

Strengthening Institutional Capacity for Quality Assurance

Activity 1.2: Analysis against the ESG Part II / III and selected legal frameworks for quality assurance (conclusions on the workshops on ESG Part II and Part III)



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The total duration of the project is 24 months, starting from 13 September 2013 and lasting until 12 September 2015. The objective of the project is to increase mobility and employability of the labour force through improvement of the quality of higher education institutions in line with the Bologna Process. The project purpose is to improve and strengthen human resources and institutional capacities for quality assurance in higher education. The main partner for the project implementation is the Agency for Development of Higher Education and Quality Assurance (HEA), while other partners are the BiH Ministry for Civil Affairs, competent entity and cantonal ministries of education, Education Department in the Government of the Brčko District of Bosnia and Herzegovina, Agency for Accreditation of Higher Education Institutions of the Republika Srpska (HEAARS) and higher education institutions in Bosnia and Herzegovina. On behalf of Austria, the project is implemented by the Agency for European Integration and Economic Development (AEI). The Agency for Quality Assurance and Accreditation of Austria (AQ Austria), in cooperation with relevant experts, provides the appropriate expertise during the project implementation.

Project staff

Alexander Kohler, Twinning Project Leader, Member State Austria

Husein Nanić, Twinning Project Leader, Beneficiary Country Bosnia and Herzegovina

Maria E. Weber, Resident Twinning Advisor (RTA), Member State Austria

Maja Macan, RTA Counterpart, Beneficiary Country Bosnia and Herzegovina

Component 1

Analysis of the legal provisions / Activity 1.2: Analysis against the ESG Part II / III and selected legal frameworks for quality assurance (conclusions on the workshops on ESG Part II and Part III)

International higher education experts working on the analysis

ESG Part II

- *Peter Findlay*, Assistant Director, Quality Assurance Agency for Higher Education of the United Kingdom (QAA) and ENQA international reviewer
- *Adi Kovačević*, AQ Austria consultant for SEE/WUS Austria

ESG Part III

- *Achim Hopbach*, Managing Director, AQ Austria and former president of ENQA
- *Dietlinde Kastelliz*, Head of Department Audit & Consulting, AQ Austria
- *Roland Humer*, Consultant for Higher Education Management

Proofreading

Suzana Trubajić, Language Assistant to RTA

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1 Introduction

The European Standards and Guidelines (ESG) are the principal reference for the design and development of quality assurance systems across Europe. They describe requirements for quality assurance at the level of the higher education institution (internal quality assurance, ESG Part I), and at the level of quality assurance agencies and systems (external quality assurance, ESG Part II and Part III).

The application of the ESG strongly depends on the provisions of national legal frameworks. The experience in various European countries shows that national legislation may facilitate the development of quality assurance which complies with the ESG, but can also constrain developments.

The general plan of the Twinning Project *Strengthening Institutional Capacity for Quality Assurance* is based upon four components. Scheduled activities within the four components partly run in parallel and are interconnected. The first component namely the *Analysis of the Legal Provisions* consists of an *analysis of the legal provisions in Bosnia and Herzegovina* (Activity 1.1) together with an *analysis of selected legal frameworks, regulations and procedures for external quality assurance against the ESG Part II and Part III* (Activity 1.2).

Within several working sessions related to the above topics, the HEA management and staff, as well as other stakeholders (e.g representatives from competent higher education authorities, higher education institutions, higher education experts in BiH, etc.), were cordially invited to express their comments and different views, perceptions and experiences with the process of external quality assurance in BiH. Discussions covered the related legal provisions and the mutual roles of the various actors involved in the process, namely HEA, the competent higher education authorities, and HEIs. International experts committed themselves to draft and finalize concluding documents from the activities. The experts involved in Activity 1.1 concluded their work with an overall synthesis, summary report on the analysis of the legal provisions.¹

Activity 1.2 was concerned with carrying out an analysis of the compliance of HEA's capacities with respect to the implementation of an effective system of external quality assurance. It considered these both with regard to compliance with the legislative framework relevant for external quality assurance and regarding the requirements set by the ESG. Two workshops, both held in December 2013, dealt with the ESG. While the first considered the ESG Part II, the second was focused on the ESG Part III.

Within Component 2² of this Twinning Project, HEA also has to prepare a self-evaluation report as one core step for an external assessment by the ENQA. Therefore, these two first workshops might also to be considered as a kick-off for future activities and discussion dealing with an in-depth analysis of HEA's governance and operation viewed against the ESG. One of the mandatory results of the Twinning Project is that HEA has to undergo an external review in order to become full member of the European Association for Quality Assurance in

¹ Kovačević, Adi/Baumann, Bastian/Nitsche, Veronika: Activity 1.1: Analysis of Legal Provision – Synthesis of legal provisions and compilation of existing reviews (report). (Experts Report).

² Component 2: Strengthening the capacities of HEA

Higher Education (ENQA)³ and to be listed within the European Quality Assurance Register for Higher Education (EQAR)⁴.

Nevertheless, it should be stressed that neither of the workshops nor the respective report on the overall conclusions and findings should be considered as *an assessment on compliance with the ESG*. The workshops were not dealing directly with the question of whether or not procedures, activities and responsibilities with regard to external quality assurance undertaken in BiH by HEA, shared with other responsible competent legal bodies, higher education authorities, can fulfil the requirements of the ESG.

The working method for both workshops was the following:

- Desktop research and analysis of different documents⁵ and regulations issued by HEA (HEA documents⁶) together with relevant legal frameworks dealing with higher education and external quality assurance in BiH – always with regard to compliance with ESG Part II and Part III,
- Open discussion, personal attention of HEA management and staff,
- Joint identification of key issues relevant for the implementation of ESG.

During the workshops, each standard and the associated guideline were presented (power point) and discussed. The key findings and observations of the experts were written down in bullet point directly onto a subsequent slide during the sessions.⁷

This document combines together the findings of the two workshops. In doing this, the approach to recording the findings and overall conclusions by the international experts has not been changed.

³ ENQA: www.enqa.eu. In order to become a full member, agencies have to undergo an external review against the fulfillment of ENQA membership criteria.

⁴ EQAR: www.eqar.eu. According to the EQAR, quality assurance agencies, whether based in Europe or outside, that have demonstrated their substantial compliance with the ESG through an external review by independent experts can apply for inclusion on the Register.

⁵ See Annex 2

⁶ Agency for Development of Higher Education and Quality Assurance: HEA Documents (2012), www.hea.gov.ba/Dokumenti/dokumenti_agencije/Archive.aspx?template_id=52&pageIndex=1 (as of 20 December 2013).

⁷ Beside of that, the RTA and the RTA Assistant took notes of core points raised during the discussions. These notes are not considered as final minutes and are only available for the internal use of HEA. They are considered to support further and ongoing discussions in upcoming workshops and activities within the Twinning Project and beyond dealing with the fulfillment of the requirements set by the ESG.

2 ESG Part II

Standard 2.1. Use of internal quality assurance processes

Standard: External quality assurance processes should take into account the effectiveness of the internal quality assurance processes described in Part 1 of the European Standards and Guidelines.

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

Findings ESG 2.1

- HEA needs to demonstrate that it has the authority to check that internal QA processes in ESG Part I are actually being complied with – this may require a more direct involvement in all parts of the external QA procedures.
- There must be a clarification of the legal framework with regard to main responsibilities of HEA in particular with regard to management of external QA.
- Regarding the external report by the accreditation review panel, HEA needs to have the responsibility for Guidelines checking the sufficiency, adequacy of the report and how it will use the report to make the recommendations on accreditation.

Standard 2.2. Development of external quality assurance processes

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

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

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

Findings ESG 2.2

- Question: Are the aims and purposes of accreditation set down anywhere?
- An early consultation with stakeholders took place.

- HEA must now develop more procedures building on the existing documents and with new elements, producing a supporting guide for the external quality assurance procedures. (note – it appears that work on something like this and the requirements listed below have been developed, but not published by HEA or widely circulated).
- Lower level procedures are needed in relation to details of procedure (e.g. timelines, deadlines, report, work of the panel, templates, annexes).
- HEA should continue the good level of consultation with stakeholders.
- HEA should review the first round of accreditations for impact when this has been completed (or an earlier sample of completed accreditations).
- See also previous points on ESG 2.1

Standard 2.3. Criteria for decisions

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

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

Findings ESG 2.3

- HEA has published criteria and procedural “norms”. These need to be harmonised into a more supportive publication for the process.
- It is not clear how it is ensured that all the criteria are addressed, and how consistency is achieved.
- It is not clear how the expert panel is to gather together recorded evidence.
- Potentially HEA has the authority within the Framework Law on Higher Education to moderate conclusions and final decisions and to provide for consistency in the quality of the report, in making its recommendations. But it does not currently do this.

Standard 2.4. Processes fit for purpose

Standard: All external quality assurance processes should be designed specifically to ensure their **fitness to achieve the aims and objectives set** for them.

Guidelines: Quality assurance agencies within the EHEA undertake different external processes for different purposes and in different ways.

It is of the first importance that agencies should conduct the procedures which are fit for their own defined and published purposes.

Experience has shown, however, that there are some widely-used elements of external review processes which not only help to ensure their validity, reliability and usefulness, but also provide a basis for the European dimension of quality assurance.

Findings ESG 2.4

- There needs to be a more exact and well communicated statement of the purpose for which the accreditation processes are designed. This is not self evident.
- Many of the procedures mentioned in the ESG Guidelines are being addressed by the work of HEA, in particular the selection of experts and the range of experts and the model of the process.
- Collaboration and agreement with the competent authorities for the training of experts must be pursued.
- A training update should take place before experts engage in a particular accreditation procedure.
- There is also need to provide some level of briefing for international experts (could be virtual).
- As the system develops, there will need to be more allowance within the processes for enhancement and improvement elements.

Standard 2.5. Reporting

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

Guidelines: In order to ensure maximum benefit from external quality assurance processes, it is important that reports should meet the identified needs of the intended readership.

Reports are sometimes intended for different readership groups and this will require careful attention to structure, content, style and tone.

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

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

Findings ESG 2.5

- The expected report structure has been defined by HEA and is in line with the ESG guidelines.
- It appears that at least some of the first round of reports were not satisfactory.
- The competent educational authorities and HEA need to find out the reasons for this. Feedback should be sought from all those involved, including the expert reviewers.
- HEA must have more involvement in the quality management of the reporting procedures, whether advisory or in a monitoring role.
- The responsibility for the various stages in the report production needs to be clarified (drafting, commenting, editing, agreeing, etc).
- Support for the report production can be strengthened by advisory guidance, templates etc.

- The question of readership targets needs to be further considered, especially when it comes to programme accreditation.
- The publication of the report (by whom and where?) appears to be straightforwardly accepted as part of the process. But it can often become controversial in the case of negative or critical reports; has that been given sufficient consideration?

Standard 2.6. Follow-up processes

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

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

Findings ESG 2.6

- There is a formal structure for follow-up procedures which looks as though it will be effective.
- The responsibility of HEA for ensuring that the procedures, and any recommendations, are followed needs to be clearly established.

Standard 2.7. Periodic reviews

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

Guidelines: Quality assurance is not a static but a dynamic process. It should be continuous and not “once in a lifetime”. It does not end with the first review or with the completion of the formal follow-up process. It has to be periodically renewed. Subsequent external reviews should take into account progress that has been made since the previous event. The process to be used in all external reviews should be clearly defined by the external quality assurance agency and its demands on institutions should not be greater than are necessary for the achievement of its objectives.

Findings ESG 2.7

- While not yet precisely determined, it is envisaged that accreditation reviews will take place on a cyclical basis, as indicated in some of the subsidiary legislation.

Standard 2.8. System-wide analyses

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

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

Findings ESG 2.8

- Any such analysis must be in the early stages, as so few accreditations have been completed.
- In due course, HEA should be encouraged to use the information that it has available to it.
- Eventually HEA should carry out surveys of HEIs.
- HEA has an important role in sharing good practice across the HE sector.

3 Overall Conclusions ESG Part II

During the mission, the discussion and analysis of *ESG Part II* show that there is a level of compliance with a number of the standards, subject to the points made below.

- HEA has had difficulty in assuming a wide range of responsibility for all aspects of external quality assurance.
- Questions of legal authority and the allocation of responsibility for particular parts of external quality assurance processes still need to be satisfactorily clarified.
- These above concerns were particularly evident with regard to the overall management of the procedures, to formal receipt of the self-evaluation document, to the support for the reporting procedure and the receipt of reports, and to follow-up accountability.
- If responsibilities are to be shared with other legally competent bodies (educational authorities), then there needs to be greater clarity about who does what, and a greater level of collaboration between the various actors in the external quality assurance activities.
- There is work to be done with regard to internal discussions within HEA aiming at greater agreement among colleagues concerning the aims, purposes and general authority of HEA.
- These questions need to be resolved by HEA, not simply for the purpose of meeting the ENQA standards and applying for membership, but in order to function effectively as a national quality assurance body, and to carry out its task with regard to improvement and development in higher education (since this responsibility is not separable from effective quality assurance).

- Meeting the standards and guidelines in ESG Part II fully ultimately depends upon adopting a clear vision and direction and the appropriate management steer to achieve this.

4 ESG Part III

Standard 3.1. Use of external quality assurance processes for higher education

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

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

Findings ESG 3.1

- See the findings above listed under ESG II.

Standard 3.2. Official Status

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

Findings ESG 3.2

- HEA was established by an act of law as a body active in the areas of quality assurance and higher education development.
- However, the translation of the official status into practical work has lagged behind.
- In the area of quality assurance, emphasis is put on accreditation.
- A clear distinction needs to be made between standard-setting (criteria, procedures, etc. for all BiH) and the implementation of these standards (i.e. realisation of accreditation processes at HEIs).
 - There is a common understanding that HEA acts as a standard-setting agency.
 - It is still unclear if HEA is also an implementing agency.
 - From the European perspective, it is legitimate to separate these tasks, but it is also usual that a single agency fulfills both functions. But the line between standard-setting and implementing procedures needs to be clearcut.
 - If there is a separation of functions, then the relation with other accreditation authorities in the decision-making phase needs to be clarified.
- HEA has a mission to monitor the development of the higher education sector in Bosnia and Herzegovina.

- However, this has not yet materialised (e.g. the results of the analysis have not been published).
- The management needs to take the strategic decisions, and assure the implementation of these decisions (clear communication necessary).

Standard 3.3. Activities

Standard: Agencies should undertake external quality assurance activities (at institutional or programme level) on a regular basis.

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

Findings ESG 3.3

- Based on the understanding that HEA's tasks within an accreditation procedure are:
 - to set standards and regularly revise them,
 - to appoint peers,
 - to give recommendation for the accreditation decision,
 - and do the assessment of harmonization of decisions on accreditation,
- then HEA regularly performs quality assurance activities.
 - However, from an international perspective, this cannot be regarded as a comprehensive external quality assurance procedure, as it does not include the implementation of the peer review procedures.
 - HEA's options are:
 - (1) that HEA itself carries out the implementation,
 - (2) that HEA assures that other bodies (e.g. implementing agencies) do the implementation according to HEA standards (a monitoring and control role).

Standard 3.4. Resources

Standard: Agencies should have adequate and proportional resources, both human and financial, to enable them to organise and run their external quality assurance process(es) in an effective and efficient manner, with appropriate provision for the development of their processes and staff.

Findings ESG 3.4

- Staffing
 - While the rulebook on internal organisation of HEA (Art 10) stipulates 35 staff, the actual number of staff amounts to only 23 who would appear to be adequately qualified.
 - It is, however, not possible to assess this significant discrepancy due to unclear responsibility and uncertainty regarding the precise tasks of HEA in the accreditation process. It nevertheless seems clear that there is an imbalance of employees and civil servants.
 - The unclear designation of responsibility and tasks within HEA also results in uncertain job descriptions and distribution of tasks within the office.
 - A more detailed assignment of tasks to the Deputy Directors and a stronger involvement of the directorate in daily operations might strengthen the overall management capacity of HEA and contribute to a more efficient workflow.

- Finances
 - HEA is publicly funded and receives an annual budget. The agency, like other public bodies, is affected by austerity measures. It is worth mentioning that staff cost amount to almost 80 percent of the total HEA budget which limits the room for manoeuvre with regard to other important areas e.g. staff development, international exchange, and other activities.

Standard 3.5. Mission statement

Standard: Agencies should have clear and explicit goals and objectives for their work, contained in a publicly available statement.

Guidelines: This statement should describe the goals and objectives of members' quality assurance processes, the division of labour with relevant stakeholders in higher education, especially the higher education institutions, and the cultural and historical context of its work. The statement should make clear that the external quality assurance process is a major activity of the member and that there exists a systematic approach to achieving its goals and objectives. There should also be documentation to demonstrate how the statement is translated into a clear policy and management plan.

Findings ESG 3.5

- Within the currently running GIZ project, HEA is developing a five-year-strategy. Part of the strategy development process is a thorough analysis of HEA itself and its context. A mission statement is to be derived from this process. HEA is actively involved and a successful outcome can be expected.
- The mission statement will contribute to a common understanding of the Agency's responsibilities within HEA itself and towards public.

Standard 3.6. Independence

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

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

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

Findings ESG 3.6

- Steering Committee of HEA
 - The composition of the Steering Committee, as well as the application and nomination process of its members, is governed by law which also defines the qualification criteria for members. The public call for members and the nomination of members through the Parliament guarantees independence of the process itself, and subsequently the decision making by the Steering Committee.
- Expert Panels
 - Although the appointment of peers to the panels for accreditation processes at universities is part of the responsibilities of HEA, peers are actually nominated by the competent educational authorities. HEA cannot guarantee the full independence of the procedure if peers are selected by the local authorities. This means that HEA can be made liable for faults in the the correct implementation of the accreditation process without having a full control over its construction.
 - A possible solution could be that HEA would choose peers from among a list of proposals made by the competent educational authorities. This would ensure that HEA can actually select and not only formally appoint the peers. Whenever HEA does the harmonisation check, it is imperative also to perform the task of checking possible conflicts of interest.

Standard 3.7. External quality assurance criteria and processes used by the members

Standard: The processes, criteria and procedures used by agencies should be pre-defined and publicly available. These processes will normally be expected to include:

- a self-assessment or equivalent procedure by the subject of the quality assurance process;
- an external assessment by a group of experts, including, as appropriate
- (a) student member(s), and site visits as decided by the agency;
- publication of a report, including any decisions, recommendations or other formal outcomes, a follow-up procedure to review actions taken by the subject of the quality assurance process in the light of any recommendations contained in the report.

Guidelines: Agencies may develop and use other processes and procedures for particular purposes.

Agencies should pay careful attention to their declared principles at all times, and ensure both that their requirements and processes are managed professionally and that their conclusions and decisions are reached in a consistent manner, even though the decisions are formed by groups of different people.

Agencies that make formal quality assurance decisions, or conclusions which have formal consequences, should have an appeals procedure. The nature and form of the appeals procedure should be determined in the light of the constitution of each agency.

Findings ESG 3.7

- See findings listed under ESG II developed during the mission from Dec. 09 – 13, 2013.

Standard 3.8. Accountability processes

Standard: Agencies should have in place procedures for their own accountability.

Guidelines: These procedures are expected to include the following:

(1) A published policy for the assurance of the quality of the agency itself, made available on its website.

(2) Documentation which demonstrates that:

- the agency's processes and results reflect its mission and goals of quality assurance;
- the agency has in place, and enforces, a no-conflict-of-interest mechanism in the work of its external experts;
- the agency has reliable mechanisms that ensure the quality of any activities and material produced by subcontractors, if some or all of the elements in its quality assurance procedure are subcontracted to other parties;
- the agency has in place internal quality assurance procedures which include an internal feedback mechanism (i.e. means to collect feedback from its own staff and council/Board); an internal reflection mechanism (i.e. means to react to internal and external recommendations for improvement); and an external feedback mechanism (i.e. means to collect feedback from experts and reviewed institutions for future development) in order to inform and underpin its own development and improvement.

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

Findings ESG 3.8

- HEA as a public agency is subject to various reporting obligations, e.g. annual financial audits, staff inspections, annual reports to the Council of Ministers, reports to parliament on request etc. Reports are duly published on the HEA webpage.
- Going beyond legally defined accountability obligations by setting up and implementing effective internal quality assurance mechanisms is a particular feature expected of external quality assurance agencies and, hence, HEA is also required to proceed accordingly.
- HEA's internal quality assurance mechanisms should emphasise feedback from its stakeholders, including higher education institutions, and should focus on giving directions for developing its internal administrative procedures including all processes that link HEA with its clients and external stakeholders.
- The respective ESG 3.8 guidelines list several components that this internal quality assurance mechanism needs to cover. These are still to be developed.
- In the course of international projects, HEA has received feedback from various external experts which can contribute to internal development.

- For full ENQA membership, HEA will have to undergo an ENQA-coordinated external review. In order to prepare for that review, HEA needs to clarify the internal quality assurance processes and responsibilities.

5 Overall Conclusions ESG Part III

The workshop on *ESG Part III* showed that it has been challenging to discuss the various standards and guidelines without repeatedly returning the same issues:

- HEA's tasks with regard to external quality assurance:
 - The relationship between HEA and the higher education institutions: regardless of any legal stipulations (whether or not the HEIs have a legal obligation to cooperate with HEA), HEA needs to invite the higher education institutions to collaborate, as they are the main beneficiaries of its work.
 - For possible solutions regarding external quality assurance, see ESG 3.2 and 3.6.
- Acknowledging the difficult legal situation, HEA itself nevertheless needs to define its position and derive its policies in order become fully operational.
- HEA's directorate (management) has to take the initiative, i.e. elaborate relevant proposals with the support of HEA staff and make sure that these proposals are endorsed by the Steering Committee.

6 Summary

This summary takes the various points identified from the individual ESG standards and relates them directly to the further development and work of HEA. A range of issues were identified which required attention before HEA can demonstrate compliance with the European standards. The most important of these are listed below as broad issues for attention by HEA.

The status of the Agency

- HEA was established by an act of law as a body active in the areas of quality assurance and higher education development. However, the translation of the official status into practical work has been slow to emerge.
- It is likely that HEA has sufficient independence as an organization to meet the ESG standard. However, this is not the case with all other bodies currently assuming accreditation responsibilities. This is also a problem for HEA.
- In the area of quality assurance, emphasis is put on the specification of accreditation. HEA regularly performs a number of quality assurance activities. However, from an international perspective, this is not regarded as a comprehensive external quality assurance procedure, as it does not include the implementation of the peer review.
- With regard to accreditation activity, a clear distinction needs to be made between standard-setting (criteria, procedures, etc. for all BiH) and the implementation of these standards (i.e. realization of accreditation processes at HEIs). There is a common understanding and agreement that HEA acts as a standard-setting agency. But it is still unclear whether HEA also takes a leading role as an implementing agency. HEA's options are:
 - (1) assure that other bodies (e.g. implementing agencies) do the implementation according to HEA standards or
 - (2) that HEA itself performs implementation.
- There is scope for more developed work on support and enhancement for institutions as part of the quality assurance activities.
- The strategic management and direction of HEA is not sufficiently clear. The uncertainties regarding the role and activities of HEA mean that it has had difficulty in working to produce action plans and schedules of activity.
- HEA's directorate (management) has to take the initiative, i.e. elaborate respective proposals and associated work plans with support of HEA staff and make sure these proposals are endorsed by the steering committee.
- Meeting the standards and guidelines in ESG Parts II and III fully ultimately depends upon adopting a clear vision and direction and the appropriate steer to achieve this.

The competences and authority of HEA

- HEA has had difficulty in assuming a wide range of responsibility for all aspects of external quality assurance
- Questions of legal authority and the allocation of responsibility for particular parts of external quality assurance processes still need to be satisfactorily clarified. Acknowledging the difficult legal situation, HEA itself nevertheless needs to define its position and derive its policies from that position, in order to be effectively operational.
- HEA needs to demonstrate the authority to check that internal institutional quality assurance standards (specified in ESG Part I) are actually being complied with – that may require direct involvement in all parts of the external QA procedures.
- In the general management of accreditation, there is no clarity regarding the competence for a number of central aspects of external quality assurance. These include: the overall definition of the procedures; the specification and receipt of the self-evaluation document; the support for the reporting procedure and the receipt of reports: and follow-up accountability.
- If responsibilities are to be shared with other legally competent bodies (educational authorities), then there needs to be greater clarity about who does what, and greater level of collaboration between the actors in the external quality assurance.
- Although the appointment of peers to the panels for accreditation processes at universities belongs to the responsibilities of HEA, peers actually are nominated by the competent educational authority. As HEA can be made liable for the correct implementation of the accreditation process, HEA cannot guarantee for full independence of the procedure if peers are selected by the local authorities.
- The relationships of HEA should include external accountability through internal self-assessment. Going beyond legally defined accountability obligations by setting up and implementing effective internal quality assurance mechanisms is a particular feature of external quality assurance agencies and, hence, HEA is also required to proceed accordingly. HEA's internal quality assurance mechanisms should emphasize feedback from its stakeholders including higher education institutions and should focus on giving directions for developing its internal administrative procedures including all processes that link HEA with its clients and external stakeholders.

Criteria

- HEA has produced published criteria and procedure “norms”. These now need to be harmonized within a single document which provides a more user-friendly and supportive publication for the accreditation process.
- It is not clear how it is ensured that all the criteria are addressed or how consistency is achieved.

Accreditation procedures

- Procedures should be designed to follow aims and purposes. There is some lack of clarity about the definition of 'accreditation' and the aims and purposes associated with that activity which needs to be addressed.
- A number of the procedures mentioned in the ESG guidelines are being addressed by the work of HEA, in particular the selection of experts and the range of experts and adherence to the ESG 'model' of the accreditation process.
- However, the ownership and decision-making authority in relation to a number of procedures must be clarified and set out in protocols for procedures.
- More precisely, specified procedures and guidance are required for the training of experts; and for the production, submission and publication of the panel report.
- Important 'deeper level' procedures remain to be defined in relation to important details of the accreditation process. These include guidance for the work of the panel of experts and the submission of reports (e.g. timelines, deadlines, report, work of the panel, templates, and annexes).
- Potentially, HEA has the authority to moderate conclusions and final decisions and to provide for consistency in the quality of the report, in making its recommendations. But it has found it difficult to do this.

7 Annex 1 – Participants of Workshops

Husein	Nanić	Director, HEA Twinning Project Leader, Beneficiary Country
Miljan	Popić	Deputy Director, HEA
Velimir	Jukić	Deputy Director, HEA
Benjamin	Muhamedbegović	Assistant Director for Quality Assurance, HEA
Marina	Matošević	Senior Officer for Quality Assurance, HEA
Maja	Macan	Senior Officer for Quality Assurance, HEA Resident Twinning Advisor Counterpart, Beneficiary Country
Zorica	Drljača	Head Of Department For Legal, Personnel And General Affairs, HEA
Slavica	Škoro	Senior Advisor for Public Relations – Spokesperson, HEA
Aida	Savić	Senior Officer for Higher Education, HEA
Sanela	Pašić Delahmetović	Senior Advisor for Science and Higher Education, HEA

8 Annex 2 – Short Term Experts

Short Term Experts - Workshop ESG Part II (9 - 13 December 2013)		
Adi	Kovačević	AQ Austria Consultant for SEE WUS Austria
Peter	Findlay	Assistant Director, Quality Assurance Agency for Higher Education, UK Board member, AQ Austria
Short Term Experts - Workshop ESG Part III (16 - 20 December 2013)		
Achim	Hopbach	Managing Director, AQ Austria
Dietlinde	Kastelliz	Head of Unit for Audit and Consulting, AQ Austria
Roland	Humer	Consultant for Higher Education Management
Short Term Experts Support		
Maria E.	Weber	Resident Twinning Advisor MS AQ Austria
Suzana	Trubajić	Language Assistant to the Resident Twinning Advisor
Sanda	Topić	Assistant to the Resident Twinning Advisor

9 Annex 3 – Documents used in the workshop

- Synthesis document containing regulations (Activity 1.1), focusing on QA relevant legal provisions such as:
 - BiH Framework Law on Higher Education
 - Laws on Higher Education of RS, Brčko District and 10 cantons (especially parts dealing with quality assurance)
- Draft Synthesis Report from Activity 1.1
- Self-evaluation report of HEA produced for the Tempus Project CUBRIK
- Final report of the experts delivered for the mock-site visit within the Tempus Project CUBRIK
- HEA Documents
- Mission Report 09_13_12 13_A1.2_Sub2-final
- Document on the organizational structure of HEA
- Rulebook on the internal organization of HEA
- Program of work of HEA 2013
- Statute of HEA
- Overview on higher educational authorities in BiH
- Documents produced by the Council of Europe within the joint project *Strengthening Higher Education in BiH III* (2010)