC). They are meant to be based on ESG part I, and it was noted by GAC that the ESG serves as a basis for their interpretation. As a challenge in applying the criteria, the SAR (p.72) notes the need *“to examine formal as well as academic criteria with equal weight. In its assessment of accreditation applications, GAC must avoid focusing too much on formalities, because these may be easier to be checked in a file-based review. However, compliance with formal criteria is the prerequisite for good programme quality.”*

While before 2018 GAC had the role of setting the criteria for the whole system following the guidelines set by the states, the current legislation allows only the states to do so, and GAC is not allowed to define any criteria in addition to those in the Specimen Decree but is allowed to issue guidelines and interpretations. This is not without difficulties, as stated in the SAR (pp. 72-73): *“The necessity associated with this requirement to pay attention to a high degree of general validity when formulating*

the criteria leads almost inevitably to a comparatively broad scope of interpretation of the individual criteria. As has been shown in recent years, there is a continuing need on one hand for measures which ensure the consistent application of criteria and on the other hand, for information on the Accreditation Council's decision-making practice by HEIs and agencies. In addition, when the number of applications is high, as is currently the case, ensuring consistent decisions is more difficult but also more important.” In the discussions with the AC, it was emphasised that they decided not to issue any guidelines or interpretations at the very beginning (“*formulate a strategy*” in their words), but instead wait for the practice to develop and formulate interpretations at a later date. At the site visit, agencies confirmed that the interpretation was not always clear – more so for the system accreditation, as a relatively novel procedure, than for programme accreditations. Alternative procedures accreditation has been implemented in only a few cases so the consistency cannot be commented on, but the involved HEIs were mostly satisfied with the clarity of criteria, with just one comment that the ESG received less peer attention than expected.

The 2018 system change introduced not only GAC as the single decision-making body, but also standardised regulations across the German states. HEIs at the site visit noted that these changes brought about increased consistency of decision-making. In a statement submitted by GAC, HRK also listed centralisation of decision-making as a positive change: “*by shifting the accreditation decision to the GAC - as a single institution instead of multiple agencies - the adjudication practice has become more consistent.*” An analysis conducted in 2018¹⁸ by GAC looked at the consistency of decisions on accreditation conditions in the old system and indeed found large variation between the agencies – depending on the agency, the percentage of programmes accredited without conditions varied between 5% and 40%. The increased consistency is also the main benefit of centralisation in the eyes of AC members, as mentioned a number of times both in the SAR and during the site visit. While assuming that the centralisation itself would bring about increased consistency, GAC also introduced a number of measures to achieve this objective, as follows.

For one, GAC issued several supplementary decisions complementing the regulations. It regularly publishes new items in the FAQ section of its website dealing with interpretation of criteria. Continued attention has been given to monitoring practice in setting accreditation conditions – the ELIAS system was upgraded for this purpose, and results of a preliminary analysis can be found in the GAC 2020 Interim Review.¹⁹ The Review established that the variation between agencies has decreased, as well as the overall number of conditions, which AC hopes will further decrease as the system consolidates. The second half of the Review is dedicated to analysing AC practice and considerations regarding the most usual conditions. The emphasis is on allowing institutions sufficient flexibility and never making decisions solely on the basis of a piece of data, while respecting some general principles – such as the need to secure teacher employment for the whole accreditation period, compare indicators of academic success to what is average in the discipline, and ensure that so-called extra-occupational programmes are never delivered on a full-time basis.

GAC staff, who check all the agency reports and prepare all decisions for the AC, have introduced a ‘four eyes’ principle: everything is cross-checked by another colleague, and there is a possibility to consult with colleagues deemed ‘experts’ for a specific topic. The result has to be agreed on by an AC academic member chosen as a rapporteur, and if there is no agreement, the whole AC discusses the issue (members are able to follow this in ELIAS to prepare). If they agree, the decision is voted on *en bloc*, but any AC member is allowed to ask for additional discussion of any issue or decision. In 2020, the results of these discussions started to be summarised in a Handbook of Programme Accreditation as an internal guidance for GAC staff and members – it is unpublished as of yet, but the panel was able to see the current draft. Staff has plans to consult HEIs and agencies as the development of the

¹⁸https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/Bericht_Auflagenstichprobe_final_eng.pdf

¹⁹https://www.akkreditierungsrat.de/sites/default/files/downloads/2021/interim_review_2020.pdf

Handbook progresses. The AC has also established an internal committee tasked with looking into specific issues while preparing for the next meeting and delegated the decisions of a more formal nature (compliance with formal criteria, accepting accreditations of joint degrees, approving substantial programme changes and clustering programmes in accreditation) to the GAC Board.

In addition to the internal QA measures for the staff, there is a lot of emphasis on experience when selecting both staff and AC members, and stakeholders said at the site visit that they tried to keep the same representatives for at least two terms. The staff have usually worked in HEIs or agencies before coming to GAC, and most HEI representatives are former vice-rectors for teaching and/or former agency board members. Normally the members come and leave at different times, so the more experienced ones provide informal support for the newcomers, in particular during the regular pre-meetings of HEI representatives. There is however no formal on-boarding process or training for AC members, and even with staff the emphasis is on non-formal sharing of knowledge and experience through regular activities, such as Jours Fixes. AC discussed an option to include students as rapporteurs and also implement the four-eye principle but decided against it.

The discussions with the AC members during the site visit regularly pointed to a conflict between the need to issue innovative, context-based, individualised decisions fit for purpose, and the need to increase the uniformity of decision-making in order to make the process more consistent, and more reliable for the agencies and the HEIs. HEIs present at the site visit agreed that there was a danger of the procedures becoming overly bureaucratic and imposing uniformity on the system, with any deviations from the standard processes questioned. However, there was also agreement among them that the new system presents an improvement to the old one.

GAC interprets the Specimen Decree §22 provision that allows it to change the panel recommendation, as the basis for ensuring consistency of decisions by deviating from panel recommendations, and changing the conditions imposed – removing some, or adding new ones. It was reported at the site visit that this was common practice in Germany regarding administrative acts. According to a GAC estimate, this is done with about half of the decisions, but mostly regarding details, while substantial deviations happen in about 10% of cases. The agencies (and, connectedly, at least some peer experts from the panels) seem to be generally dissatisfied with this practice, even more so as they are informed of any deviations only via HEIs, or only after the publication of decision if HEIs fail to inform them. During the site visit meeting, the agencies questioned if it was possible for a body that meets only four times per year and has no direct involvement in the accreditation processes, to meaningfully ensure consistency with a workload of between 500 and 1000 decisions per year. The GAC staff agreed that there was room for improvement in the communication with the agencies, which are currently not formally involved. At the same time, the AC members were of the opinion that deviations were generally small, and that the staff provided the agencies with an opportunity to respond to them.

Analysis

The GAC reluctance to impose any fixed interpretations from the outset does seem to be in line with the general pace of development in the sector in which e.g., system accreditation, launched 13 years ago, is still understood by most stakeholders as a novel procedure. According to what's stated in the Interim Review, after two full years of practice, GAC did plan 2021/22 as the consolidation period, a time to analyse its practice, issue first interpretations, and propose amendments to the Specimen Decree. Equally, GAC did introduce a number of measures to ensure consistency of its decision-making, and it continually emphasises increased consistency as one of its key contributions to the QA system. The panel has no doubt that the GAC staff and members have approached this task seriously and professionally. However, the panel is of the opinion that much more could have been and needs to be done in this regard.

To start with, it is somewhat surprising that the same body that decided to wait for some practice to establish itself before issuing any guidelines or interpretations, from the outset intervened in the expert panels' recommendations, and the conditions they imposed. Even if many of the interventions can be explained by formal reasons brought about by changes in the regulations (such as the new definition of dual programmes), this still leaves room for doubt if the remaining, substantial interventions were indeed contributing to increased consistency. The panel failed to find any evidence that the consistency has indeed decreased (as claimed by the agencies) or increased (as in the eyes of GAC, as well as HRK and HEIs) - apart from what was unavoidable with the introduction of uniform regulations. The only evidence available are the two analyses focused on just a portion of the conditions imposed and deemed 'preliminary' by GAC itself. It is of course clear that there can be no definite analysis in this regard – the HEIs are too diverse to ever achieve a type of consistency that would be easily detected by a text analysis while remaining meaningful, and in this sense some kind of value judgement is unavoidable. What worries the panel is the lack of formal mechanisms placed with the aim of ensuring consistency.

The lack of guidelines and interpretations should be emphasised here. So far, these seem to be scattered over various GAC publications, such as the supplementary resolutions and guidelines, the Interim Review, the FAQ and the summaries of AC meetings (and of course GAC decisions, which normally contain a detailed argumentation). The panel sees a strong need to combine all of these into a comprehensive document (which will always partly remain a work in progress) – as has been already started with the development of the Programme Accreditation Handbook. Such a need is even more emphasised by the current AC workload, which effectively leads to much of the (at least preliminary) decision-making being done by GAC staff, rather than AC members. For similar purposes, many agencies use precedent databases. The large number of GAC decisions make a development of such a database quite demanding, as evidenced by the long period of upgrading ELIAS only for the purpose of checking precedents for conditions. GAC management mentioned a project of developing a report database for consistency purposes that would be shared publicly, or at least with the agencies, however, this project seems to be only in the starting phase. Thus, there is much reliance on the memory of the staff, who are indeed very experienced and knowledgeable, as well as AC members, who have also normally participated for more than one term, or, in the case of students, have had training and knowledge exchange with their predecessors. This however is not enough and may cause problems when GAC hires a large number of new staff or changes the composition of the AC, both of which are about to happen during the next year or two. It is also not enough from the perspective of ensuring transparency towards HEIs and agencies, for whom the currently interesting topics seem to include the way GAC approaches deviations from the panel recommendations, substantial changes to programmes, and system accreditation – while GAC could learn more on this through a survey.

Secondly, the panel sees the lack of formal training of AC members as a potential issue in this regard. Regardless of their previous experience, they should be updated on the legal and the European QA framework as well as the interpretations of standards, in addition to the informal training they receive through observing AC meetings and accreditation procedures. The German Student Accreditation Pool seems to have established good practice in this regard.

A third issue is the current work organisation of the AC, which partly arose from the Interstate Treaty demand to give the decision-making power to the academics. Combined with the total workload, this leads to usually only one member of the AC studying all case materials –the person with a disciplinary specialisation closest to the case in question. As the students and other members usually do not act as rapporteurs, the academic deputy members equally share the workload. While the involvement of deputy members seems to be understood as an improvement, there are also risks arising from the insistence on disciplinary expertise, and related specialisation and potential monopolisation of decision-making, as well as inclusion of a large number of people (when compared to the size of similar bodies across EHEA) who work individually, potentially leading to a lack of consistency as well as long

discussions. Another atypical aspect of the AC composition is the large number of non-academics who are thus not able to fully share in the workload, primarily due to the fact that the states appoint their own staff, rather than academics and experts. The panel is of the opinion that it is time to have a critical look on the operation of the AC, reconsider some of the current positions – including the inability of students to act as rapporteurs, and the need for disciplinary expertise to study a case- and consider how the organisation might be changed in order to decrease the workload and the time spent in discussions, and at the same time ensure the consistency of decision-making.

In the eyes of the panel, part of this AC self-evaluation should also be the way in which they understand consistency, especially taking into consideration that ensuring consistency in the system is understood as one of the main GAC roles. For example, AC members seem to find it beneficial to add to the recommendations by the expert panel, partly in an effort to ensure consistency, partly as a way to offer alternative ideas to a HEI. At the same time, the HEI survey submitted by GAC did not show that HEIs find this particularly useful, and the panel wonders if it is in any way possible - or even necessary - to ensure consistency in the extremely context-sensitive recommendations. On the other hand, when the deviations refer to formalities and details, it would seem wiser to prevent them by providing guidelines to the agencies and HEIs. As noted, the most usual conditions are an aspect for which some analysis and guidelines have already been published.

Panel recommendations

As part of its planned systematic reflection, AC should self-evaluate its method of work as well as the way it understands consistency. It is especially important that the process includes clarifying the stakeholders' demands for consistency that GAC needs to assure.

GAC should urgently devote time and resources to introducing or further developing the mechanisms ensuring consistency of decision making, which include publishing analyses of precedents, interpretations and guidelines.

A formal on-boarding procedure, including training and opportunities to discuss with experienced members, should be developed for new AC members.

Panel conclusion: partially compliant

ESG 2.6 REPORTING

Standard:

Full reports by the experts should be published, clear and accessible to the academic community, external partners and other interested individuals. If the agency takes any formal decision based on the reports, the decision should be published together with the report.

Evidence

In programme and system accreditation, agencies produce a report on the fulfilment of formal conditions (produced by the agency staff) and a report on the fulfilment of academic conditions – the latter produced by the review panel and considered to represent the review report. Both are done on a template provided by GAC and submitted to GAC by the HEI being accredited. In the SAR, GAC notes that all reports must meet the following functions:

- readability: reports must contain information on the procedure and its legal basis, a description of the programme(s) and programme data (which includes KPIs, such as the graduation rate and average length of study), and assessment of all criteria from the Specimen Decree
- completeness: for each academic criterion, a presentation, an evaluation and an assessment proposal must be provided
- focus on quality development: strengths and development needs should be listed in a separate chapter, which should become increasingly important in reaccreditation procedures.

GAC staff check all reports from the perspective of the above functions and, when considered necessary, return them to the agencies for amendments. As all other formal communication with the agencies regarding accreditation procedures, this is done via the applying HEI as an intermediary and this lack of a feedback loop is apparently a source of some confusion on the side of the agencies, as reported by them during the site visit. The agencies expressed a view that the need to elaborately comment on each and every criterion to prove its fulfilment affected the overall report quality and left little room for a panel's developmental considerations. The agencies also find that in line with the spirit of the reform of EQA in Germany, a decision to return a report for revision should be an academic one, rather than done solely by GAC staff. On the basis of an ongoing analysis, GAC staff estimate that between 5% and 10% of reports are returned for revision in this way, with a large spread between individual agencies and even individual coordinators within the agencies. GAC has taken a number of steps to improve the reports received: already in 2012, it started using a list of indicators that need to be attached to the report, published by the German Council of Science and Humanities (Wissenschaftsrat). In addition to the templates, in 2019 it published a guidance note for the preparation of reports. The remaining issues were discussed with the agencies at a meeting in March 2021, where it was decided that GAC would publish a handout on drafting accreditation reports, which is still being developed.

In the alternative procedures' accreditation, GAC uses its own template, which however can be adapted to the specificities of each procedure. HEIs that have received self-accrediting rights via a system, or an alternative procedures accreditation are also obliged to issue reports on programme evaluations. While they do not have to strictly adhere to GAC templates, GAC has issued a specific guideline for their reports, and notes in the SAR that it is currently involved in enforcing the report publication, as not all HEIs publish their reports in a manner found satisfactory by GAC.

All types of reports are published automatically via the ELIAS system and can be found in the rubric "Accredited programmes and HEIs" on the GAC public website. The database and the reports are available in German only. Before entering the database, the user is informed that the negative reports are not in the database but can be found on a separate link (which indeed they can). The database can be searched according to the name of the programme or the institution, and the institutional/programme profile is available when one is chosen. It is necessary to click on 'Further Information' to reach the link to the report and, where applicable, the AC decision. Additionally, only reports on the programmes and institutions (re)accredited after the 2018 system change are available in the database – older reports are meant to be found on agency websites, but GAC staff has plans of also including those in the database. Feeding accreditation reports into DEQAR appears to lie in the responsibility of the "assessing agencies", which can also be concluded from the review reports on German accreditation agencies in the last five years.

Analysis

It took the panel some time to learn its way around the database and find the reports, which can be taken into account when the database is further developed. In addition to making the reports more visible, it would be useful for analytic purposes, especially to agencies, to add the possibilities of searching according to the accreditation type and year, accrediting agency, etc. While it is unfortunate

that reports related to negative decisions cannot be found in the database, the panel finds that this is well explained at the website. The negative reports are then easy to find (even more accessible than those in the database) and including them in the database would require a reconceptualization of the database, which may be unnecessary at present. (Re)negotiating responsibilities for making the final reports available on DEQAR is one of the aspects that needs to be resolved in a close dialogue between the “assessing agencies” and GAC, in order to clarify who is finally responsible (see also the panel’s related comments in other parts of the report and the “additional observations” section)

Although even before the system change, GAC had a role of checking agency reports via sampling, it is obvious that it substantially increased the attention it pays to the reports once they became the basis of its decision-making. As the AC has no other evidence to rely on apart from the report and the SAR and statements submitted by the HEI itself, it is of little wonder that it requires some report standardisation, and every criterion to be well substantiated, or ‘all keywords to be covered’ as put by one of the agency representatives. At the same time, the focus on quality assurance should not come at the expense of discussing quality enhancement, as is the case in the eyes of the agencies. There is a feeling among stakeholders that the enhancement aspects could be strengthened in the final reports. The agencies are further antagonised by the procedure in which GAC returns the reports to HEIs, without any formal channel for the agency or the agency panel to receive feedback directly from GAC or come back to GAC with additional information/insights. GAC recognizes this as an important issue, as evidenced by the meeting held with the agencies and the current work on the handout on reporting and an analysis of the reasoning behind returning the reports. At the same time, the HEIs which the panel met did not mention this as an issue, and the HEI feedback received through ELIAS on the usefulness and clarity of AC recommendations (which should be based on the reports) is insufficient to draw any conclusions, so more feedback seems to be needed from their side, as well as students and other potential ‘users’ of the reports.

Panel commendations

It is positive that report publishing is automated in the ELIAS system, thus ensuring that each and every report is published.

Panel suggestions for further improvement

Recommendations and suggestions for enhancement – apart from those related to the accreditation conditions – could be given a more prominent position in the report template.

It would be good to develop the rubric on past developments in the report so it clearly describes the steps taken on the basis of the previous review, in addition to the general changes in the programme or institution.

The panel trusts that these, as well as the stakeholders’ suggestions for improvement of the reports, will be taken up by GAC in its continuing work on this important matter.

The public database of accredited programmes and HEIs could have better search functions aimed at making the reports more visible and facilitating analyses to agencies and other stakeholders.

Panel conclusion: fully compliant

ESG 2.7 COMPLAINTS AND APPEALS

Standard:

Complaints and appeals processes should be clearly defined as part of the design of external quality assurance processes and communicated to the institutions.

Evidence

Because in system and programme accreditation GAC only involves itself in the process when the HEI submits the final version of the accreditation report, complaints in the earlier stages of the procedure were not part of this review but are described in the ENQA reviews of individual agencies in the German system. It should be mentioned that in addition to the options to complain expected by the standard, German HEIs are also allowed to prolong accreditation deadlines if certain conditions are met, as well as terminate the procedure once it transpires that the outcome could be negative if certain changes are not immediately implemented. Finally, rather than immediately issue a negative decision, the AC will, in line with the Interstate Treaty, if possible, issue conditions for accreditation which have to be fulfilled within a year, during which period the programme or the institution remain accredited. As noted, one of the purposes of the system change was to put academia in the centre of all procedures. Thus, the Interstate Accreditation Treaty specifically allows a HEI to submit a statement on the report and the suggested decision, when submitting the final report to GAC. Furthermore, the Specimen Decree allows the AC to significantly diverge from the recommendation suggested by the panel. In that case, the AC submits a preliminary decision to HEI which has one month to submit a (further) statement commenting on that decision. The panel received a sample of cases in system and programme accreditations in which this has happened. The same procedure applies to the alternative procedure accreditation, except in that case the HEIs comment on the work of the panel appointed by GAC, rather than another agency.

Once the AC reaches the final decision, the HEI is allowed by Article 3 of the Interstate Accreditation Treaty to challenge it in an administrative court, as it is possible with any other administrative act. As described in the SAR and the GAC website²⁰, GAC also introduced its own complaints and appeals commission, in case any are submitted to the AC directly (which can be done by HEIs as well as third parties). Submitting a complaint or an appeal to the AC, however, does not affect the one-month deadline to launch a court procedure, so the institutions might be forced to choose between the two. In addition to GAC procedures and decisions, the same procedure can be used to complain to or appeal the procedures and decisions of system accredited HEIs. The submission can be done via post or email – there is no template or further instructions provided – and will then be discussed by the commission, who propose a decision to the AC, which is obliged to comment on the complaint or appeal in its final decision. The commission consists of a professor, a student and a representative of the agencies, with substitutes. The panel was able to talk to some of them. In the meeting it was reported that the professorial member was appointed by the AC on the basis of prior experience and with the condition that they hold no current membership in QA bodies. The agency representatives were chosen among the agencies, and the student representative were appointed following the regular procedures of the German Student Accreditation Pool. The commission does not currently include lawyers but relies on GAC staff for legal expertise. In addition to working with GAC staff, the commission members start their work by observing AC sessions and participating in informal communication with AC members. The commission members do not work according to a detailed procedure, but instead rely on their own experience and knowledge of QA procedures. Since the establishment of the commission in 2019, only one appeal was submitted – by a panel member who was not satisfied by the way in which the AC deviated from the decision suggested in the review report.

At the meetings with HEIs, it was confirmed that they were informed of the possibility to submit complaints and appeals, and were in general very positive about the opportunities to submit comments

²⁰ <https://www.akkreditierungsrat.de/index.php/en/german-accreditation-council/complaints-and-appeals/complaints-and-appeals>

to both GAC staff and AC. There was general agreement that there are sufficient formal and informal ways of commenting on a decision before it becomes final, and an appeal is necessary. One HEI mentioned successfully arguing, through a formal statement, that an AC decision should be changed, and another mentioned successfully arranging an informal meeting with GAC staff to clarify an issue during the accreditation procedure.

Analysis

The German QA system provides HEIs with ample opportunity to intervene in the accreditation process, and these include choosing the agency, using the agency complaints procedure, commenting on the report factual inaccuracies to the agency, as well as suspending or terminating the accreditation procedure that might result in a negative decision. Furthermore, the statements which accompany the reports when HEIs submit them to the AC can also provide additional interpretations and evidence, rather than just comment on the inaccuracies in the report, and HEIs have an opportunity to comment on the AC decision in the same way if it at all differs from what the panel recommended. In the alternative procedures' accreditation, the only one fully implemented by GAC, the HEIs are involved in designing the accreditation procedure itself through agreeing on the accreditation contract and are then able to provide comments to GAC on each step in the procedure. Looking at the sample of documents received by GAC, the panel was able to establish that in all cases AC takes HEI's statements into account and adapts the decision to further explanations and additional evidence submitted by the HEI. It is thus not surprising that so far none of the institutions have used the formal complaints and appeals procedure established with GAC. Additionally, in case that in spite of all of the above, there is an appeal to the final decision, due to the one-month deadline it seems more likely that the institution would immediately go to court, rather than potentially waste time with the GAC appeal procedure. HEIs seem satisfied with the existing arrangement.

The panel was impressed by the motivation, knowledge and experience of the commission members it met with and has no doubt that they are performing their task independently and responsibly. The panel however finds it unusual that they considered the necessary expertise to be only HE and QA-related, and that any potential legal issues were simple enough to be solved by non-experts. The panel was also initially surprised by the lack of formality regarding this body, as there are no rules of procedure for appointing members (apart from the student member, as developed by the German Student Accreditation Pool), no template or detailed instructions on how to formulate the complaint or an appeal, and no guidelines for decision-making. It is also not fully clear to the panel if the institution can use the statement on the GAC decision, the appeal, and then the court procedures, as escalation steps, or is allowed to point to the same issue only once. All this is in line with the already noted AC policy of first allowing for some practice before elaborating rules and interpretations. It is also clear that this is not an issue for the HEIs in the system, which are satisfied by the ample opportunities for intervention before an unfavourable decision is made. However, the panel is of the opinion that this could potentially present an issue for third parties – such as agencies, agency panels, or students of system-accredited HEIs.

Panel recommendations

GAC should publish a formal description of the appeals and complaints procedure, with clearly described escalation steps.

Panel conclusion: substantially compliant

ADDITIONAL OBSERVATIONS

SOME OBSERVATIONS ON THE GERMAN QA SYSTEM AT LARGE

The rather complex environment, in which the agency is operating – also in terms of the legal framework and the various actors and stakeholders involved – sometimes made it difficult to fully grasp the specificities of GAC, in other words where it differs from a “typical” European QA agency and where it needs to differ.

What the panel saw is a system that is strongly EQA driven, with the legal framework being the main reference frame. Regarding the political dynamics and stakeholder-rich German context with its powerful but rather diverse federal states, the panel was impressed with the achievements so far, being aware of the delicacy of some of the political compromises the new system is built upon. As a consequence, the panel also found all actors still struggling with the consequences of the system level change and a deliberate need to strengthen trust among them. There seems to be particular dissent with regard to the question if the new system is working or not - even though the majority of the interview partners were rather positive in this regard.

With the changes being initiated by a Constitutional Court Decision, it is understandable that laws and legal factors play a key role in discourse and practice. However, the abundant invocations of “legal issues” and “the law” during the entire review also prompted the panel’s reflections on how an overemphasis of laws and legal certainty can also stifle the principles of innovation and creativity all higher education is essentially built on, and which also need to be at the heart of quality assurance. Trusting in the law and trusting in the system are two very different things.

The panel observed a clear need for more systematic dialogue between the different key actors in the system, in particular in areas where certain “relationship problems” are already well known (e.g., between GAC and the “assessing agencies”), as has been mentioned above. Potentially as a left-over from the intensive discussions leading to the new system, there appears to be a certain wariness among key actors to open up delicate issues and risk (re)fuelling existing conflicts. But in the panel’s view, this might in the long run even increase the risk of conflicts and distrust.

Last but not least, the panel wants to emphasise the necessity of monitoring the developments in the German system very closely. In this respect, the panel is not only referring to the already planned evaluation of the Specimen Decree but to a comprehensive evaluation of the German accreditation system.

There have been mixed signals as to how much this review should already contribute to or even substitute such a comprehensive evaluation. The panel is clearly convinced, however, that this review - in terms of how it is bound to the terms of reference of an ENQA coordinated assessment of ESG compliance; in terms of the different foci; and in terms of the methodology employed - cannot serve as a system level evaluation and will only be able to add to it.

CONCLUSION

SUMMARY OF COMMENDATIONS

1. The panel would like to commend GAC for the invested efforts that resulted in an admirable progress in implementing its activities after relatively recent changes. [ESG 3.1]
2. The panel was also impressed by the GAC governance bodies, which appear well composed, with a wide array of stakeholder representatives involved, and apparently a smooth interplay of those actors, formally as well as informally. [ESG 3.1]
3. The panel wishes to commend GAC on the impressive commitment and dedication of the staff and Council members. [ESG 3.5]
4. The ELIAS, even though it is still work in progress and even though it is very resource-intensive – is a great IT support system, enabling GAC to automate some of the chores (e.g., publishing reports, feedback) and functioning as the system’s main memory core with regard to reports and decisions. [ESG 3.6]
5. The panel would like to commend GAC on introducing measures to increase focus on quality development. [ESG 2.1]
6. The first alternative procedures look very promising and the panel appreciates the balancing act GAC is undertaking by trying to keep the HEI’s innovative momentum while also aiming for a robust process. [ESG 2.2]
7. The panel was impressed by the German Student Accreditation Pool method of training interested students in order for them to be added to the expert pool, and then appointing them via public calls. [ESG 2.4]
8. It is positive that report publishing is automated in the ELIAS system, thus ensuring that each and every report is published. [ESG 2.6]

OVERVIEW OF JUDGEMENTS AND RECOMMENDATIONS

ESG 3.1 ACTIVITIES, POLICY AND PROCESSES FOR QUALITY ASSURANCE – Substantially compliant

The panel invites GAC to urgently launch a reflection process regarding its role and future strategy, in collaboration with its key stakeholders and constituencies (and beyond the stakeholder representatives already involved in the agency), and to subsequently revisit its mission statement and strategic plans accordingly.

ESG 3.2 OFFICIAL STATUS – Fully compliant

ESG 3.3 INDEPENDENCE – Substantially compliant

GAC should get together with other agencies with the goal of clarifying responsibilities and procedures, not just in the light of the German Specimen Decree, but also with regard to the ESG. Establishing a regular dialogue where all institutions see eye to eye as partners in the system far beyond the annual “feedback meeting” will also be pivotal in the long run, as will be a clearer formal communication line regarding decisions.

ESG 3.4 THEMATIC ANALYSIS – Partially compliant

GAC is recommended to strategically plan thematic analyses in consultation with the external stakeholders as soon as possible, rather than wait for the end of the accreditation cycle. In developing the new plan, GAC should consider the centrality of its role in the system for producing thematic analyses. The strategic plan should thus be more ambitious than is currently the case, both in the number of the analyses produced annually and the topics they cover.

ESG 3.5 RESOURCES – Partially compliant

If GAC is to fulfil its tasks in the following period -which include handling an increased number of accreditations and self-reflection as well as an evaluation of the wider German QA system - it urgently needs a substantial increase in human resources.

The organisation of the work of the Accreditation Council should also be reconsidered – some suggestions include increasing the number of potential rapporteurs (e.g. by involving students) and the frequency of meetings.

ESG 3.6 INTERNAL QUALITY ASSURANCE AND PROFESSIONAL CONDUCT – Fully compliant

ESG 3.7 CYCLICAL EXTERNAL REVIEW OF AGENCIES – Substantially compliant

In the future, GAC should focus on the continuity of ENQA membership, as it has done in the less recent past.

ESG 2.1 CONSIDERATION OF INTERNAL QUALITY ASSURANCE – Fully compliant

ESG 2.2 DESIGNING METHODOLOGIES FIT FOR PURPOSE – Substantially compliant

The panel believes that as the central body in the German system, GAC should start a reflection process on the ownership of processes and their methodologies in collaboration with its key stakeholders and constituencies (and beyond the stakeholder representatives already involved in the agency). One of the outcomes of the process can be a revision of its mission statement and quality policy.

ESG 2.3 IMPLEMENTING PROCESSES – Substantially compliant

The panel recommends GAC to consult all of its stakeholders – agencies, states, HEIs, students and professional organisations, on the need to implement additional follow-up measures, and the forms in which they could be implemented. On the basis of such a consultation, GAC can agree with the agencies on the division of tasks.

ESG 2.4 PEER-REVIEW EXPERTS – Substantially compliant

GAC should address its worries about the lack of interest of experts to participate in accreditations primarily by discussing the matter with the agencies, and supporting them in coming up with new ways of attracting experts and keeping them committed and interested in this type of work.

Closer cooperation with the agencies and a clarification of their separate roles should also ensure that any issues regarding the selection of experts are prevented, rather than addressed by GAC *post hoc*.

ESG 2.5 CRITERIA FOR OUTCOMES – Partially compliant

As part of its planned systematic reflection, AC should self-evaluate its method of work as well as the way it understands consistency. It is especially important that the process includes clarifying the stakeholders' demands for consistency that GAC needs to assure.

GAC should urgently devote time and resources to introducing or further developing the mechanisms ensuring consistency of decision making, which include publishing analyses of precedents, interpretations and guidelines.

A formal on-boarding procedure, including training and opportunities to discuss with experienced members, should be developed for new AC members.

ESG 2.6 REPORTING – Fully compliant

ESG 2.7 COMPLAINTS AND APPEALS – Substantially compliant

GAC should publish a formal description of the appeals and complaints procedure, with clearly described escalation steps.

In light of the documentary and oral evidence considered by it, the review panel is satisfied that, in the performance of its functions, GAC is in compliance with the ESG.

SUGGESTIONS FOR FURTHER DEVELOPMENT

1. GAC might find it useful to outsource a part of the work on thematic analyses. [ESG 3.4]
2. The national legal framework dominates the entire system as the main point of reference for everyone. The panel would like to strongly encourage GAC to make use of the revision of the Specimen Decree to strengthen alignment with the ESG Part I even further, taking the case of the alternative procedure accreditation as an example. [ESG 2.1]
3. In its communication with HEIs (as well as agencies), GAC could put added emphasis on the role of HEIs in designing their IQA systems as they see fit, rather than to meet the criteria, and encourage experimentation and innovation also outside the 'alternative procedures'. [ESG 2.1]
4. Furthermore, in consultation with HEIs and agencies in the system GAC can look for ways to make institutional developments and good practises more prominent in the review reports and beyond. [ESG 2.1]
5. The panel suggests GAC to develop a clear plan for the way in which the agencies would take over the implementation of the alternative procedures' accreditation. [ESG 2.2]
6. Recommendations and suggestions for enhancement – apart from those related to the accreditation conditions – could be given a more prominent position in the report template. [ESG 2.6]
7. It would be good to develop the rubric on past developments in the report so it clearly describes the steps taken on the basis of the previous review, in addition to the general changes in the programme or institution. [ESG 2.6]
8. The panel trusts that these, as well as the stakeholders' suggestions for improvement of the reports, will be taken up by GAC in its continuing work on this important matter. [ESG 2.6]
9. The public database of accredited programmes and HEIs could have better search functions aimed at making the reports more visible and facilitating analyses to agencies and other stakeholders. [ESG 2.6]

ANNEXES

ANNEX I: PROGRAMME OF THE SITE VISIT

30 NOVEMBER 2021			
SESSION NO.	TIMING	TOPIC	PERSONS FOR INTERVIEW
1	08:30-09:15	Meeting with the chair of the Board and the managing director	<ul style="list-style-type: none"> ● Hans-Joachim Bargstädt, Prof. Dr., chairman of the Accreditation Council and of the Board ● Olaf Bartz, Dr., managing director
	09:15-10:25	Review panel's private meeting	
	5 min	Connection set-up	
2	10:30-11:30	Meeting with the Accreditation Council	<p>The following members of the Accreditation Council:</p> <ul style="list-style-type: none"> ● Representatives of the higher education institutions: <ul style="list-style-type: none"> ○ Stefan Bartels, Prof. Dr.-Ing., University of Applied Sciences Lübeck ○ Heike Faßbender, Prof. Dr., Technical University of Braunschweig ● Representative of the German Rectors' Conference: <ul style="list-style-type: none"> ○ Holger Burckhart, Prof. Dr., University of Siegen ● Representative of the states in the Federal Republic of Germany: <ul style="list-style-type: none"> ○ Michael Lehmann, Dr., Ministry of Economy, Science and Digitalisation of Saxony-Anhalt ● Representatives of professional practice: <ul style="list-style-type: none"> ○ Christina Gommlich, Dr., Senior Manager Economic, Trade & Social Policy Corporate Communications & Government Relations, BASF SE ○ Hans Jürgen Urban, PD Dr., Executive member of the executive board of IG Metall ● Student representative: <ul style="list-style-type: none"> ○ Lina Irscheid, Potsdam University

			<ul style="list-style-type: none"> ● Foreign representatives: <ul style="list-style-type: none"> ○ Tilmann Märk, Prof. Dr., Rector of the University of Innsbruck ○ Martine Rahier, Prof. Dr., former rector of the University of Neuchâtel ● Representative of the assessment agencies: <ul style="list-style-type: none"> ○ Reinhard Zintl, Prof. Dr., Otto-Friedrich University Bamberg (emeritus)
	11:30-11:45	Review panel's private meeting	
	5 min	Connection set-up	
3	11:50-12:20	Meeting with the team responsible for preparation of the self-assessment report (SAR)	<ul style="list-style-type: none"> ● Some members of the working group set up for the preparation of the SAR: <ul style="list-style-type: none"> ○ Tilmann Märk, Prof. Dr., Rector of the University of Innsbruck and member of the Accreditation Council ○ Barbara Michalk, German Rectors' Conference ○ Liv Teresa Muth, Ghent University ○ Aletta Hinsken, Dr., assessment agency evalag ● Katrin Mayer-Lantermann, managing editor of the SAR
	12:20-13:20	Lunch break	
	13:20-14:20	Review panel's private meeting	
	5 min	Connection set-up	
4	14:25-15:10	Meeting with some members of the Foundation Council	<ul style="list-style-type: none"> ● Eva Gumbel, Dr., Ministry of Science, Research and Equalities in Hamburg, chairwoman of the Foundation Council ● Jens-Peter Gaul, Dr., Secretary General of the German Rectors' Conference, deputy chairman of the Foundation Council
	15:10-15:25	Review panel's private meeting	
	5 min	Connection set-up	

5	15:30-16:15	Meeting with staff members of the agency I	<ul style="list-style-type: none"> • Andreas Grünes, Dr. (Internal QM, support of the Accreditation Council, vice-coordination of programme accreditation) • Agnes Leinweber (Deputy Managing Director; support of the Foundation Council) • Katrin Mayer-Lantermann (Legal and international affairs) • Martina Pitsch (Office) • Alexander Weber, Dr. (Coordination of programme accreditation)
	5 min	Connection set-up	
6	16:20-17:05	Meeting with staff members of the agency II	<ul style="list-style-type: none"> • Ketevan Becker (Coordination ELIAS, vice-coordination of the accreditation of alternative procedures) • Franz Börsch (Coordination of system accreditation) • Jochen Lorenz (Support ELIAS / Database) • Vera Raskob (Support ELIAS / Database) • Jana Ringholz (Main areas of work: programme accreditation, internal QM) • Ulf Schöne (Coordination of the accreditation of alternative procedures) • Jasmin Usainov (Vice-coordination of system accreditation, evaluation of the specimen decree)
	17:05-17:20	Review panel's private meeting	
	5 min	Connection set-up	
7	17:25-18:00	Meeting with members of the Complaints and Appeals Commission	<ul style="list-style-type: none"> • Ute von Lojewski, Prof. Dr., Münster University of Applied Sciences (professorial member) • Liv Teresa Muth, Ghent University (student member)
01 DECEMBER 2021			
SESSION No.	TIMING	TOPIC	PERSONS FOR INTERVIEW
	15 min	Connection set-up	

	08:55-09:55	Review panel private meeting	
	5 min	Connection set-up	
8	10:00-10:45	Meeting with HEI representatives and quality assurance officers of HEIs I (institutions with programme and with system accreditation)	<ul style="list-style-type: none"> ● Gerulf Hirt, Dr., quality assurance officer, Clausthal University of Technology ● Susanne König, Dr., quality assurance officer, University of Vechta ● Susanne Lengyel, Prof., Vice-President for Teaching and Learning, Hamm-Lippstadt University of Applied Sciences ● Alexander Wanner, Prof. Dr., Vice-President for Teaching and Academic Affairs, Karlsruhe Institute of Technology ● Edeltraut Wetzels, quality assurance officer, ESB Business School Reutlingen
	10:45-11:00	Review panel private meeting	
	5 min	Connection set-up	
9	11:05-11:50	Meeting with HEI representatives and quality assurance officers of HEIs II (institutions that conduct alternative procedures)	<ul style="list-style-type: none"> ● Mathias Hinkelmann, Prof. Dr., Vice-Rector for Academic Affairs, Hochschule der Medien Stuttgart ● Manuela Koch-Rogge, Dr., quality assurance officer, Harz University of Applied Sciences ● Folker Roland, Prof. Dr., Rector, Harz University of Applied Sciences
	11:50-12:05	Review panel private meeting	
	5 min	Connection set-up	
10	12:10-12:55	Meeting with representatives of assessment agencies	<ul style="list-style-type: none"> ● Verena Kloeters, Dr., commercial managing director, AQAS ● Georg Reschauer, managing director, AHPGS ● Iring Wasser, Dr., managing director, ASIIN ● Reinhard Zintl, Prof. Dr., Otto-Friedrich University Bamberg (emeritus), representative of the assessment agencies in the Accreditation Council

	12:55-14:00	Lunch break	
	14:00-15:00	Review panel's private discussion	
	5 min	Connection set-up	
11	15:05-15:50	Meeting with reviewers (alternative procedures)	<p>Reviewers who have been appointed in the procedure at the Harz University of Applied Sciences:</p> <ul style="list-style-type: none"> ● Martina Baucks, Lenze SE, Aerzen (bei Hameln) ● Kerstin Fink, Prof. Dr., President, NORDAKADEMIE University of Applied Sciences ● Matthias Kropp, Prof. Dr., Pforzheim University of Applied Sciences
	15:50-16:05	Review panel's private meeting	
	5 min	Connection set-up	
12	16:10-16:55	Meeting with representatives of the Länder/KMK	<ul style="list-style-type: none"> ● Deputy representatives of the states in the Federal Republic of Germany in the Accreditation Council: <ul style="list-style-type: none"> ○ Imke Buß, Dr., Ministry of Science, Research and the Arts Baden-Württemberg ○ Katharina Schrader, Ministry of Culture and Science of North Rhine-Westphalia ●
	16:55-17:10	Review panel private meeting	
	5 min	Connection set-up	
13	17:15-18:00	Meeting with stakeholders (representatives of higher education institutions, students and professional practice in the Accreditation Council;	<ul style="list-style-type: none"> ● Representatives of the higher education institutions in the Accreditation Council: <ul style="list-style-type: none"> ○ Hans-Joachim Bargstädt, Prof. Dr., Bauhaus University Weimar, Chairman of the Accreditation Council ○ Burkhard Schmager, Prof. Dr., Ernst Abbe University Jena

		representative of the German Rectors' Conference)	<ul style="list-style-type: none"> ○ Martin Ullrich, Prof. Dr., Nuremberg University of Music ● Representative of professional practice in the Accreditation Council: <ul style="list-style-type: none"> ○ Andreas Keller, Dr., Vice-Chairman of the Trade Union for Education and Science (GEW) ● Student representative in the Accreditation Council: <ul style="list-style-type: none"> ○ Daniel Irmer, Technical University Bergakademie Freiberg ● Deputy representatives of the higher education institutions in the Accreditation Council: <ul style="list-style-type: none"> ○ Christine Bescherer, Prof. Dr., University of Education Ludwigsburg ○ Rolf Sachsse, Prof. Dr., Saar University of Fine Arts ● German Rectors' Conference: <ul style="list-style-type: none"> ○ Barbara Michalk
02 DECEMBER 2021			
SESSION NO.	TIMING	TOPIC	PERSONS FOR INTERVIEW
	<i>15 min</i>	<i>Connection set-up</i>	
	09:00-10:00	Meeting among panel members to agree on final issues to clarify	
	<i>5 min</i>	<i>Connection set-up</i>	
14	10:05-11:05	Meeting with the chair of the Board and the managing director to clarify any pending issues	<ul style="list-style-type: none"> ● Hans-Joachim Bargstädt, Prof. Dr., chairman of the Accreditation Council and of the Board ● Olaf Bartz, Dr., managing director

	11:05-12:25	Private meeting among panel members to agree on the main findings	
	5 minutes	Connection set-up	
15	12:30-13:00	Final de-briefing meeting with staff and Board members of the agency to inform about preliminary findings	<ul style="list-style-type: none"> ● Hans-Joachim Bargstädt, Prof. Dr., chairman of the Accreditation Council and of the Board ● Olaf Bartz, Dr., managing director ● Staff members of GAC

ANNEX 2: TERMS OF REFERENCE OF THE REVIEW

External review of the German Accreditation Council (GAC)

by the European Association for Quality Assurance in Higher Education (ENQA)

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

December 2020

I. Background and context

GAC has the legal form of a foundation of public law. It was originally set up by the North Rhine-Westphalian Law establishing a foundation “Foundation for the Accreditation of Study Programmes in Germany” of 15 February 2005. With the Interstate Study Accreditation Treaty, which came into force on 1 January 2018, the name of the foundation was changed to “Foundation Accreditation Council”. In international contexts, the foundation is referred to as the German Accreditation Council.

The tasks of GAC, according to the Interstate Study Accreditation Treaty, **are to decide on the accreditation of study programmes (programme accreditation), on the accreditation of quality management systems (system accreditation) on the basis of experts’ reports.** A third activity of GAC are the so-called alternative procedures. These procedures, which are developed independently by the higher education institutions and which are subject to the same quality requirements as those for programme and system accreditation, are intended to gain insights into alternative approaches to external quality assurance beyond the standard accreditation procedures.

The need for this review is defined in Article 15 of the Interstate Study Accreditation Treaty:

“The accreditation system shall be evaluated on behalf of the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rector’s Conference, in particular with respect to the organisational structure and work of the foundation as well as the other rules of procedure, regularly and at appropriate intervals, for the first time five years after this interstate treaty comes into effect.”

Taking Art. 15 into account, GAC wishes to be reviewed as an organisation (“in particular with respect to the organisational structure and work of the foundation”), and on the other hand the review should consider that GAC is integrated in an “accreditation system”, consisting also of the 16 German States (“Länder”) laying down the criteria for accreditation, and of the agencies who provide the reports GAC decides upon.

Representatives of the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rector’s Conference have agreed upon conducting this review a little earlier than foreseen in Art. 15, in 2021, as the reformed accreditation system has been long enough into effect now.

GAC has been a member of ENQA from 2008 to 2018 and afterwards holds a status of an affiliate. GAC is now applying for ENQA membership.

GAC has not yet been registered on the European Quality Assurance Register for Higher Education (EQAR) and is thus applying for initial inclusion on EQAR.

2. Purpose and scope of the evaluation

This review will evaluate the extent to which GAC 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 GAC should be granted and to EQAR to support GAC application to the register.

2.1 Activities of GAC within the scope of the ESG

In order for GAC to apply for ENQA membership and for registration in EQAR, this review will analyse all activities of GAC 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 GAC have to be addressed in the external review:

1. the programme accreditation
2. the system accreditation,
3. alternative procedures and
4. equivalency assessment (German Jordanian University)

The review should further consider how GAC's activities outside the scope of the ESG (e.g. involvement in QA related projects) are separated from its external QA activities within the scope of the ESG (i.e. equivalency assessment), taking into account Annex 5 of the Policy on the Use and Interpretation of the ESG.

Considering GAC's role in the recognition of external QA activities and decisions, the review is also expected to address how GAC ensures ESG compliance when considering the results of an external QA activity by a non-EQAR-registered quality assurance agency.

The subject of programme accreditation are Bachelor's and Master's programmes of German Higher education Institutions (HEI), the subject of system accreditation are the internal quality assurance systems of such institutions. The programme and system accreditation procedures are characterised by a two-stage procedure: The assessment and preparation of an accreditation report is organised by an agency commissioned by the HEI. GAC ensures the integrity of the process and takes the final accreditation decision.

In case of alternative procedures, the subject of accreditation is the alternative procedure itself. With successful accreditation, the higher education institution receives the self-accreditation rights for the study programmes assessed within the alternative procedure. The Higher education institution will submit a self-evaluation report to GAC. The evaluation procedure shall be carried out with the participation of external independent experts, in particular academic experts and experts from professional practice as well as students. GAC may carry out the evaluation procedure but may also delegate these activities to third parties. The result of the evaluation procedure is an experts' report. GAC takes the accreditation decision.

Besides, GAC has concluded a contract with the German Jordanian University (GJU), according to which GAC will certify the fulfilment of the German accreditation criteria to the study programmes of the GJU, provided that the GJU submits assessment reports, which show the fulfilment of the specified criteria and the assessment procedures were carried out by an agency authorised by GAC.

No legal consequences are associated with the issuing of the certificates of equivalence. The procedure does not lead to study programmes accredited with the seal of the Accreditation Council.

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 GAC, ENQA and EQAR;
- Nomination and appointment of the review panel by ENQA;
- Notification of EQAR about the appointed panel;
- Self-assessment by GAC including the preparation and publication of a self-assessment report;
- A site visit by the review panel to GAC;
- 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 GAC with the list of suggested experts and their respective curricula 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 the GAC review.

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

GAC 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 GAC 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 GAC 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 GAC usually within 10 weeks of the site visit for comment on factual accuracy. If GAC 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 GAC 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 EQAR²¹.

For the purpose of applying for ENQA membership, GAC is also requested to provide a letter addressed to the ENQA Board outlining its motivation for applying for membership and the ways in which GAC 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

GAC 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, GAC 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 GAC. Its purpose is entirely developmental and has no impact on the judgement of 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 GAC 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 GAC, 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 to EQAR. The agency should also include its self-assessment report (in a

²¹ See here: <https://www.eqar.eu/about/official-documents/#use-and-interpretation-of-the-esg>

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 autumn 2022.

6. Indicative schedule of the review

Agreement on Terms of Reference	December 2020
Appointment of review panel members	December 2020
Self-assessment completed	31 July 2021
Pre-screening of SAR by ENQA Review Coordinator	August 2021
Preparation of site visit schedule and indicative timetable	September 2021
Briefing of review panel members	October 2021
Review panel site visit	30 November -2 December 2021 (tbc)
Draft of evaluation report and submitting it to ENQA Review Coordinator for pre-screening	January 2022
Draft of evaluation report to GAC	February 2022
Statement of GAC to review panel if necessary	March 2022
Submission of final report to ENQA	April 2022
Consideration of the report by ENQA Board	April 2022
Publication of report	May 2022
EQAR Register Committee meeting	October/November 2022

ANNEX 3: GLOSSARY

AC	Accreditation Council
ENQA	European Association for Quality Assurance in Higher Education
EQAR	European Quality Assurance Register for Higher Education
ESG	<i>Standards and Guidelines for Quality Assurance in the European Higher Education Area, 2015</i>
GAC	German Accreditation Council
GJU	German Jordanian University
HE	higher education
HEI	higher education institution
HRK	<i>Hochschulrektorenkonferenz</i> – German Rectors' Conference
KMK	<i>Kultusministerkonferenz</i> – the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (Lands/ states) in the Federal Republic of Germany
QA	quality assurance
QM	quality management
QMS	quality management system
SAR	self-assessment report

ANNEX 4. DOCUMENTS TO SUPPORT THE REVIEW

DOCUMENTS PROVIDED BY GAC

- A sample of case files in which the Accreditation Council deviated from the panel's recommendation – review reports, correspondence with the HEI and decisions, for system and programme accreditation cases (in German, some parts confidential)
- Case files from two alternative accreditation procedures – correspondence with the HEI and the authorities, SARs, materials from reviewers' briefings, where available – documents from the site visit, reports (in German, confidential)
- Files from AKAST external review, part of application to EQAR (in German, confidential)
- Documents from GAC meetings with stakeholders (in German) – Quality Dialogues, a meeting with agencies and a meeting with system-accredited HEIs
- Results of evaluations of accreditation procedures by HEIs, from the ELIAS system (in German)

OTHER SOURCES USED BY THE REVIEW PANEL

- GAC website (in German and in English; specific documents from the website cited throughout the report)
- ELIAS public database of accredited HEIs and programmes, and connected accreditation reports (in German)

ENQA AGENCY REVIEW 2022

THIS REPORT presents findings of the ENQA Agency Review of the German Accreditation Council (GAC), undertaken in 2021.

enqa.

European Association for
Quality Assurance in Higher Education