

Merger Policy

Register Committee

4/5 May 2012

Ref. RC8/06.1

Ver. 1.0

Date 2012-05-30

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Introduction

EQAR was established with *“the objective of furthering the development of the European Higher education area by enhancing confidence in higher education and by facilitating the mutual recognition of quality assurance decisions”*. To achieve this purpose, EQAR maintains a register of agencies that have demonstrated, through independent external review, that their activities are in substantial compliance with the European Standards and Guidelines for Quality Assurance (ESG).

Recent mergers of quality assurance agencies into one new agency required EQAR to develop this policy and a set of procedures to address the registration status of agencies after a merger.

Even where the external quality assurance procedures of the new agency might be similar to those of the predecessor agencies, the new body’s organisational structure, and thus the framework within which the procedures are implemented, is different. The findings of the independent external reviews of the predecessor agencies are thus not necessarily applicable to the new, merged agency.

It would, however, not be feasible to expect that an independent review of the new merged agency could be conducted immediately after the merger to serve as the basis for a new registration application. EQAR has therefore developed a policy of provisional registration, which sets out the conditions, requirements and timeframes for merged agencies to remain on the Register.

Principles and Purpose of Provisional Registration

A quality assurance agency created by a merger is considered a new body and its registration on EQAR will thus, as a rule, require an external review against the ESG of the new, merged agency and its structures, procedures and activities.

Registration may be provisionally maintained, subject to the requirements of this Policy, in order to allow for an uninterrupted registration of agencies after a merger and during the period until a new external review is conducted.

Provisional registration will allow merged agencies to undergo an external review against the ESG at their earliest convenience, but within two years at

the latest, as a reasonable time frame within which to develop a sufficient body of practice that can be reviewed by an external panel.

Eligibility for Provisional Registration

Provided that all agencies involved in a merger are already registered on EQAR (or their registration expired not more than 6 months ago), the Register Committee may provisionally maintain registration of the new, merged agency.

“Agencies” refers to any entity or organisational unit that conducts external evaluation, accreditation or audit of higher education institutions or programmes, and thus could potentially be registered on EQAR.

If registered agencies merge with or become parts or units of organisations whose activities include others than external QA evaluations, the provisional registration will clearly apply to and identify only that particular unit(s) and activities that have been subject of registration so far.

Requirements for Provisional Registration

For registration to be provisionally maintained, the agency must provide sufficient information on the merger to demonstrate how the new agency builds on the structures and activities of the predecessor agencies, which were reviewed against the ESG.

Provisional registration will only be granted if it can reasonably be established that the analysis and conclusions evidencing the predecessor agencies' compliance with the ESG (set out in the respective reports on the external reviews of the old agencies) remain by and large valid also for the new, merged agency.

Duration of Provisional Registration

The new, merged agency will have to undergo an external review against the ESG at its earliest convenience and within two years at the latest.

If the earliest expiry date of the predecessor agencies' registrations is later, registration will usually be limited to 24 months counted from the date of the merger.

If the earliest expiry date of the predecessor agencies' registrations is earlier, registration may exceptionally be prolonged to up to 24 months counted from the date of the merger. The merged agency shall present its plans and timeline for undergoing an external review, and provide the rationale for the chosen timing, which should be as early as is feasible.

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Procedure

All matters related to mergers of agencies will be considered as a “substantive change”, irrespective of whether or not the new, merged agency is the legal successor in title of the predecessor agencies.

As soon as a registered agency effectively enters into a merger it should inform EQAR under the usual provisions concerning substantive changes to registered agencies’ legal form or status (see Art. 12 §1 of the EQAR Procedures for Applications). It is recommended that agencies use the corresponding [Substantive Change Report Template](#)  .

Decision Making

The Register Committee will consider at its next upcoming meeting whether the new, merged agency is eligible for provisional registration and whether the requirements set out above are met.

In preparing the Committee's consideration the agency might be requested to provide further information or clarification.

EQAR will then inform the agency whether registration will be provisionally maintained, and until when provisional registration is valid.

(agreed by the Register Committee on 4/5 May 2012)

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