

Substantive Change Report by the Swiss Agency of Accreditation and Quality Assurance (AAQ)

(until 31/12/2014: Swiss Center of Accreditation and
Quality Assurance in Higher Education, OAQ)

Register Committee

Ref. RC/C01

Ver. 1.0

Date 2015-09-24

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Decision of:	24 September 2015
Report received on:	2 July 2015
Agency registered since:	8/5/2012
Last external review report:	September 2011
Registered until:	30 September 2016
Absented themselves from decision-making:	Andrea Blättler
Attachments:	<ol style="list-style-type: none"> 1. Substantive Change Report 2. Clarification request of 14/08/15 3. AAQ response of 25/08/15

1. The Register Committee considered the Substantive Change Report of 2 July 2015. The Register Committee sought and received clarification from AAQ on some matters, referred to below.

2. The Register Committee took note of the changes in the organisational structure of AAQ.

3. The Register Committee noted that the precise arrangements for the nomination and appointment of the members of the Swiss Accreditation Council appear to have been decided upon ad hoc, but do not seem to be codified currently (clarification item 1). The Committee underlined that the relevant protocols and arrangements should be analysed in the upcoming external review of AAQ.

4. The Register Committee took note of the changes in AAQ's activities.

5. The Register Committee noted that AAQ made arrangements (clarification item 2) for publishing the full evaluation/accreditation/audit reports for cases with a positive outcome. The Committee, however, noted that ESG standard 2.6 requires the publication of all reports in full, including those where the outcome was negative. While it appears that the remaining obstacles to publication of full reports could not be addressed as part of the

recent legal changes, this issue should be analysed in detail in AAQ's upcoming external review.

6. The Register Committee noted that AAQ has extended its existing programme evaluation methodology with the option to apply for award of the EUR-ACE label.

7. While the Register Committee generally had no concerns that such reviews are being carried out in line with the ESG, it could not be determined whether AAQ complies with standard 2.6 in these reviews.

8. While AAQ's Guide for EUR-ACE label reviews (clarification item 3) refers to the rules set by the European Network for Accreditation of Engineering Education (ENAE), the latter do not contain a provision that full reports are published.

9. Due to the recent introduction of these reviews the Register Committee was unable to establish AAQ's actual practice. Since there are no possible legal constraints for these voluntary reviews, the Committee expects that AAQ will publish the full reports for EUR-ACE label reviews and will clarify its Guide to that effect.

10. The Register Committee took note of the Swiss Accreditation Council's ongoing discussions concerning the process and criteria for the recognition of other agencies than AAQ (clarification item 4).

11. The Committee underlined that AAQ should inform EQAR once final decisions on the matter are made.

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Substantive Changes in Registered Agency/ies:	Rapporteurs:
	<i>[completed by EQAR]</i>



Substantive Change Report Template

Register Committee
[completed by EQAR]

Reporting registered agency (copy tables as necessary):

Agency name	Registered name: Swiss Center of Accreditation and quality assurance in higher education – OAQ (new name since 2015: Swiss Agency of Accreditation and Quality Assurance – AAQ)		
Contact Person	Ms Laura Beccari	Expiry of registration	31 May 2016
Phone	+41 (0)31 380 11 62	E-Mail	laura.beccari@aaq.ch

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Author
Ver.
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Please read the information on Reporting Substantive Changes before completing this template.

A. Has the organisational identity of the registered agency changed?

If yes, please specify the changes. These might include:

i. changes to the legal form or status;

NO

ii. merger with/into another body/entity, another body/entity becoming part of the agency (please specify the legal successor in title of the registered agency, and which of the involved bodies/entities carried out external QA of HE programmes/HEIs before);

NO

iii. changes in parent entity, if applicable;

NO

iv. liquidation, bankruptcy or similar proceedings.

NO

v. Other: **different name**

The name of the registered agency OAQ has been changed to AAQ, as a consequence of the entry into force of the Federal Act on Funding and Coordination of the Swiss Higher Education Sector (Higher Education Act, HEdA 414.20) on January 1st 2015.

The new law replaces previous laws, thus creating a framework applicable to all HEIs in Switzerland. The law covers the following areas:

- coordination of the entire Swiss higher education sector;
- quality assurance and accreditation;
- funding of higher education institutions and other institutions within the higher education sector;
- granting of federal contributions.

Substantive Changes in Registered Agency/ies:	Rapporteurs:
	[completed by EQAR]

Previous the HEdA, the Swiss higher education sector was not regulated in a unified way under one single law. Universities and Universities of Applied Sciences, in particular, were governed by different laws under different ministries. This law puts the entire sector under the same legislation, governed by new unified bodies.

Chapter 4 Art. 22 of the law establishes the Swiss Agency of Accreditation and Quality Assurance (Swiss Accreditation Agency), as a legal entity operating under the supervision of the (new) Swiss Accreditation Council. The latter is defined under Art. 21.

Only the legal basis and the name of the agency have changed, the legal status and the organizational identity remaining the same.

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B. Has the organisational structure changed?

If yes, please specify the changes. These might include:

- i. establishment and composition of governing or managing bodies;

Art. 21 of the HEdA establishes the Swiss Accreditation Council, under the supervision of which operates the Swiss Accreditation Agency:

1 The Swiss Accreditation Council comprises 15–20 independent members; these members represent in particular higher education institutions, professional organisations, students, mid-level faculty as well as professors and lecturers. Teaching and research fields at higher education institutions as well as gender must be adequately represented. A minority of at least five members must be mainly involved in activities abroad.

2 On the basis of the Cooperation Agreement, the Higher Education Council elects Accreditation Council members for a four-year term of office. Each member may only be re-elected once.

3 On the basis of the Cooperation Agreement, the Accreditation Council decides on accreditation in accordance with this Act.

4 It is independent.

5 It organises itself. It issues its own Organisational Regulations; these Organisational Regulations require approval by the Higher Education Council.

6 The Swiss Accreditation Council manages its own budget and the budget of the Swiss Accreditation Agency; each maintain their own accounting records.

7 It may recognise other Swiss or foreign accreditation agencies.

8 At the request of the Director of the Swiss Accreditation Agency, it issues Organisational Regulations for the Swiss Accreditation Agency; these Organisational Regulations require approval by the Higher Education Council.

The Swiss Accreditation Council is the independent decision-making instance for all accreditations carried out by the Agency, replacing all previous organs.

The system is now simplified, having one decision-making body instead of four.

Students and the professional world are represented in the Accreditation Council.

Substantive Changes in Registered Agency/ies:	Rapporteurs:
	[completed by EQAR]

ii. discontinuing of governing or managing bodies;

Previous to the entry into force of the HEdA the OAQ governing body was the Swiss University Conference, which does not exist anymore.

iii. major/drastric changes in the staffing or financial situation;

NO

iv. outsourcing of activities with significant relevance for the agency's external quality assurance activities.

NO

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C. Have the external quality assurance activities implemented by your agency changed?

If the answer to i. or ii. is yes, please describe the following key aspects of their methodology, if possible in relation to existing activities that were subject to the last external review:

- (a) purposes of the activity
- (b) criteria used, how they were developed, what measures are implemented to ensure consistency?
- (c) review teams composition, selection, appointment and training of reviewers
- (d) site visits
- (e) publication of reports
- (f) follow-up
- (g) periodicity
- (h) embedding in system-wide analyses and accountability procedures of the agency

i. Are there new types of activities? If so, were they developed from scratch or on the basis of specific existing activities?

Under the HEdA, institutional accreditation is obligatory for all higher education institutions making use of the name “university”, “university of applied sciences”, “university of teacher education” (Art. 29 HEdA) and all related definitions in any language. Institutional accreditation is thus linked to the right of denomination. Programme accreditation is yet voluntary for all sorts of institutions. However, pre-condition for programme accreditation under the HEdA is a positive institutional accreditation.

The institutional accreditation under the HEdA was based on the existing methodology of institutional accreditation, and prepared during a 2-year-long wide consultative process including all stakeholders. Under this process the drafted revised version of the ESG was the main document of reference.

The approach remains the same, focussing on quality enhancement and on the effectiveness of the internal quality assurance system at higher education institutions. The areas evaluated remain the same. Quality standards have been adapted, as to be fit for all sorts of institutions and to be in line with the

Substantive Changes in Registered Agency/ies:	Rapporteurs:
	<i>[completed by EQAR]</i>



revised ESG. The procedural steps remain the same, with a different decision-making body, namely the Swiss Accreditation Council.

Review teams are put together along the same rules and principles as in the past. Review panels include student representation.

The process is ruled by new Accreditation Directives, approved by the Higher Education Council on May 28th 2015. No further substantial changes are to be reported, having an impact on the agency's activities.

ii. Are there substantial changes in existing activities?

There are no changes other than the establishment of a unique independent decision-making body, the Swiss Accreditation Council, replacing all previous instances. As supervisory body for the Agency, the Accreditation Council overwatches the quality of the work of the Agency.

iii. Have some or all existing activities been discontinued?

Quality audits at Swiss universities are not anymore legally mandated. All other procedures continue.

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Please submit this substantive change report by email to application@eqar.eu, including any annexes as necessary.

Brussels, 14 August 2015

Substantive Change Report – Clarification Request

Dear Laura,

We wish to thank you for the Substantive Change Report of 2 July 2015. Your report has been reviewed by two rapporteurs before being brought to the attention of the entire EQAR Register Committee.

In order to prepare consideration by the Committee, we would be obliged if you could clarify the following queries:

1. Please kindly explain further how the members of the Swiss Accreditation Council were appointed (i.e. who nominated candidates for election by the Higher Education Council, how was the selection process organised) and clarify whether the members of the Council serve in an individual capacity or as representatives of their organisations.
2. According to the Report, the procedures carried out by AAQ are identical in methodology and approach to those carried out by OAQ in the past, or were developed based on those.

When OAQ was admitted to the Register, the Register Committee flagged the need to publish “all reports in full, including those where the outcome is negative and those where the final decision is not made by OAQ” (decision of 9/5/2012).

Please clarify the current publication policy for procedures carried out by AAQ.

3. We note from your website that AAQ has begun to offer the EUR-ACE® label. Since this is either a new activity or a substantial change to the existing programme accreditation procedure, please kindly elaborate on this activity with a view to items (b) – (h) under section C of the Substantive Change Report Template.

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Register for Higher Education
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4. We note from the Report that the Accreditation Council “may recognise other Swiss or foreign accreditation agencies”.

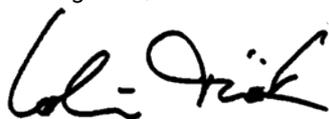
Please clarify which procedures and criteria are used to decide on the recognition of other accreditation agencies.

In order to expedite proceedings we kindly ask you for a reply **by 6 September 2015**. Please inform us if any difficulties arise in meeting this deadline.

I would also like to apologise for a mistake on our website, where it was stated that AAQ’s registration were to expire on 31 May 2016. However, AAQ’s registration is actually valid until 30 September 2016 (see approval decision and letter). We corrected the date. In any case, AAQ may benefit from an extension until 31 December 2016 under our Policy on Transition to the Revised ESG.

I shall be at your disposal if you have any further questions or inquiries.

Kind regards,

A handwritten signature in black ink, appearing to read 'Colin Tück'.

Colin Tück
(Director)



Mr Colin Tück
Director
EQAR
Av. d'Auderghem 36
BE-1040 Brussels

Bern, 25 August 2015

Substantive Changes Report – Clarifications

Dear Colin,

with reference to the AAQ Substantive Changes Report of 2 July 2015 and to your request for clarifications of 14 August 2015, we hereby answer to the questions raised, in order to provide all required elements for the further treatment of our dossier.

1. Swiss Accreditation Council (nomination process, appointment, function)

According to Art. 21 par. 1 of the Federal Act on Funding and Coordination of the Swiss Higher Education Sector (Higher Education Act, HEdA 414.20):

The Swiss Accreditation Council comprises 15–20 independent members; these members represent in particular higher education institutions, professional organisations, students, mid-level faculty as well as professors and lecturers. Teaching and research fields at higher education institutions as well as gender must be adequately represented. A minority of at least five members must be mainly involved in activities abroad.

As defined in the law, the AAQ was not involved in the nomination and appointment processes.

The whole process began in 2014, with the proposal of a name for the President and 2 Vice-presidents by the Swiss University Conference (now replaced by the Higher Education Council). These presidency candidates were mandated to propose the detailed composition of the Accreditation Council and to identify potential members, offering a choice to the political authorities. The proposal consisted of several names for foreign members, whereas names for national representatives were not directly proposed. Authorities were suggested to invite the students associations, professional organisations and the relevant national unions to suggest candidates. The political authorities then prepared the nomination of the members of the Accreditation Council for the first meeting of the Higher Education Council on 26 February 2015.

Members of the Swiss Accreditation Council serve in an individual capacity. However, their composition reflects the variety of stakeholders they represent, and they are expected to bring in the various perspectives in the discussions conducted in the sessions.

2. Publication policies

Since the Register Committee decision of 9 May 2012 was made, the Federal legislation with regards to publication policies has not changed. That is the reason why all steps forward with regards to publication by the Agency are the fruit of specific negotiations of the agency.

OAQ had negotiated with the State Secretariat for Education, Research and Innovation (SERI) and reached an agreement on the publication of all reports in full resulting from accreditation procedures of programmes in the frame of the Universities of Applied Sciences (<http://www.oaq.ch/pub/en/procedures?searchterm>). Reports concerning accreditations whose validity period is still on-going and who appear temporarily only in the OAQ website, will be transferred to the AAQ website. Reports concerning procedures concluded after the HEdA entered into force (January, 1st, 2015) are published immediately on the AAQ website.

AAQ has negotiated with Swissuniversities (Rectors Conference of Swiss HEIs), obtaining an agreement allowing the Agency to publish all reports in full of the 3rd and last Quality Audit cycle at Swiss public universities (<http://aaq.ch/en/procedural-reports/>).

The Agency is currently negotiating with Swissuniversities the publication of all reports in full resulting from the upcoming accreditation activity based on the HEdA, following positive decisions. With an increasing awareness of the need of transparency shown by all stakeholders involved, there is no reason to believe that such an agreement won't be reached.

The publication of negative decisions will be impossible. The Federal Department of Justice claims there is a lack of legal foundation. However, the new system indirectly allows to address this issue constructively. The new legal framework stipulates obligatory institutional accreditation for all public and private HE institutions as a pre-condition for the right to use the denominations "University", "University of Applied Sciences" and "University of Teacher Education" by 2022. Those who will have done so successfully, will appear in the list of accredited HE institutions, published on the website of the Swiss Accreditation Council together with the relative reports. All other institutions are by default not accredited and therefore not part of the Swiss HE landscape. Their degrees won't be recognized and cantonal authorities will pursue them legally, would they keep one of the protected denominations. Even though there is legally no room for publication of negative results, this construction allows making transparent which institutions are not accredited.

3. EUR-ACE label (criteria, consistency, system-wide analysis, accountability procedures)

The award of the EUR-ACE label was granted to the OAQ, then transferred to the AAQ who delivered the first label at the beginning of 2015.

For AAQ the award of the EUR-ACE label does not constitute a new process. ENAEE had scrutinised our existing methodologies for study programmes. The recognition by ENAEE relies on the positive assessment of our methodologies, which include additional standards allowing to assess the outcome criteria of engineering programmes. Other than evaluating these additional criteria the methodology has not changed.

The EUR-ACE outcome criteria for engineering degree programmes were developed by the European Network for the Accreditation of Engineering Education, ENAEE.

The AAQ related Guide (including the annexed EUR-ACE outcome criteria) can be downloaded under: <http://aaq.ch/en/accreditation/evaluation/>.

As for system-wide or thematic analyses, AAQ would certainly have all interests in planning one in this field, once a minimum number of labels are awarded. However, considering programme accreditation is voluntary in Switzerland, the expectation of EUR-ACE requests in the coming years is quite unpredictable. This would remain a minor activity carried out by AAQ.

4. Recognition of other accreditation agencies by the Swiss Accreditation Council (procedures and criteria)

According to Art. 21 par. 7 of the HEdA, the Swiss Accreditation Council may recognise other Swiss or foreign accreditation agencies. So far there are no other agencies recognised. However the Accreditation Council has initiated the internal discussion as to if and how the Council should recognise other agencies.

The discussion is for the first time on the agenda of the next meeting of the Swiss Accreditation Council, taking place on 18 September 2015. The process could be finished as early as the end of the year.

Although work is still in progress, the recognition system is likely to be based on a light procedure where applicants would qualify through EQAR registration. Applicants would need to commit to work in full compliance with the HEdA. Once the Council comes to a decision concerning this topic, we will inform EQAR.

We remain at your disposal, would you need any other piece of information or would you require other clarifications.

With kind regards,



Laura Beccari

International Relations Coordinator