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The Legitimacy of Quality Assurance in Higher Education: The Role of Public Authorities and Institutions

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ROLE, RESPONSIBILITIES AND MEANS OF PUBLIC AUTHORITIES AND INSTITUTIONS

ALBERTO AMARAL

Quality mechanisms can have diverse uses in higher education, some more honourable than others. These uses range from improvement of institutions and programmes and quality management to compliance with government objectives or government control, and even as supranational policy enforcement tools.

Quality has always been a concern of universities. In the Middle Ages it was possible to distinguish three major models of quality assurance. The universities of Oxford and Cambridge were self-governing communities of scholars that had the right to remove unsuitable masters and to co-opt new members using the equivalent of peer review mechanisms. The chancellor of the cathedral of Notre Dame had the power to decide about the content of studies at the University of Paris, an example of quality assessment in terms of accountability. And the University of Bologna, ruled by students who hired the professors on an annual basis, controlling their assiduity and the quality of teaching, is a precursor of the present en vogue principles of customer satisfaction.

It was only after the early 1980's that quality has become a public issue, giving rise to what Neave (1996) describes as the emergence of the evaluative state. This can be explained by a number of convergent factors such as massification – that has created much more heterogeneous higher education systems in terms of institutions, students and professors –, the increasing role of market regulation, accompanied by the emergence of new public management, and loss of trust in higher education institutions and their professionals.

The emergence of the market in higher education gives legitimacy to state intervention to avoid the negative effects of markets such as the building of monopolies and the production of ethically or socially unacceptable distribution outcomes in terms of equity. The need of consumer information for markets to operate efficiently also gives legitimacy for state intervention in quality assurance by disclosing the results of quality assessment exercises and by providing an array of performance indicators.

Autonomous institutions forced to compete in a market may follow strategies aiming at ensuring their own development and their survival, which may lead to strategies contrary to the public good or the government's objectives. Massy (2004) argues that "...the way institutions currently respond to markets and seek internal efficiencies, left unchecked, is unlikely to serve the public good", a danger exacerbated when competition is excessive, or when the state cuts public subsidies.

When quasi-markets are used, the government agencies making the purchases in the name of consumers face the classical principal-agent dilemma: "how the principal [government] can best motivate the agent [university] to perform as the principal would prefer, taking

into account the difficulties in monitoring the agent's activities" (Sappington 1991). The principal attempts at conditioning the behaviour of institutions using performance indicators or quality assurance as a compliance tool, a not so honourable role.

The emergence of the new public management and the attacks on the efficiency of public services, including higher education, resulted in loss of trust in institutions and professionals, and the gradual proletarianisation of the academic professions (Halsey 1992). Institutions use micromanagement mechanisms to respond to outside pressures demanding "economy, efficiency, utility, public accountability, enterprise and various definitions of quality". Management control technologies include evaluation and performance measurement of research, teaching and administrative activities. For Martin Trow (1996) accountability is an alternative to trust, and efforts to strengthen it usually involve parallel efforts to weaken trust, and he adds that accountability and cynicism about human behaviour go hand in hand.

At international level, the Bologna process is being influenced by its appropriation by the Lisbon strategy and by a move from a paradigm of cooperation to a paradigm of competition. The decision of the Commission to finance a prospective study for a qualification system of higher education institutions, the document "Best use of resources", the participation of international agencies in rankings and the way the European accreditation system might develop are indications of a stratified European Higher Education Area.

The Council of Europe has produced two timely and important documents, one on Public Responsibility for Higher Education and Research, the other on Higher Education Governance. Both documents contain several important ideas and I will stress two of them: that governance should avoid micromanagement, leaving reasonable scope for innovation and flexibility, and that quality assessment mechanisms should be built on trust and give due regard to internal quality development processes. I am sure that every academic will strongly support these ideas based on elevated and generous principles.

Unfortunately, the growing emphasis on market mechanisms, new public management and competition, accompanied by the loss of trust in institutions and the proletarianisation of academics may well lead to developments in the opposite direction. Therefore I would like to end this presentation with an appeal to the Council of Europe to remain attentive to developments taking place in the European higher education and to use its moral and legitimate power to ensure that the core values of universities are preserved in the European Higher Education Area, becoming an example in this new world where the human being is seen as a trader, persistently engaged in making judgements about the (economic) advantages and disadvantages of various courses of action (Drache 2001).

**EXAMPLES OF PRACTICE IN QUALITY ASSURANCE: THE
POLISH EXPERIENCE IN THE PRACTICE OF QUALITY
ASSURANCE**

ANDRZEJ CEYNOWA

EXAMPLES OF PRACTICE IN QUALITY ASSURANCE: THE IRISH EXPERIENCE IN THE PRACTICE OF QUALITY ASSURANCE

FERGAL COSTELLO

This case study will review recent developments in quality assurance systems in Irish higher education. There are 4 particular areas of focus

1. The basis for quality assurance

This will examine the underpinning legislation which provides the basis for the two different quality assurance regimes in place in the binary system, of Irish higher education. The role and responsibilities of institutions, state quality assurance and funding agencies, and other stakeholders will be examined, as well as the processes to be used for quality assurance. Some description will be given of general societal and political perspectives on the role, and objects of quality assurance will be given.

2. The practice of quality assurance in the Irish university sector

This will describe some of the practices that have evolved for quality assurance in the university sector in particular, drawing both on the legislative framework described above, and the practices and framework that have emerged to manage this system. The role of the HEA as the funding body in supporting and encouraging these developments will be described and evaluated.

3. Recent reviews of Irish quality assurance systems

There have been at least 2 major relevant reviews of the Irish quality assurance system in recent years. In the first instance, the OECD as part of a system review of Irish higher education have considered the processes in place and made recommendations for future progress. In the second, the HEA, and the Irish universities have jointly commissioned the European Universities Association to review the processes in place in Irish universities, their effectiveness, and to make recommendations for the future. The findings of these reviews will be discussed. In the case of the OECD review, submissions made by Irish stakeholders to the OECD review team will also be discussed.

4. Conclusions

This will seek to draw together the current position in relation to policy and practice on quality assurance within Ireland. There will be some discussion of approaches which have been found to particularly useful in the Irish experience, and some description of possible directions for the future.

EXAMPLES OF PRACTICE IN QUALITY ASSURANCE: THE BULGARIAN EXPERIENCE IN THE PRACTICE OF QUALITY ASSURANCE

PATRICIA GEORGIEVA

Introduction

In 2003 a national debate concerning the existing legal provisions for assuring the quality of academic teaching and research took place, which led to amendments of the Higher Education Act in June 2004. The new Act makes a strong point on quality and on higher education institutions' responsibilities for implementing internal quality control systems. Accordingly, it provides a new role for the *National Evaluation and Accreditation Agency* in post-accreditation monitoring and control focused on the effectiveness of internal quality assurance systems. The Act also transfers accreditation decision making powers to the 8 *standing committees of the Agency* with regard to the programme review and accreditation.

As to the other national coordinating bodies, the legal change added to the powers of the *National Assembly* as a final decision-making body with regard to opening and closing down of faculties providing courses and degrees in the field of regulated professions. This is attached to the already existing powers for deciding about establishment, transformation and closing down of higher education institutions. All such decisions require assurance from the National Evaluation and Accreditation Agency, based on an ex ante evaluation. The new legal setting preserves *The Council of Ministers* decision making powers regarding the establishment and closing down of faculties, institutes, branch campuses and colleges inside the state universities. The amendments strengthened the role of *the Minister of Education and Science* in controlling whether the higher education institutions respect the law. In cases of legal infringement he can address the National Evaluation and Accreditation Agency with proposal to revoke the accreditation status.

I think an important outcome of this legal change is the shift in the accreditation paradigm. For nearly a decade the accreditation in Bulgaria was legally defined as recognition by an authorized body of compliance with the law and the state requirements. The 2004 legal provisions define accreditation as recognition of degree awarding powers of the institutions on the ground of *evaluation of the quality of provision*.

The new quality assurance setting

Following the changes in the legal provision, the arrangements for accreditation were revised and in 2005 the vast number of programme reviews was replaced with a subject review, based on 52 subject fields. The revised Agency method shifts the focus of

institutional and programme reviews to the processes and structures set by the institution in order to ensure the quality and standards of its academic programmes, rather than to compliance with the law.

The subject level approach in programme accreditation is expected to allow for a broader, cross-sector view of the improvements and challenges in particular subject field and to help in identifying issues that need to be addressed nationally. It also allows the reviewers to concentrate on the characteristic features of qualification degree as a main unit of assessment, which might contribute to the future establishment of national reference points regarding the standards of qualifications.

The present four – steps quality assurance model includes the following:

- A self-assessment by the institution, presented in the form of a written report, first, to the Senate for approval, then to the Agency;
- An external assessment by a peer review group, including site visit;
- Verification and validation of the evaluation report and publication of decisions, including recommendations and other formal outcomes;
- A follow-up procedure to review actions taken by the institution in the light of any recommendations contained in the evaluation report, and to monitor the effectiveness of the internal quality assurance system.

The Agency established a new body responsible for the organisation and implementation of the follow-up processes, namely the Post-accreditation monitoring and control committee. It became operational in October 2005 and the Agency has to meet high expectations from the public authorities and universities towards its role in external quality assurance and enhancement processes. By stressing the responsibility and accountability of academics in assuring and enhancing the quality of education of their students on a systematic level, we believe to raise the credibility of programmes and awards in Bulgarian higher education institutions.

Recent Developments and Outcomes

The revised model became operational as of July 2005 (for institutional accreditation) and since then 37% of all higher education institutions are being reviewed and accredited or re-accredited¹. The accreditation results so far demonstrate that universities have made a significant progress in developing and implementing their internal quality assurance system on a more systematic basis. The majority of institutions have officially introduced their systems. In September 2005 the Accreditation Council approved protocols for student participation in institutional evaluations. Both students' and peer reviewers' reports reveal formalism and insufficient role of students in these systems, which raises concerns whether the reformed quality assurance model would have an impact on institutions' quality.

The first session of subject level programme accreditation started up on January 2006 and already 8 subject fields (out of 52) are under review. According to the National Schedule,

¹ By the time of the presentation of this report these data will be updated. PG

adopted by the Agency in September 2005, all 52 subject fields will be reviewed by the end of 2008.

The Agency and the Rectors Conference in Bulgaria work in close cooperation in the field of quality assurance and there is a widespread understanding about the need for implementing an accreditation follow-up process in order to support internal institutional efforts to improve the quality of their provision.

In the last year, the major attempts to integrate the follow-up into the accreditation process have consisted of identification of different sets of follow-up procedures and their attachment to the achieved accreditation results. The follow-up activities are *institutionalised* in the accreditation agency – a Standing Committee was set up, its activity is supervised by the Agency Vice-President, elected by the Rectors' Conference and appointed by the Prime minister. The vice-president is appointed with particular responsibilities for post-accreditation monitoring and control.

Lessons learned

A prerequisite for successful implementation of the revised quality assurance framework is the engagement of universities with quality and quality improvement. In this process, in my opinion, a number of determinants for success need to be carefully considered, including: (i) the relationship between institutional autonomy and external quality assurance and the need for improved communication between the external Agency and the HEIs; (ii) the need for at least some level of professionalisation of the external quality assurance body; (iii) the involvement of students and international peers in the review process; (iv) the importance of the fourth step in the quality assurance model, i.e., the Follow-up process and procedures.

QUALITY ASSURANCE: ROLE, RESPONSIBILITIES, AND MEANS OF PUBLIC AUTHORITIES, AND THE IMPLICATIONS FOR GOVERNANCE OF INSTITUTIONS AND SYSTEMS (FULL TEXT)

JÜRGEN KOHLER

I. The Topic – Approaches

Identifying and assessing roles, responsibilities, and means of public authorities in matters of quality assurance calls for an approach which categorises and segments, correlates and integrates, values and optimises all those elements constituting the given headline. So, this approach induces a basic pattern of analysis which applies the scheme: object – agent – action and objective. Using a more elaborative code, this translates into answering questions along the following itemization: who does what, how, and why?; or else, looking at

- the object: what is ‘quality assurance’ as far as identifying concrete objects subjected to quality assurance is concerned (hereafter, sub II.);
- the agent: who are, or could be seen as, ‘public authorities’ (hereafter, sub III.);
- the action and the objective: how, and why are roles, responsibilities, and means – de facto or optimally – attributed, shared, and used by public authorities (hereafter, sub IV.).

Having dealt with these items, the context has been set in order to deal with the second challenge, i. e. to consider

- implications for governance of institutions and of systems

with regard to answers to these items (hereafter, sub V.).

Due to the fact that this contribution is expected to set the scene it will indicate the relevant issues and suggest a feasible method of approach. It will not undertake to present answers in a ready-made way.

II. The Object in Focus: Quality Assurance

Quality assurance in higher education institutions is the object to consider. When leaving aside research activities here, this issue raises the question: assuring quality of exactly what, from which perspective, and with which consequence?

1. As for the ‘what’ question, the issue is about identification of objects which are to be subjected to scrutiny. There is a multitude of choices. Quality assurance can focus on, and often does in an additive way:

(a) Staff: Developing and selecting staff is a traditional approach, at least as old as Humboldt and his university which brought about a serious dispute as to whether it was up to the university or the state to choose new academic teachers and researchers. In modern days this conflict still exists, but in some cases its solution has been transferred to agencies at least as much as decisions on eligibility of candidates is concerned.

(b) Programmes: There are two essentially different activities which can be related to the headline labelled 'programme approach'.

(aa) Firstly, evaluating and accrediting quality of concrete programmes offered by higher education institutions is a common feature of quality assurance in many systems. It is much favoured by professional bodies which assess programmes geared towards future would-be professionals. Beyond that programme assessment is viewed with some scepticism mainly due to the costs accrued. All in all, there is scepticism in substance since this approach might stifle permanent quality enhancement within evaluation or accreditation periods and prevent higher education institutions from developing their own responsibilities for quality ambition and quality management by making them rather prone to wait-and-see attitudes and reliance on compliance-based policies of merely copying programme templates.

(bb) Secondly, there is a more normative understanding of programme-based quality assurance with systems which provide a methodology for the development and proposal of model curricula for certain given academic fields. Here programme approach to quality assurance is concerned with the ideal of templates and standardization. There is a strong tendency to operate quality assurance on the notion of compliance, which may prevent institutions from developing profiles, from interdisciplinarity, and from free transfer of current research into up-to-date teaching and learning.

(c) Institutions: This approach considers the entire operations of a given higher education institution. It is a complex matter covering educational and research activities as such, but also the legal, the funding and the administrative issues which shape and maintain the institution in all its facets.

(d) Quality processes: Looking at quality processes means taking that segment of the institutional approach which is linked to institutional operations designed to contribute to education, i.e. namely to developing, implementing, monitoring, and improving quality programmes. While assessing quality processes of a higher education institution can be described as an excerpt of the institutional approach, it can at the same time be seen as a meta-approach in relation to programme-based quality assurance since it views the circumstantial conditions which determine the quality of programmes provided as the result of planning, implementation and improvement activities.

(e) System assessment: System assessment considers the entire national or regional organization of higher education as a provision made to serve the area in question best. This approach will usually encompass elements of institutional approach but will go

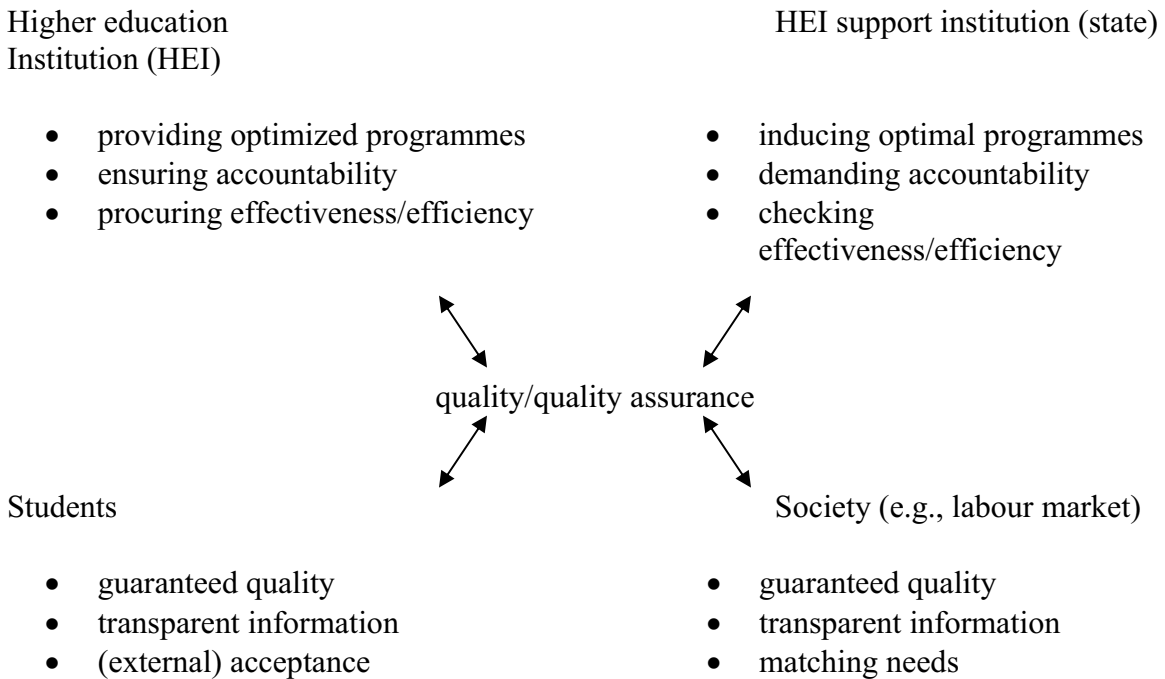
beyond this micro-level by addressing the overall optimisation of the system as a whole, i.e. both its internal and societal interfaces, structures, and implications.

2. The ‘what’ question may also be seen as covering matters of ‘perspective’, i.e. by the viewpoint from which the issues mentioned above are seen, and to what end, and which interests are to be served.. In that respect, there may be three different aspects.

(a) Firstly, whose perspective is being sought. This indicates mainly the difference between in-house appraisal and external assessment. Both approaches can be applied to all of the five different objects of quality assurance mentioned above.

(b) Secondly, there can be differences as to consequences of quality assurance. Quality assurance can be advisory, as is usually the case with mere evaluations. However, if evaluations take on an element of certification to be used externally for reasons of funding or of advertising, or even a legal function in the sense of permission or licensing to operate a particular activity, quality assurance can be much more invasive and more or less prescriptive.

(c) Eventually, there is a need to consider interests of various participants, or stakeholders, in higher education concerning specific features and characteristics which they, from their particular perspective and needs, consider to be essential elements of quality and would therefore like to be covered by quality assurance. Looking at providers and recipients, who nevertheless are interacting partners at the same time, a survey of those involved and their vested interests may look like this:



III. The Agent: Public Authorities

Identifying ‘public authorities’ as agents in quality assurance seems to be a straightforward matter. It certainly includes states, as represented by ministries charged with higher education and research. However, it is suggested that there could be a wider notion of ‘public authorities’, which could, all in all and perhaps to some surprise or doubt, comprise the following institutions:

- higher education institutions
- nation state(s)/national ministries
- international public organizations
- quality assurance agency(ies)
- professional organizations

1. Higher education institutions are certainly agents in matters of quality assurance. Ever since at least the Berlin Communiqué there is an explicit understanding across Europe that it is they who bear prime responsibility for quality of higher education offers, and for quality assurance as well. And yet, there may be some doubt as to whether higher education institutions are public authorities in the sense used here. However, leaving aside the issue of private higher education institutions, it is true in a formal sense that they are bodies established by public law endowed with institutional and operational rights and duties immediately derived from, and vested in, public authority derived from legislation and serving the public good. In substance, it is correct and inevitable to count them as public authorities in this context since their absence would ignore both their significance in steering the quality system as a whole and their vested obligation and prerogative to do so delegated to them by virtue of state authority.

2. It is self-evident that the nation state is a relevant public authority. However, even here things can get complex wherever there are federal systems of various kinds in place. Still, this item is easily seen; by contrast, the other agents will need some explanation and justification.

3. International public organisations may at first glance not be seen as self-evident ‘public authorities’ in the realm of quality assurance. However, institutions such as the European Union and the Council of Europe are undoubtedly public authorities; the question comes down to whether they act as such in matters of quality assurance. Indeed, they do so, either in terms of law or de facto.

As for legal involvement in quality assurance, for example, even cases such as the Lisbon Convention promoted by the Council of Europe impacts on quality assurance. The question whether or not qualifications are recognized across borders is intrinsically linked to guarded trust in the quality of programmes provided by the higher education system the qualifications of which are to be recognized, and so the recognition issue will have to take into consideration – or, to say the least, it will indirectly promulgate – how developed a quality assurance system of countries party to the convention is.

More subtly, there is tremendous de-facto influence on quality and quality assurance issues exercised by certain activities and approaches of the European Union. This pertains to undertakings to draft a number of ‘Euro-models’, e.g. the ‘Euro-chemist’ or the ‘Euro-engineer’ or the like. These activities indicate that there will be pan-European programmatic reference points of considerable significance since inertia will work towards using them as templates and applying them in quality assurance processes as yardsticks, asking for compliance as the ‘simple way to quality’.

Furthermore, and not in the least, the Bologna Process might be considered as a ‘public authority’ in the wider sense. Although – or possibly because – it is not a formally recognized operation leading to legal instruments under international law, it is an activity operated jointly by public authorities which work out common policies and instruments. In doing so, the process has emerged to produce considerable impact as a means of orientation, calibration, validation, and general reference point for numerous matters of quality in higher education. To name just the essential ones, the European Qualifications Framework – which defines the entire system of the European higher education area with de facto binding effect for member states, including the descriptor system and ECTS as well as the essential shifts from teaching to learning and from input to outcomes orientation – and the standards and guidelines for quality assurance lead the way towards developing, implementing, and assessing matters of quality authoritatively.

4. As for quality assurance agencies, these are – at least whenever they wield power to the extent that their decisions are more or less essential for operating academic programmes, as may be the case in systems based on accreditation – ‘public authorities’ because they operate on the basis of authority delegated by their nation state – or by higher education institutions –, thus exercising legal and economic authority on behalf of that country and its democratic institutions. This is clearly indicated by the fact that agencies, their duties and rights are established by national legislation or some type of ministerial decree, and that these duties and rights are vested in them as agents operating in lieu of the state or of higher education institutions which would otherwise act itself in the area of quality assurance. This is also why decisions made by these agencies are – or at least should be – subject to the rule of law and judicial review.

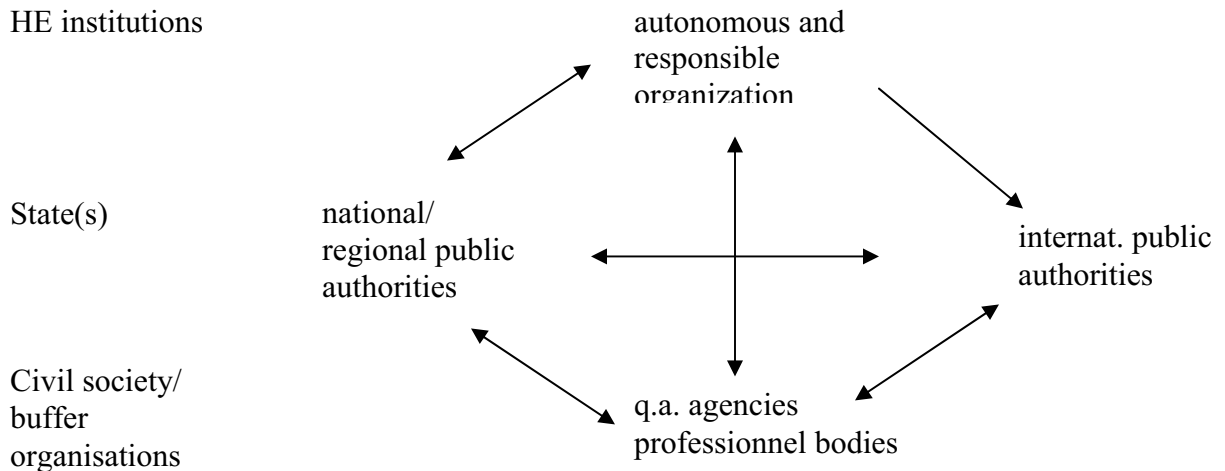
However, there is a specific difference as compared to direct state intervention and role. Quality assurance agencies are ‘buffer organizations’ in several aspects, which follows directly from the “Standards and Guidelines” as accepted by the Bergen Communiqué . Firstly, they should act independent of state operations, though subject to the rule of law. Secondly, they should include peer involvement, which is an element of self-governance of those concerned. In that respect, it may be fair to say that the establishment of, and the role attributed to, quality assurance agencies is part of states’ policies to accept and even to promulgate activities of what has become known as ‘civil society’.

When having a brief look at research, it may also be said that national, or self-governing, research councils serve as quality assurance agencies. They judge quality by making judgments on the quality of proposed research programmes on behalf of the budget

provider, which is, by and large, the state. In that wider sense of administering public functions under public authority, they could also be seen as ‘public institutions’.

5. Finally, taking up the notion of ‘civil society’ and carrying it further, professional organizations should be counted among ‘public authorities’. This may be arguable, since indeed these are not necessarily public entities. However, to some extent they are, and they may accurately be identified as public-private-partnerships. These agents, such as law societies, medical, veterinary or pharmaceutical associations, engineering bodies in some countries, enjoy authority to define programme standards – be it by virtue of specific legal instruments under national law, by virtue of tradition or just by de-facto eminence of the specific labour market sector. Any such authority in ‘regulated professions’ is of utmost significance, partly in a legal sense and partly de facto, for higher education institutions, either directly or via accreditation. This would not be the case if national authorities did not permit this to happen, and that is why it may be said that this setup is another example of devolving state, i.e. public, authority to a ‘buffer organisation’ embedded into certain spheres of the civil domain.

6. An overview summarizing the relevant agents may look like this:



IV. Objectives and Action: Roles, Responsibilities, and Means

1. Asking for roles, responsibilities, and means provokes drafting organizational charts and diagrams, and also provokes sketching workflow sheets. There is a point in doing this; but it is not the starting-point. These items are results, but not the initial concern. They cannot be the foremost item because they require orientation – a yardstick – in order to be able to answer the question: why should this particular organizational setup be chosen or be preferable to others?

2. Instead, it is crucial to realize that the well-known Bauhaus maxim for good architecture applies to identifying apt attribution of roles, responsibilities, and means in higher education organizations as well, which is: form follows function. So, what are higher education functions, i.e. ulterior purposes? In concrete terms, as far as quality assurance is concerned: what is understood by ‘good quality’ in higher education, or research, or service to society as an overriding concept?

a) So, from an overall point of view, the guideline of institutional quality, and also the guideline for public authorities in safeguarding quality in higher education institutions, is “fitness for purpose (“purposefulness”). Aims and mission are key indicators to governance and management issues, and these aims and mission are:

- to be productive in research and learning and to enhance quality and quantity in these fields;
- to support individual students’ personal development;
- to aim at meeting cultural needs and international, national, or regional advancement of society, also in economic terms.

On this background, higher education institutions are instruments to meet these objectives. Their quality is defined by the quality of the outcome mentioned above which results from their operations supported and encouraged by a suitable institutional framework. So, institutional governance and management, as well as any quality assurance approach by public authorities, must ensure that there is, and will be, such quality of outcome to the highest degree possible, achieved at a minimum of administrative, financial, and “political” waste and delay.

These questions and challenges, i.e. the points to raise in order to arrive at maximum quality by means of optimal organizational devices, will be considered hereafter. This will here be done by limiting the aspect to matters of quality assurance with specific focus on matters of teaching and learning, thus not addressing more closely aspects of research or knowledge transfer into society.

b) Quality (of teaching and learning) is the key feature of orientation. However, quality is an ambiguous concept. Here are some proposals:

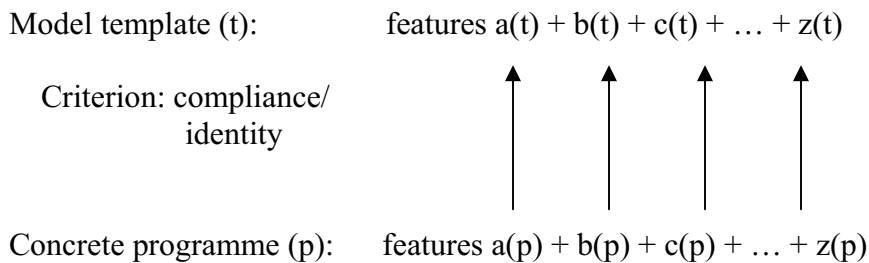
- excellence
- fitness of, and for purpose
- matching directives (complying with curricular templates)
- meeting thresholds (complying with standards)
- client/customer satisfaction
- value for money/time invested (efficiency)
- individual enhancement (transformation)
- (institutional) capacity for change

It is obvious that the choice between the quality concepts listed here is of paramount significance to governance and management choices in systems. For instance, where there

is a ‘compliance’ approach, in essence matters of design are located outside higher education institutions – ministries, or expert teams of various kind –, and while these bodies are entrusted with matters of concept higher education institutions will only be asked to implement truthfully. This results in a concept of merely executionary functions, which consists of implementation management and monitoring. On the other hand, where there is an open concept of quality, as is the case in a fitness of and for purpose approach, there needs to be an entrepreneurial style of governance and management which first of all identifies future opportunities and threats based on sound analysis of present-day strengths and weaknesses, scrutiny of societal environment and means, and then transforms such analysis into profiled concepts which are then implemented, monitored, and improved again and again.

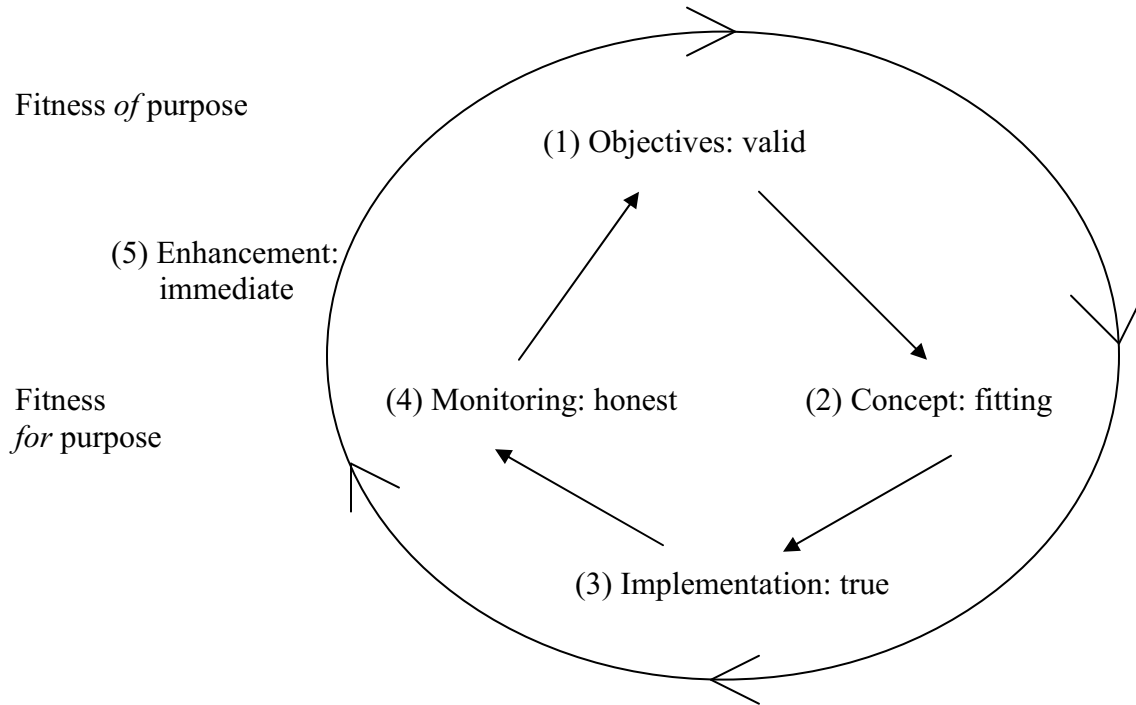
Putting just these two concepts side by side in a graph clearly indicates that the challenge posed to establishing a ‘good quality system’ heavily depends on the concept of quality adopted.

A ‘compliance-based approach’ is, in principle, rather simple; it may look like this:



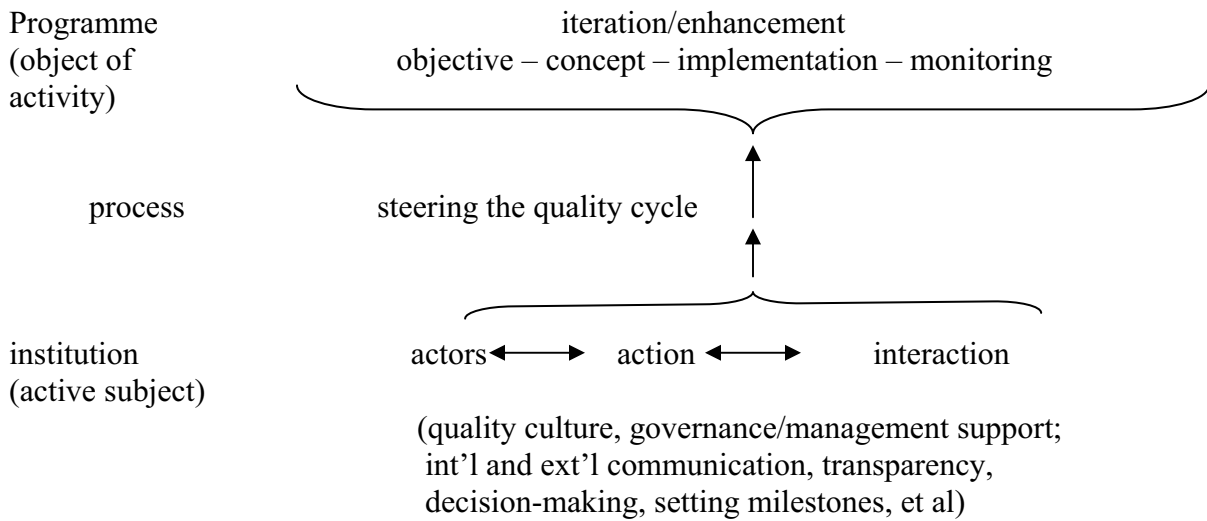
It does not ask for much competence at the level of higher education institutions, nor does it ask for much at the level of external quality assurance agencies. However, it is highly complex when it comes to defining *centralized* authorities and the level of governments or particular agencies set up for developing any such reference templates or standards, and this is true both for matters of institutional legitimacy and for aptness of their concrete operations and decisions.

On the other hand, a ‘fitness of, and for, purpose approach’ is a much more open concept. It may be illustrated as follows by depicting what is aptly known as the ‘quality cycle’:



Any such more complex notion of quality requires more complex structures of governance and management at the level of higher education institutions. This is the point where institutional challenges to mastering true autonomy begin. These challenges encompass the ability of an institution, by means of its quality culture, its governance and its managerial operations, to steer the ‘quality cycle’ effectively and efficiently to utmost satisfaction.

At this point, at the latest, the link between the ‘issue of programme quality’, as a matter of institutional ‘function’, and the ‘issue of institutional quality’, as a matter of form, becomes transparent. To be more precise, the link between the purposes of education and institutional setup in terms of governance, management, and culture, is made via the ability of the institution to steer those processes which constitute the quality cycle autonomously, effectively, and efficiently. This link could be put into the following diagram:



If this is a concept of quality which shapes the concept of quality management, it lays open the close dependence of programme related quality on governance and management matters. The key understanding is: programme quality is ensured best by steering the institutional process optimally along the line of the quality cycle; i.e. by shaping and organizing institutional culture and management – with all its facets of actors, action, and interaction – by asking which institutional setup, devices, processes render substantial results when considering each item along the line which constitutes and safeguards quality of study programmes.

Moreover, however, this connection influences external quality assurance as well. As a consequence, its task is focussed on supporting and assessing whether or not the process described above is established, both by concept and in reality. Good governance of systems is indicated by the extent to which this is accomplished, and moreover, to what extent it applies the very same concept to its own operations.

3. Another element of basic orientation must be borne in mind: what are the corollaries, namely the circumstantial features which higher education is embedded in, and of the people involved in higher education? Mechanistic approaches to roles, responsibilities, means of public authorities, as well as to governance principles, will fail and be detrimental if they do not take heed of cultural circumstances, including the very essence of research and research-based teaching and learning, and of the type of people involved in any such activity. The following items may be recalled here, which are prerequisites defined by, and consequences deriving from, purpose and people inside the system and society outside the system:

- Freedom of research and teaching/learning: This is not only a right pertaining to the individual; it is a prerequisite for progress and innovation since it is an essential to move the frontiers of knowledge and to ensure dynamic evolution rather than promulgate static concepts of passing on traditional acquired expertise only.

Freedom of teaching, learning, and research encompasses, within the limits of ethics, the freedom to choose subject, hypothesis, and methodology, thus safeguarding that ‘the unexpected can be expected’; as a consequence, there is a limit to the expedience of managed planification approaches to higher education and research;

- freedom of research and learning attracts, and needs, free individuals whose integration into a team is a major challenge;
- change of paradigm towards the “entrepreneurial university” facing national or international competition subject to transnational educational frameworks and mobility;
- increasing costs (staff, equipment, media, buildings, etc) and advanced communication technology, cheap transport, internationalization of standards, increasing mobility, programmes provided globally could lead to concerted structures (franchising systems, “chain-stores”, and “trusts”);
- increasing awareness of the difference between legitimacy to be involved (de-jure-competence) and ability to be involved (de-facto-competence) – also pertaining to role-sharing between government level and ‘performance level’ at higher education institutions;
- not only politics in the traditional sense, but also society as such may define themselves as stakeholders who seek influence.

V. Implications for Governance of Institutions and Systems

Translating the aforementioned orientations and circumstantial opportunities, which may also be seen as limits, into governance matters at institutional and systems level cannot be done by developing a blueprint which serves as a ready-made for everyone. This is prevented by the fact that institutions and systems vary not only in size, which brings about different constraints and opportunities, but also with regard to mission, tradition, legal and economic frameworks, and mentalities.

Therefore, at this stage governance issues can only be tackled by identifying the points to consider. These may be a matter of considering conflicting, or rather integrating, aspects, which must eventually be brought into an integral concept.

Items to

- consider,
- explore,
- define,
- correlate,
- translate into governance and management structures,
- integrate into synergetic forces,
- test-run,

i.e. the action to be carried out – following the sequencing as itemized above – in order to arrive at valid answers as to developing a quality system of governance and management of

higher education institutions and systems, could be the following. These are broken down into two major categories:

- basic and overriding points of orientation,
- concrete operational challenges: functions, actors, action, and interaction.

These items should, first of all but not exclusively, be applied to higher education institutions, and then to systems steering as well. This prioritization follows from the fact that higher education institutions are to enjoy autonomy, and that their autonomy should lead them to accept prime responsibility for the quality of their operations; this, at least for teaching and learning, is the overriding principle as expressed in various communiqués of the Bologna Process. Hence higher education institutions should primarily meet demands on governance and management required to match their institutional roles and responsibilities so assigned.

1. As for basic and overriding points of orientation, the following may be considered – and it is namely at this point where the issue links up with those points considered above as regards roles, responsibilities, and means:

- in substance: key orientation of judgment on organizational quality, to be based on aptness

- to identify valid aims ('fitness of purpose'), and
- to achieve them by suitable means ('fitness for purpose');
- while distinguishing between strategic dimension ('capacity for change [for the better]') and managerial operations; and
- while observing 'embeddedness': societal expectations, legal framework, funding, character of partners, stakeholders, employees.

- in maxims: governance based on, and supporting

- motivation rather than external control ('ownership');
- transcending from managerial mechanisms to spirit ('quality culture');
- blending of leadership and responsiveness to staff incentives ('bottom-up, top-down');
- self-balanced system rather than permanent intervention;
- responsibility (rights) and accountability (liability) inseparable;
- values, e.g. observing ethics and education for democratic citizenship;
- permanence of review and updating (move from quality assurance to quality enhancement);
- effectiveness and (cost-)efficiency;

These maxims may need to be explained in the context of the aforementioned key orientation of any quality judgment on organizational matters of higher education institutions or systems:

Steering devices of a higher education institution and indeed the entire system must be gauged against its purposefulness as to the ability of the system, i.e. its organization and its

proceedings, to meet the aims defined above. Within this overall approach, it is sound policy to ensure minimizing waste within the system (“efficiency”); this encompasses optimizing procedures (effectiveness of cost and time). It is part of such policy to ensure that a self-steering, intrinsically stabilized and intrinsically mobilized system is developed; i.e. a system consisting of elements which are designed, composed and arranged to form a system within which all people and all institutional elements interact as much as possible to bring about and achieve the aims mentioned above. Evidently, this encompasses the need to strengthen the self-motivation of those to be involved. Again, it follows from this maxim that managerial tasks, responsibility and accountability, and handling finances must be concentrated in the hands of those people and at various institutional levels which carry out the job in question, while making sure there is no wasteful doubling of operations.

- in process: transparency and integration, i.e.

- monitoring of and reporting on activities ;
- internal and external communication and responsiveness

- in organizational clarity: defining structures, organs, actors, action in terms of

- creation
- selection and election
- attribution of rights and duties
- interfaces and interaction
- responsibility, accountability, and liability
- cancellation, revocation

- itemization drafted above to be concretely applied to all fields of activities; i.e.

- study programmes (existence and design/contents);
- research (current projects, and strategic development);
- knowledge transfer (service to society; cooperative activities)
- quality management;
- financing (income sources, allocation, expenditure);
- staffing (in particular: senior staff – professors and top management);
- communication (internal; external)

2. With regard to operational challenges – or rather: choices – relating to concrete functions, actors, action, and interaction, the following items should be explored:

- internality and externality

- roles and functions of state and of higher education institution
- roles of civil society (namely, role of boards)
- in particular: role of (other) ‘buffer organizations’, e.g. quality assurance agencies
- safeguarding responsiveness to society (e.g., the labour market)

- leadership, integration, and the individual:

- consultation
- participation
- cooperation
- checks and balances
- freedom and integration of the individual

- centralization and devolution

- international bodies/state/higher education institution
- head office/faculty-department/flexible ('project') structures
- individual

- choice of steering and learning devices

- legalistic/normative standards: regulation, and contract management
- economic/funding: distributive and/or competitive success, reward systems
- communicative: feedback, creating conviction, rallying support
- expertise: substantial competence
- responsibility: personal ownership and liability
- political: external values and directives given

3. It may be assumed that the itemization presented here pertains to higher education institutions only. However, this would be doubly wrong. First of all, at systems level the very same questions will have to be asked in order to optimize governance and management of any such system as such. Moreover, as far as there is a responsibility at systems level to ensure that the quality of its higher education institution is assured, safeguarded, and enhanced it is indispensable at system level to know how to approach the organizational quality issue at the level of higher education institutions. For if such expertise and methodology is not applied, there will be no sound yardstick as to judging established or projected governance or managerial matters inside the organizations of higher education of that system. This is a clear indicator of the coincidence and convergence of governance issues at systems and at higher education institutional level under the auspices, and with regard to, the overriding common denominator: to serve society through teaching and learning, research and knowledge transfer, as well as possible, i.e. by providing 'good' quality within the mission of higher education.

ROLES, RESPONSIBILITIES AND MEANS OF PUBLIC AUTHORITIES AND INSTITUTIONS

OSSI V. LINDQVIST

One of the key elements in setting up the European Higher Education Area (EHEA) is the quality of higher education and the development of quality assurance systems for the higher education institutions (HEI's). In Bergen in 2005, the European ministers adopted the Standards and Guidelines for Quality Assurance in the European Higher Education Area as proposed by ENQA. The implementation of the progress in QA will again be assessed in London in 2007. Earlier, in Berlin in 2003, the Ministers had agreed that the national QA systems should include a "system of accreditation, certification or comparable procedures".

The development of QA systems in European countries is well under way, though a lot is still to be done. There exists also variation in the HE systems in Europe, with some countries having numerous private institutions, established especially after 1990, while in some countries all the HEI's are publicly funded and thus legitimised by HE laws. The new private HEI's may need (public) accreditation for the sake of recognition of their degrees, or for being part of the European mobility system, or for receiving public/governmental support, etc.

There seems to be wide agreement that the ENQA Guidelines and Criteria provide the basic instructions for the overall QA system in each country. However, it also leaves a lot of freedom as to the very nature and details of the processes. In Finland, for instance, we have been embarking on a quality audit type of procedure, but each HEI can decide which type of quality system it is following; it may be based on ISO standards, or on EFQM, or their modifications, or something else. FINHEEC will give a quality certificate which is valid for 6 years, but if the HEI has shortages or deficiencies in its QA system, the agency will revisit the HEI in two years time. The audit, as well as all other FINHEEC evaluations, is based on the overall principle of quality enhancement, which may also serve as a psychological 'carrot' for the HEIs. The audit process includes both student and labour market representatives.

Anyway, the higher education institutions are responsible for their own quality, also in the context of their autonomy, which gives the FINHEEC the principal role of a 'helper' or a role of a 'liaison' towards the European HEA. The HEI itself covers the costs of its self-evaluation process, while other audit costs are covered by FINHEEC. The issue of autonomy is one of the key principles of the ENQA Standards and Guidelines. Thus 'infringing' with the autonomy of the HEI is avoided by concluding a specific contract for the audit between FINHEEC and each HEI. It is important that the process aims also towards mutual trust-building, so that the HEI really feels it can gain from the overall exercise.

The issue of the legitimacy of the audit/accreditation process is still partially open. The national evaluation agencies are usually covered by a specific law, which gives them a national mandate of operation. A special European register is in the making, under the umbrella of ENQA, listing the European agencies that are deemed 'valid'. The structure, ownership, membership criteria, etc. of this register are still open, but apparently some general guidelines will be ready for the Ministers' meeting in 2007.

But the main impetus for the legitimisation of QA systems might be the Bologna process itself. It is the European trademark for higher education and it has created a lot of interest also outside Europe. Thus a 'stamp' of passing the European QA criteria should be an important factor for all HEI's in the competitive, international HE market. Of course, this does not exclude that the universities, for instance, obtain other quality labels from other, professional or private sources, like EQUIS for the business schools. In this sense also we are moving more towards the market orientation in QA in the HE sector.

The leadership and governance of the HEI of course plays an important role in the creation of a QA system. (This does not imply of course that the universities did not have quality before this system.) It is important, however, that the system is based on a quality culture that embraces everybody in the institution. The leadership has to be the initiator of the strategic quality improvement in the institution, and its role is further enhanced in the dissemination of good practices through national and international networks. Thus we can make the entire European HE system a coherent and also a learning organisation.

CONTRIBUTION OF QUALITY ASSURANCE TO THE RECOGNITION OF QUALIFICATIONS

ANDREJS RAUHVARGERS

There is no doubt that a link exists between quality assurance /accreditation on the one side and international recognition of individual qualifications on the other.

The link between quality assurance and recognition is very tight yet not that trivial as it may seem at the first sight [1].

Since 2001 regular meetings between representatives of the European Quality Assurance Association (ENQA) and European recognition networks ENIC and NARIC have served as a platform for exchange of views and have, no doubt, lead to better understanding between quality assurance and recognition specialists.

While recognition of qualifications is impossible without knowledge about the quality of the particular programme and the institution behind the qualification, it not can be granted based on quality indicators alone [1].

Some features of recognition

To assess a qualification fairly means to adequately position it in the grid of qualifications of the receiving country. The outcome of assessment is therefore dependent not only on the features HE system from which the qualification in question originates, but also on those of the host system.

The best practice in recognition of foreign qualifications, as codified in the Lisbon Recognition Convention for academic recognition and the Directives establishing the General system for professional recognition, has moved from seeking 'equivalence' towards recognition if the differences between the foreign qualification and the host country's prototype are not substantial [2], Article VI.1. Further, because qualifications of comparable level may show considerable differences in terms of function, profile and learning outcomes, these differences should be considered in view of the purpose for which recognition is sought (e.g. further studies in a particular programme or employment in a non-regulated profession), cf. [3],

Some countries having ratified the Lisbon Recognition Convention have not properly transposed the principles of the Convention in their national legislation [4], therefore the Bergen Communiqué of ministers [5] stipulates that countries should draw up national plans for improving the recognition system of foreign qualifications.

Benefits brought to recognition by quality assurance?

Quality assurance is a very important first step in individual recognition. The qualifications framework for the EHEA [6] includes also quality assurance as one of the components of a qualification, in addition to workload, level, profile and learning outcomes. A credential evaluator needs to know that the qualification has been earned at an institution or in a program of sufficient quality. Once that has been established, however, the more individualised work begins – the credential evaluator can then assess the other components of the qualification: workload, level, profile, learning outcomes with a view of the aim for which recognition of qualification is sought.

In 1997, when the Lisbon Recognition Convention was adopted, nationally organised quality assurance systems were just emerging. Therefore the issue of the quality of qualifications actually had to be left to trust between countries Parties to the Convention, which were obliged to compile and publish lists of state-recognised institutions, cf. Article VIII.2 of the Lisbon Recognition Convention [2].

A statement confirming quality. The main issue that the ‘recognition community’ needs from its quality assurance counterpart is a simple and reliable statement confirming the quality behind the foreign qualification in question.

In case of national qualifications such statement could confirm the national approval of the qualification (programme) in question, be it accreditation or another judgement based on assessment.

In future it could become a statement confirming that inclusion of the qualification in question into the national qualifications framework of the awarding country has involved quality assurance and the national qualifications framework that in turn meets the compatibility criteria with the European overarching qualifications framework [6].

Mutual trust. Another important issue is related to the mutual trust between national quality assurance systems. Taken the wide diversity of higher education systems and institutions there can be differences in the quality standards between qualifications bearing similar names. At least in the ‘Bologna area’ that has been extended to 45 countries there is always room for room the assumption that there may be differences in quality. Although the international legal documents on recognition mention substantial differences in the quality of provision as one of the potential reasons for partial recognition or non-recognition of a foreign qualification, in practice it is a very delicate issue. Recognition specialists may have experience-based opinions about the quality of provision in other countries, yet it is not up to them to make judgements on the quality.

It follows from the above that for the recognition specialists it is extremely important that the quality assurance agencies co-operate, that they themselves are being assessed (if possible, internationally) and that they trust each other.

According to Bergen Communiqué of ministers [5] there will be intensified cooperation among national quality assurance systems with a view to enhancing the mutual recognition of accreditation or quality assurance decisions and assessment of quality assurance agencies that should be organised nationally but involve international peers. Such developments will be highly beneficial for cross-border recognition of qualifications.

The idea of a European register of trustworthy quality assurance agencies welcomed by the ministers in their Bergen Communiqué is currently being further developed. Such a register is seen by recognition specialists as a promising development. Yet, the actual establishment of such a register is likely to happen only after the next ministerial meeting in London in 2007.

Cross-border qualifications. The recognition of cross-border qualifications is one of the most difficult recognition issues. The cross-border provision is a growing phenomenon and the further development of the technical means for distance provision is stimulating it. While the legal framework for recognition has been extended to cover this need through the adoption of the UNESCO/ Council of Europe Code of good practice in the Provision of Transnational Education [7] in 2001, the main practical difficulty remains to be the quality assurance of the qualifications awarded across borders. Quality assurance agencies of the sending countries often do not actually assess the extensions of the programmes/ institutions abroad, while the receiving countries sometimes either ignore cross-border providers or tend to ban cross-border provision.

One of the major needs of the recognition community from quality assurance therefore is cooperation between quality assurance agencies of sending and receiving countries in the assessment of cross-border provision.

Joint degrees. Joint degrees are another area where the international cooperation of quality assurance agencies is required for successful recognition of the degrees awarded. Like in the case of cross-border provision, also regarding the joint degrees the international legislation for recognition has been adapted for the need –the Council of Europe/UNESCO Recommendation for the recognition of joint degrees [8] is in place since 2004. Yet, like for any other degrees, the recognition specialists need a statement from the quality assurance side that all the institutions cooperating in the delivery of the programme are recognized institutions and that all parts of the joint programme are of a trustworthy quality.

Recognition of qualifications and different quality assurance models

Further I would like to shortly discuss some of the quality assurance models with regard to recognition of individual qualifications.

Programme accreditation. Programme accreditation is the most favoured type of quality assurance for recognition of individual qualifications as in this case the “quality label” indeed can be attributed to individual qualifications awarded after completion of the accredited programme.

However, due to the high costs of assessing each individual programme it seems that in these countries that are just establishing quality assurance systems introduction of programme accreditation currently is not the main trend.

Institutional accreditation/ assessment. From the point of view of recognition of individual qualifications there is in principle no difference between institutional accreditation and other type of institutional assessment leading to a judgement that allows qualifying institution as nationally recognised.

For recognition of individual qualifications institutional accreditation/assessment is somewhat more problematic than plain accreditation of programmes. The difficulty here is that in some countries status of a ‘recognized institution’ does not automatically imply that all the qualifications awarded by those institutions are nationally recognised.

Here I refer to such countries in which in parallel to programmes leading to ‘national’ qualifications recognized institutions can legitimately provide other programmes that do not lead to ‘national’ qualifications but to qualifications issued “in their own name”.

If national authorities, when asked whether a qualification is recognized in the issuing country, give a negative answer, there is little chance that this qualification will be recognized abroad, although the quality of the education is not necessarily poor.

This is one of the areas where cooperation between recognition and quality assurance could help international recognition of valuable results of learning.

Internal quality culture of the higher education institutions. In their 2003 Berlin communiqué the ministers [9] stated that ‘consistent with the principle of institutional autonomy, the primary responsibility for quality assurance in higher education lies with each institution itself’. Developing internal quality culture inside the higher education institutions is being referred to as the best way to continuous quality improvement and it is also being mentioned that it is less costly than e.g. external assessment of each programme.

Yet, from the recognition point of view it is important that the internal quality assurance inside institutions is supplemented with an external assessment results to provide individual qualifications with a kind of a national ‘quality label’.

How far are the needs covered and what are the perspectives

Bologna stocktaking. The Bologna Stocktaking report [10] published at the Bergen ministerial conference shows a huge progress towards establishing national quality assurance systems. It looks good and promising for the Bologna process, especially looking into the future perspective.

For the recognition needs in the ‘Bologna zone’ at present the question however is about the current scope of fully implementation of quality assurance so that recognition

specialists can rely on it in their daily work. Examining the stocktaking results from that point of view shows the following. A fully established quality assurance system exists in 22 countries. In most other countries the legislation that will establish a quality assurance system currently was at different stages of readiness for adoption and in two countries the discussions related to planning for the establishment of a quality assurance system are at a preliminary stage.

As regards the important elements of quality assurance systems identified in the Berlin Communiqué [9]: internal assessment, external review, participation of students, publication of results, international participation, they are fully implemented in 18 countries. While this is again a good sign of progress, it also means that even the most basic need for recognition – the approval that education leading to a particular qualification is in some way quality assured - is today fully covered in less than half of the ‘Bologna zone’.

EHEA Standards and guidelines for quality assurance. In Bergen the ministers adopted the Standards and guidelines for Quality Assurance in the European Higher Education Area [11]. It is certainly a major step forward as the standards and guidelines will be the main reference document for internal quality assurance, external assessment and assessment of the quality assurance agencies. As the 2007 stocktaking will look for progress in implementation of the standards and guidelines for quality assurance, it will facilitate further development of quality assurance systems.

From the text of the Standards and guidelines [11] one could conclude that the main actors in quality assurance of the programmes will be the higher educational institutional institutions themselves rather than the external reviewers. The guidelines for quality assurance of programmes are quite detailed within the part devoted to internal quality assurance while the external assessment seems to serve as monitoring of institutional procedures. Such an approach is fully understandable and appreciable, yet there should be room for national confirmation of the quality for international use.

Cooperation between accreditation and recognition agencies. The recently started activity involving several accreditation agencies members of the European Consortium for Accreditation (ECA) and the ENIC/NARIC recognition centres of the same countries is interesting and promising. Basing on both the trust in the results of (mutually recognized) accreditation and on the recognition specialists’ knowledge of the higher education systems, it could indeed be possible to estimate the eventual position of the other countries’ qualifications among own qualifications.

Such an exercise however requires a huge amount of bilateral cooperation, which, if extended to the whole European higher education area, might become a Sisyphus job.

As to my understanding, the cooperation among the accreditation and recognition agencies could and should lead to ‘automatic’ recognition of qualifications in the sense that the quality and the level of qualifications is considered as recognised. In such a case the further individual assessment that will be carried out by the recognition specialists, will have to establish whether or not the particular foreign qualification has substantial differences from

the home prototype with regard exactly to the purpose for which the applicant wishes to have his/her qualification recognised.

Summary

The needs of recognition with a view of quality assurance are well known and acted on in the quality assurance community.

First of all, fair recognition of qualifications across the European Higher Education Area is only possible if there is sufficient information on the quality behind the qualifications. It means that fair recognition of qualifications needs full implementation of quality assurance across the EHEA. Statements of good quality as such are needed but what is also needed, is the trust in these statements. So, cooperation among quality assurance systems, the assessment of quality assurance agencies and finally a register of trustworthy quality agencies will promote recognition.

It is important that any programme or institution, either national, cross-border or jointly established by several national systems, has access to a fair quality assessment with a view to recognition of qualifications awarded.

Where the national quality assurance is mainly based upon internal quality culture of the higher education institutions, a national review confirming the quality for international use is still needed.

And finally – the more quality assurance and recognition specialists will communicate and cooperate, the greater chances of the holders of individual qualifications to be fairly recognized.

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THE USE OF OUTCOMES OF QUALITY ASSURANCE

NORMAN SHARP

Purpose and Overview

This presentation will reflect on the main issues raised through earlier discussion in the Form, highlighting the main themes identified. These will then be related to an analytical framework within which I will focus on the range of desired outcomes of quality assurance. It is intended that this will move thinking about quality assurance away from a series of bureaucratic procedures and towards a tool for capacity building in higher education – of real value to institutions and their students as well as to the countries, economies and citizens they are there to serve.

Outline

1. The introduction will briefly locate the debate on quality assurance to models of market failure, public responsibility and educational excellence
2. Reference will be made to a range of different approaches to assuring quality in higher education adopted in different countries at different times
3. The desired outcomes of effective quality assurance systems will then be discussed in the context of different levels of engagement, with a particular focus on:
 - students
 - institutions
 - sectors
 - employers
 - countries and their citizens
 - the Bologna countries
 - global markets
4. The presentation will conclude with a focus on the value of moving from a culture of quality assurance to a culture of quality enhancement and capacity building.

QUALITY ASSURANCE IN EUROPEAN HIGHER EDUCATION: FROM ADOLESCENCE TO MATURITY

LUC WEBER

In the introduction I shall first remind participants that any economic exchange system, whether market-based (chiefly the private sector) or non-market (chiefly the public sector) is more efficient if it is coupled with an effective system of sanctions and rewards attached to the value of a commodity, service or factor of production. I shall briefly outline the difference between the market system and the public sector system, and their limitations. The case of higher education and research is of particular interest because almost all universities are public and because a private sector has been emerging over the past fifteen years, mainly in the central and east European countries. The co-existence of a public and a private system raises a number of highly interesting issues in terms of public responsibility and governance, both of the system and of the institutions. That is why the Council of Europe held a forum on “public responsibility” in autumn 2004 and another on “governance” in autumn 2005, and is now holding this forum on quality assurance (a generic term), because in both cases the latter was found to be a key element of public responsibility and governance. I shall end the introduction with a presentation of the plan.

The first part of the talk will deal with the justification for quality assurance in higher education and research. I shall bring up two types of argument. The first derives from public responsibility and governance of the system, or in other words the intention clearly stated, reinforced and clarified by the European education ministers of developing assurance quality as part of the Bologna process. The second concerns the importance – or rather the necessity – for universities to develop a genuine culture of quality in their establishments in order to survive in their increasingly competitive environment. The more an independent institution is of its supervisory authority, the more good governance requires it to introduce strict quality assurance systems.

The second part will provide a brief description of and some critical comments on the wide range of philosophical conceptions and methods of quality assurance that may be envisaged and have been applied in the past or are applied today. This will serve to identify the main issues, such as: assessment or accreditation, assessment according to objectives or to pre-established criteria; qualitative assessment or quantitative measurement, internal or external responsibility and so on. It will be noted that the brief history of quality assurance in Europe has been marked by a wealth of initiatives which stemmed from good intentions but have failed and led nowhere. The history of quality assurance in Europe is like an adolescent phase. Here, I shall comment on the conception adopted by the ministers, the “references and guidelines” developed by the main players and the experience accumulated by the European University Association (EUA). This part should help to identify the methods best suited to meeting the objectives assigned to quality assurance while paying the necessary attention to the human and financial resources they call for.

By way of conclusion, I shall attempt to propose some of the choices that should be made by both governments and institutions to enable quality assurance to grow from adolescence to maturity.

IMPLEMENTATION OF THE GUIDELINES ADOPTED BY THE EUROPEAN MINISTERS RESPONSIBLE FOR HIGHER EDUCATION IN BERGEN, MAY 2005

PETER WILLIAMS

In September 2003, the ministers of education of the European Higher Education Area (EHEA), gathered in Berlin for their biennial meeting, signed a communiqué which included the following sentence: 'At the European level, Ministers call upon ENQA through its members, in co-operation with the EUA, EURASHE and ESIB, to develop an agreed set of standards, procedures and guidelines on quality assurance, to explore ways of ensuring an adequate peer review system for quality assurance and/or accreditation agencies or bodies, and to report back through the Follow-up Group to Ministers in 2005.' Over the next 18 months ENQA, EUA, ESIB and EURASHE – the so-called 'E4' Group – worked hard to devise a European dimension to quality assurance which would meet the ministers' call.

Two working groups were set up by ENQA. One worked on the peer review system for agencies. This drew heavily on ENQA's own membership approval procedures and produced a model review process which would provide a robust independent check on agencies. The other working group set about devising standards and guidelines for institutions' and agencies' quality assurance processes. These would have to be acceptable to all EHEA signatories; respect national and regional autonomy over higher education (which led it to drop 'procedures' from the standards and guidelines, because procedures were better developed locally); recognise the very great differences in traditions, approaches and expectations among the higher education systems of Europe; and yet say something useful about quality assurance which all (or most) could accept as representing sound principles and good practice.

Eventually the two working groups produced a single report, which the E4 Group endorsed and forwarded to the 2005 ministerial meeting in Bergen. The report proposed not only standards and guidelines for quality assurance, but also a register of assurance and accreditation agencies operating in Europe and a quality assurance forum covering the interests of a wide range of stakeholders. The ministers adopted the standards and guidelines and these now stand as the key reference points for quality assurance across the EHEA.

The European standards and guidelines themselves comprise 23 standards grouped into three sections, seven covering institutions' internal quality assurance, eight external quality assurance processes, and eight the quality assurance of agencies themselves. The internal quality assurance standards state principles of good practice relating to different aspects of academic activity; the external quality assurance standards are concerned with agencies' review activities; and the final group is designed to establish the constitutional and

operational basis of trustworthy and credible agencies. For each standard there are guidelines, which explain the individual standards and offer illustrations of good practice.

The implementation of the European Standards and Guidelines raises a number of questions. Should it be a matter of organic development or external imposition? Will the ESG be a support or hindrance for the autonomy and 'quality culture' of institutions? Should total compliance be sought or should minor variations that reflect local circumstances be acceptable? What will the consequences of 45 local interpretations? How can we limit the burden on institutions that are asked to reform their academic structures and systems to meet the expectations of the ESG? Is the deadline of 2010 for implementation at all realistic?

As important as the standards and guidelines themselves, though regrettably rarely mentioned, are the Introductions to the sections of the ENQA report. These highlight the danger of using the standards simplistically as a checklist; the importance of steady evolution and development of institutional and national quality assurance systems, rather than the imposition of 'compliance' requirements; and the inappropriateness of trying to turn the ESG into the basis of a standardised European quality assurance system.

Unfortunately, these messages, and the intention that the ESG should be viewed and used as common reference points in the context of national and regional subsidiarity, appear to have been ignored in some countries. Several have enshrined the ESG into their national legislation, with a mandatory requirement that they be implemented, making their true value, as a formative and developmental tool, less likely to be realised. In these cases, the standards are being used as statements of obligation, rather than as reference points to guide institutions and agencies as they move forward on what, for many, will inevitably be a very long journey.

Does this matter? Isn't it right that progress in quality assurance should be speeded up, if necessary by mandatory requirements? One of the lessons that the past 10 years have taught us has been that quality assurance in higher education is most effective when it is owned by the individuals and institutions that are providing the learning opportunities for students. Only academics and institutions can truly assure quality, and it is much better if they are encouraged to take that responsibility upon themselves, as part of their professional role, rather than being dictated to by external controllers. Legislative imposition of the ESG, although offering a highly visible indication of national commitment, may not always help the improvement of the quality of higher education. We must be alert to this danger and do our best to avert it.

The European standards and guidelines are still new and will take some time to be understood and their usefulness fully discovered. They are not the starting point for a standardised European quality assurance system, but they should help towards a wider understanding across the EHEA of the importance of quality in higher education, and offer shared lines of enquiry and action to assure and improve it.