

## Agency Reviews and the Current Developments in Quality Assurance

A discussion paper by Dr. Padraig Walsh, Chief Executive, Quality and Qualifications Ireland (QQI), and Dr. Achim Hopbach, higher education consultant

### Background

The action line on quality assurance and notably the implementation of the *Standards and Guidelines for Quality Assurance in the European Higher Education Area* (ESG. 2015) are widely viewed as a success story of the Bologna Process. Today, quality assurance plays a central role in achieving some of the original goals of the Bologna Process, notably transparency of the degree systems, recognition, and student mobility. One precondition for the successful development of both internal and external quality assurance in the European Higher Education Area (EHEA) is first and foremost the specific nature of the ESG which do not prescribe structures and procedures but introduce core principles and give guidelines. In doing so, the ESG provide for a common understanding of good and expected practice in quality assurance that can be applied in the manifold national frameworks of higher education in the EHEA.

Although not intended at their conception, over time the external evaluation of quality assurance agencies against the ESG has become one of the most powerful triggers for the implementation of the ESG at national level and indirectly even at institutional level. (Hopbach, 2020: 25/26)

Consequently, the decisions taken by both the Board of the European Association for Quality Assurance in Higher Education (ENQA) and the Register Committee of the European Quality Assurance Register for Higher Education (EQAR) based on the review reports play an important role not just for the implementation but also for the understanding and the interpretation of the ESG.

Because of the important role of the agency reviews, it is concerning that inconsistent interpretation of the ESG by ENQA and EQAR and an inconsistent approach to the agency reviews by the two organisations are recurrent themes in the following report:

*“The main ‘problem’ ... may be linked to the fact that both ENQA and EQAR use the results of agency reviews, and how the agencies perceive the difference of ESG interpretation by ENQA and EQAR. The panel is aware that this has already led to one case in which different final decisions were made regarding ENQA membership and EAQR registration. The fact that two different decisions can be made based on the results of the same review is problematic.”*  
(Nordic Institute for Studies in Innovation, Research and Education. 2019: 40)

*“The interviewed experts stated that they pay more attention to ENQA’s interpretation of the ESG than to that of EQAR during the review process. For them, the agency reviews are ENQA’s reviews. Nevertheless, they mentioned that EQAR has developed its own interpretation of the ESG and that they do also follow this interpretation in their assessment. They are aware that EQAR often asks for additional evidence and that the compliance purpose is more central to EQAR’s interpretation of the ESG and its decision regarding registration. The relationship with EQAR and the extent to which EQAR approaches and interpretations colour ENQA processes is a fundamental issue for the agency to resolve.”* (Nordic Institute for Studies in Innovation, Research and Education. 2019: 21)

Because of the importance of the agency reviews for the quality assurance agencies and all stakeholders, inconsistency in the decisions is a problem because it has the potential to undermine the credibility of the reviews. What makes the problem even larger is the fact that inconsistency

seems not to be grounded on different levels of rigour but on different approaches to the agency reviews, namely an enhancement-oriented approach versus a compliance-oriented approach, and - even more serious - on different understandings and interpretations of the ESG.

The latter links to a more fundamental discussion that gained momentum recently, namely whether the ESG are being used appropriately. The relevance of this discussion is reflected in the statement by the E4 Group (composed of ENQA, the European University Association (EUA), the European Association for Higher Education Institutions (EURASHE) and the European Students' Union (ESU)).

*“Many of the current key challenges linked to the use of the ESG are related to the interpretation of the ESG and its individual standards. The interpretation is often too restrictive and the scope for going beyond the standards is not exploited. Further, some misunderstandings prevail.” (E4, 2020: 2),*

who, consequently, encouraged a more flexible use and interpretation of the ESG. The discussion has even reached to the level of the ministerial conference in Rome in 2020 where ministers stated that they would like to:

*“encourage an enhancement-oriented use of the ESG to support innovation in higher education and its quality assurance.” (Rome Ministerial Communiqué, 2020: 7)*

Again, because of the significance of the agency reviews for the implementation of the ESG at the national and institutional levels these statements taken together give grounds for concern.

### **A closer look at the ‘problem’**

In this section, the following question will be discussed in relation to the agency reviews.

Do we really have a problem with inconsistent interpretation and decision-making?

The survey “Consistency of reviews across the EHEA” by the Portuguese national quality assurance agency A3ES shows that the consequences of inconsistent decision-making are maybe not as severe as statements from some frustrated agencies seem to indicate. The differences in the compliance judgements on specific standards in the assessments between fully/substantially compliant and partially compliant did not lead to differences between granting ENQA-membership and inclusion into the register.

The analysis demonstrates that the differences in the assessments do not really result from different interpretations. If at all, one can conclude that EQAR tends to be stricter in its judgment. However, it is fair to say that the different rating scales used by the two organisations might have an impact, too. Whereas ENQA currently uses a four-point scale with full, substantial, partial and non-compliance EQAR uses only a three-point scale omitting the substantial compliance judgment. Out of a total of 85 cases of different assessments by EQAR and ENQA in relation to specific standards, 66 cases refer to cases of full vs. substantial compliance (5) or substantial vs. partial compliance (61). The more significant difference between full compliance vs partial compliance, non-compliance vs partial compliance or non-compliance vs. substantial compliance occurred only in 13 cases.

On that basis, one cannot conclude that there are different interpretations of the ESG. Nonetheless, the parallel decision-making by the two bodies concerned has led to significant discontent among agencies that - as mentioned previously - goes beyond frustration about additional administrative burden. Based on the A3ES analysis, the frequently mentioned focus on compliance by EQAR is obviously not based on a different interpretation of the ESG.

Perhaps the problems result from different use of/approaches to agency reviews?

A closer look at the two organisations and what role the agency reviews play for them points at a more fundamental problem and the recent endeavours of both organisations to resolve the problem reveal this, too.

The different missions of both organisations result in different priorities and different foci in decision-making. Starting from a common general mission to contribute to the development of the EHEA and, to high quality higher education both organisations show specificities that result from their different nature.

- Key words of ENQA's vision and mission are 'development of quality assurance', 'representation of agencies', 'development of quality culture' which result in developmental activities and in services to its members.
- Key words of EQAR's vision and mission are 'coherent quality assurance framework', 'freedom of choice of agencies by the HEI', 'transparency' and 'information' which result in the management of the list of agencies in compliance with the ESG.

This condensed presentation might not capture the role of both organisations fully, but it does point to different priorities.

- ENQA is focused on the development of quality assurance and its member agencies.
- EQAR is focused on transparency and particularly on quality assurance decisions that should be mutual acceptable. EQAR perceives itself as a regulator whose mission goes beyond the original aim to have a stakeholder-based independent decision on compliance of quality assurance agencies with the ESG. EQAR claims a role in enforcing the implementation of agreements by the Bologna ministers. The most obvious example is the supporting agencies' activities in foreign countries, which is a priority that has even made its way even into EQAR's vision. Consequently, EQAR's policy brief issued in June 2020 focuses mainly on this topic. (EQAR 2020:2)

This shows that ENQA focuses on the agency as a whole whereas EQAR understandably focuses on the procedures and decisions.

### **Movement away from the 'double decision'**

It is fair to say that the discussion about inconsistencies between the decisions by ENQA and EQAR are as old as EQAR itself and that both organisations have endeavoured to reconcile the problem over the years.

When one is looking at the complexity of the current process of reviews conducted against ESG 2015 and the different expectations of ENQA and EQAR, some agencies have referred to the process as one of 'sitting the examination twice'. In truth though, it is more like sitting the examination once, but having it marked twice.

For some understanding of how we got to this place, it is instructive to look at EQAR's origin. When the idea first surfaced in the wider ESG 2005 document of establishing an agency review process, there was some scepticism in both EUA and ESU (then ESIB) about vesting this review solely with ENQA and so the Register was born as a compromise, whereby ENQA, EURASHE, EUA and ESU would be the founder members.

This spawned a form of unwritten tension from the start between ENQA and EQAR and their respective roles in quality assurance. Over time, as more agencies became registered on EQAR and

more agencies began using ENQA as the coordinating reviewer for their ESG review, the whole issue of the 'double decision' became more centre stage.

When the revision of the ESG was taking place leading up to its adoption in 2015, the bodies overseeing the revision had expanded the overseers from the so-called E4 group (ENQA, EUA, EURASHE and ESU) to include Business Europe and Education International and by now EQAR also had a seat at the table.

The 'rapprochement' between ENQA and EQAR has its origins at the partnership meetings that took place during the development of what eventually became the 2015 revision of the ESG. It also became common at E4 meetings to invite EQAR also for part of the discussions in Brussels. Standing meetings between the EQAR and ENQA Presidencies and secretariat also became more common.

When an agency was undertaking the mandatory five-year evaluation against the ESG and had selected ENQA as the body to coordinate its review, the agency was asked at the commencement of the process if they intended using the review report for the purposes of EQAR listing also. A commonly agreed term of reference for reviews for the purpose of ENQA membership and EQAR listing and the briefing of the panels for ENQA agency reviews began to incorporate the expectations of the EQAR Register Committee as part of the briefing sessions. The Register Committee of EQAR also had a right to address any outstanding queries on the report arising from an ENQA-coordinated review to the review panel through the ENQA secretariat.

### **Towards the 'targeted review' process**

Due to the effluxion of time, many EQA agencies have now been registered on EQAR for over a decade and have undergone two or more ENQA co-ordinated reviews. The number of evaluated agencies has increased over time so that in 2021 ENQA now has 56 member agencies and there are 50 agencies listed on EQAR. Indeed, the map of agencies that are members of ENQA and those that are listed on EQAR has become more overlapping, so that in 2021, 48 of the 56 ENQA member agencies are also listed on EQAR with only one specialist agency being listed on EQAR while not simultaneously being an ENQA member. (Walsh, 2020)

The five-year renewal process for such a large number of member agencies has meant that the work of ENQA and its Board has become consumed by the agency review process and the decision-making around it, leaving less and less time for the agency support function of the organisation.

Since the ESG 2015 were adopted, ENQA and EQAR have been taking tentative steps to recognise the challenges presented by the above. As more and more ENQA agencies has undergone two or more reviews, the question of evaluation fatigue and 'diminishing returns' from repeatedly undergoing the same process has been questioned. ENQA, however, has been in somewhat of a bind as to what to do. The desire from mature agencies to have an evaluation process that went beyond the threshold standard and that focusses more on enhancement or innovation in quality assurance has left the quandary of an agency still having to satisfy the Standards of ESG 2015.

Thankfully, discussions between ENQA and EQAR in 2021 have now come to a new proposal that has the potential to allow ENQA to focus more on its responsibility and mission as a membership organisation that can serve its more mature agencies better by allowing them to focus more on enhancement or innovation while at the same time not compromising their listing status on EQAR. The Register Committee has also recognised the value of widening the period between 'full-ESG' reviews from 5 to 10 years for agencies that have undergone two successful reviews against ESG 2015.

This has culminated in 2021 with a proposal agreed at the EQAR Members Forum in April to permit such agencies to undertake a so-called ‘targeted review’ five years in between ‘full’ reviews. The proposal introduces a review with a more targeted approach and an enhancement-led component while also safeguarding the provision of trust throughout the EHEA guaranteed by the EQAR Register. There is no change in the criteria for registration. There is rather more a focus on those areas that require attention by an agency.

There are also some changes in the process, with closer attention being paid to the Terms of Reference, including a joint briefing to the ENQA-appointed review panel and the EQAR secretariat, a shorter timeframe for the review, a reduction in the size of the panel from four to three and an expectation of shorter reports and reduced costs, all of which will be welcomed by agencies. The result will still, however, be the same with the renewal of registration on EQAR.

A targeted review will be expected to address all the areas where the agency received a ‘partial compliance’ judgement in the previous review and all ESG 2015 standards from 2.1 to 2.7 for activities that were newly launched or changed since the agency’s last renewal of registration. The review would also have to consider any standards affected by other types of substantive changes in organisational identity or structure. The review should also consider one further area for enhancement. The targeted review will be an option for agencies that have been listed on EQAR for 10 years or more. However, such agencies will also have the option of a full review against all the ESG standards, if they so choose.

The proposal above was also put to and agreed by the ENQA General Assembly in April 2021. This comes on top of the decision by ENQA in October 2020 to accept a successful EQAR listing following a review as satisfactory grounds for renewal of ENQA membership, taking away the ‘double decision’ of the ENQA Board requiring a second deliberation on ENQA membership through its Scrutiny Committee and its Board.

This also coincided with ENQA’s decision to change the four-point compliance judgements (Full compliance, substantial compliance, partial compliance and non-compliance) to a three-point scale (full compliance, partial compliance and non-compliance) for an ESG review where it acts as the coordinator thus bringing it into line with the three-point scale used by the EQAR Register Committee.

The proposal on targeted reviews, having been approved by the ENQA General Assembly and the EQAR Members’ Forum in April now proceeds for finalisation to the ENQA Board meeting in June and the EQAR Register Committee meeting in July. ENQA has then committed to informing its members when the option of a targeted review will become available and undertakes to evaluate the approach after a two-year period of operation.

These decisions have the potential to remove any overlap in the process and reduce the time for decisions to be taken. Moreover, they allow mature agencies to focus more on innovation in quality assurance and the opportunity to be evaluated against areas that have chosen to focus on themselves.

### **Concluding thoughts**

At the same time, one can still question whether ENQA’s decision will really ease the situation. At a closer look it could possibly even have an aggravating effect. It is fair to say that this means only that inconsistent approaches, interpretations and understandings will be less transparent in the future; it does not mean that these inconsistencies vanish into thin air. This is relevant because in most cases ENQA will still coordinate most of the reviews; this means that ENQA will organise workshops for

agencies that intend to undergo a review, pre-screen the self-assessment reports, select and train the panel members, support the panel members during the process and even screen the draft report. Consequently, ENQA's interpretations of the ESG will continue to play a decisive role in the agency reviews.

The decision-making process will now, however, be de-linked completely from the review. Every decision-making body in external quality assurance has necessarily a decisive impact on the interpretation of the standards that are applied in the evaluation preceding the final decision. This becomes even more relevant as agencies are more likely to become even more diverse in terms of remit and scope than they already are.

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