

Rules for the Accreditation of Agencies

Resolution by the Accreditation Council dated 23/09/2016¹

Table of contents

1. Focus of the review	3
2. European Standards for Quality Assurance Agencies	3
3. Criteria for Admission in the National Context	3
4. Procedure rules	4
5. Decision rules.....	6

¹ This resolution replaces the following resolution: „ Rules of the Accreditation Council for the Accreditation of Agencies” Resolution of the Accreditation Council of 08.12.2009 as amended on 10 December 2010

Introduction

These rules contain the standards and criteria that accreditation agencies must fulfil in order to award seal of the Accreditation Council:

- for Bachelor's and Master's study programmes in accordance with German higher education law ("programme accreditation") and
- for the internal quality assurance systems of higher education institutions ("system accreditation")

The accreditation council reviews the fulfilment of these requirements by conducting procedures for the accreditation of agencies and concluding these with an admission decision, which is issued with conditions if applicable. The provisions regarding the procedure and the decision are also part of these rules. The legal basis is the law on establishing a foundation "Foundation for the Accreditation of Study Programmes in Germany" (hereinafter "Accreditation Foundation Law "ASG") from 15/02/2005.²

The requirements are composed of the *Standards and Guidelines for Quality Assurance in the European Higher Education Area* (hereinafter "European Standards and Guidelines" or "ESG") and the Criteria for Admission in the National Context (Section 3).

In order to be admitted as an agency in Germany, compliance with the ESG is a necessary but not sufficient requirement. For internationally established agencies that would like to operate in Germany, existing evaluations regarding compliance with the ESG may be incorporated in the review (cf. Section 1). For agencies based in Germany, the review by the Accreditation Council can also serve as the basis for applications for membership of the "European Association for Quality Assurance in Higher Education" (ENQA) and for registration in the European Quality Assurance Register for Higher Education (EQAR).

The head office of the Accreditation Council is available to provide additional information.

² Cf. http://akkreditierungsrat.de/fileadmin/Seiteninhalte/AR/Beschluesse/en/ASG_Stiftungsgesetz_en.pdf

1. Focus of the review

The review on the basis of the ESG (Section 2) and the Criteria (Section 3) includes

- a) the agency's activity in Germany (awarding the seal of the Accreditation Council) and,
- b) depending on the agency's application, all other fields of activity that are relevant to the separate decisions by ENQA regarding membership or by EQAR regarding registration.

Results from other external quality assurance procedures that were obtained in accordance with the ESG standards and, as a general rule, are no more than two years old, can be incorporated into the review.

2. European Standards for Quality Assurance Agencies

The agency fulfils Sections 2 and 3 of the *Standards and Guidelines for Quality Assurance in the European Higher Education Area* (ESG) in the current version at the time the agency submitted its application.

3. Criteria for Admission in the National Context

3.1 The agency proves binding internal structures and procedures, which ensure the correct and consistent application of the "Rules of the Accreditation Council for the Accreditation of Study Programmes and for System Accreditation" in its current version. The agency concludes an agreement with the Accreditation Council pursuant to § 3 of the ASG.

3.2 The agency has a separate legal entity.

3.3 The agency does not work on a profit-oriented basis and carries out the accreditation procedures on a full-cost basis.

3.4 The agency accredits across types of Higher Education Institutions as well as across disciplines in case of certification for programme accreditations.

3.5 Responsibilities of the bodies and their personnel composition are appropriate and regulated with binding effect. Academics, students and professional practice are properly involved.

3.6 In the expert groups appointed by the agency, academics, students and professional practice are represented. The experts are carefully selected and prepared for the specific accreditation procedure. The agency ensures the impartiality of experts using suitable measures.

3.7 In the bodies and expert groups, academic representatives have the majority of the votes.

3.8 The agency publishes its procedures for internal quality assurance and for handling complaints and appeals.

3.9 If the agency engages other organisations for the implementation of parts of the procedures, the correct implementation must be ensured by binding and documented agreements.

3.10 In the area of business of the Accreditation Council, the agency generally uses the German language.

3.11 The agency's quality assurance includes internal and external feedback.

4. Procedure rules

4.1 In the case of an initial accreditation of an agency, the head office of the Accreditation Council conducts a non-binding preliminary review of whether there are any formal obstacles for admission of the applying agency.

4.2 The Accreditation Council informs the agency about the key contents, procedure steps, standards, criteria and anticipated fees.

4.3 The agency applies informally and indicates clearly whether the agency is seeking admission for programme and/or system accreditation in Germany (where applicable, specialised in certain subjects/areas of activity) (cf. Section 6.1.1). Furthermore, the application shows whether the agency also aims to gain membership in the ENQA/registration in the EQAR with the review.

Once the procedure is initiated (cf. 5.4), the agency submits a self-evaluation report. This describes the agency's areas of activity, documents compliance with the standards and criteria (sections 2-4) and is organised according to them. In the case of reaccreditation procedures, this also contains a reflection on the agency's development since the previous accreditation.

4.4 The Accreditation Council decides to initiate the procedure. It ensures a comprehensive description of services and specifies the fees in accordance with the current version of its statutes of fees. It appoints a review panels, which ensures the assessment of all areas relevant to the assessment procedure. The review panel, which usually consists of five peer-reviewers, includes academic representatives, student representatives and representatives of professional practice. There is at least one foreign member. The Accreditation Council appoints a chairperson.

The Accreditation Council maintains fairness towards the agency. It ensures the impartiality of peer-reviewers and grants the agency a right to object for this purpose. The agency does not have a right of veto.

The Accreditation Council prepares the review panel for their activities as external peer-reviewers, for their specific role and for the specific accreditation procedure. The preparation relates to conducting discussions and also to the preparation of review reports.

4.5 The review panel is supported by the head office of the foundation.

4.6 As a general rule, the review is based on

- the analysis in the agency's self-evaluation report,
- a progress report by the Board of the Accreditation Council on the agency's activity during the previous accreditation term,
- a site visit at the agency, which includes participation in a meeting of the decision committee responsible for the final decision regarding applications for accreditation and
- separate discussions with the agency's management, employees, experts and, if applicable, representatives from higher education institutions that have already undergone accreditation procedures by the agency and from other countries in which the agency is active,
- if applicable, the review is also based on assessment by the Accreditation Council since the last accreditation.

4.7 The review panel prepares a review report with a recommended resolution in which the evaluation of each of the standards and criteria (sections 2-4) is justified and documented in a clearly understandable way. The evaluation is made using the scale "Fully compliant" – "Substantially compliant" – "Partially compliant" – "Non-compliant".

4.8 In order to clarify open questions, the Accreditation Council can hold a hearing with the agency before the decision is made.

4.9 The agency receives the review report before the decision is made in order to make a statement on it.

4.10 The Accreditation Council makes its decision on the basis of the review report, taking into consideration the statement by the agency.

4.10 Subsequent to the procedure, the Accreditation Council publishes the self-evaluation report, the review report with the names of the peer-reviewers, the statement by the agency and the decision.

4.12 The Accreditation Council justifies its accreditation decision. This includes accreditation decisions with conditions and negative accreditation decisions, decisions regarding the suspension of procedures and accreditation decisions that deviate from the evaluation of a review panel. It documents the procedure in a suitable manner.

4.13 The Accreditation Council reviews the fulfilment of the conditions issued as part of the accreditation.

4.14 In justified individual cases, the Accreditation Council can select a different procedure, taking into account Section 2 of the ESG.

5. Decision rules

5.1 Possible decision contents and their requirements

5.1.1 The accreditation decision extends to the authorisation to conduct programme and/or system accreditation procedures in accordance with the application made. The admission can be limited to certain fields of activity.

5.1.2 An agency is accredited if the standards and criteria pursuant to sections 2-4 are overall substantially fulfilled. However, accreditation is rendered invalid if the agency does not sign an agreement pursuant to § 3 ASG within a specified time.

5.1.3 Accreditation should be issued with conditions if there are deficiencies that can be solved within nine months.

5.1.4 Accreditation should be denied if there are deficiencies that cannot be solved within nine months. If it is expected that the agency will solve the deficiencies, the accreditation procedure can initially be suspended.

5.1.5 The decision can be added with recommendations. It is expected that the agency deals with recommendations within the accreditation period and addresses them during the following reaccreditation.

5.2 Time limitation

5.2.1 The accreditation is limited to five years. The accreditation period begins on the day the accreditation decision becomes effective and extends to the end of the last quarter affected.

5.2.2 An existing accreditation can be extended for a maximum of two years in justified individual cases upon the agency's request. The following accreditation period is then shortened accordingly.

5.3 The expiry of the accreditation period

When an agency's accreditation ends, it immediately halts all ongoing accreditation procedures and contacts the Accreditation Council without being requested. The Accreditation Council informs the affected higher education institutions. If study programmes are undergoing a reaccreditation procedure, they are regarded as accredited for the duration of the requested accreditation procedure by another agency if the higher education institution requests accreditation by another agency.

5.4 Suspension of the procedure

5.4.1 The suspension is justified and declared for a period of no longer than 12 months.

5.4.2 The existing accreditation of the agency applies as if extended up to the end of the suspension period.

5.4.3 It is the responsibility of the agency to provide the Accreditation Council with evidence of solving the deficiencies underlying the suspension decision within the set time period and to request that the procedure is continued. In this case, the suspended procedure is continued. The Accreditation Council decides whether and in what form the agency requires a renewed evaluation.

5.4.4 If the request for the procedure to be restarted is not made within the specified time, the Accreditation Council denies accreditation.

5.5 Conditions

5.5.1 The conditions have clear content as well as they are justified properly.

5.5.2 A term for fulfilling the conditions of a maximum of nine months is set. In justified cases, the accreditation council can grant a proper extension of a maximum of three months.

5.5.3 If the agency demonstrates fulfilment of the conditions within the set term, the Accreditation Council confirms the fulfilment to the agency.

5.5.4 If the agency does not demonstrate fulfilment of the conditions by the time the term expires, the Accreditation Council should revoke the agency's accreditation.

5.6 Entry into force of decisions

Decisions by the accreditation council enter into force with the announcement of the decision either in written or electronic form.

5.7 Complaints and appeals

The agency may appeal against decisions by the Accreditation Council within one month after announcement of the decision. The appeal has a suspensive effect. The board of complaints of the Accreditation Council discusses the appeal and submits a recommendation to the Accreditation Council for the final decision. In the case of appeals against the withdrawal of accreditation or the rejection of a reaccreditation application, the Accreditation Council makes its decision in accordance with § 7 para. 2 of the foundation statute following consultation with the Foundation Council. Otherwise, the agency's option of pursuing administrative court proceedings remains unaffected.

In addition, agencies can file a complaint to the Accreditation Council in all matters.