

ENHANCING INDEPENDENCE OF QUALITY ASSURANCE AGENCIES IN WESTERN BALKAN

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ABSTRACT

Quality assurance agencies (QA agencies) gained a particular relevance within the Bologna process. In the higher education context, quality assurance is understood as a process important for the quality functioning and constant quality improvement of higher education institutions. Quality assurance includes external quality assessment by QA agencies. They provide evidence to the public about the quality levels attained at higher education institutions. QA agencies have a strong role in monitoring and assessing quality at higher education institutions, including accreditations and evaluations of higher education institutions and study programmes. One of the fundamentals of the quality work of the QA agencies is their independence from third parties, especially ministries and higher education institutions. Obligations to establish independent QA agencies are inspired by considerations of credibility, integrity, professionalism, and trustworthiness. Further on, the need to have independent agencies is rooted in the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG). QA agencies in Western Balkan still struggle with establishing autonomous organisational and operational activities. Since 90's countries of Western Balkan have been undergoing multiple political transformations with complex political, cultural and historical underpinning to be understood. The paper aims to explore key aspects of QA agencies' independence in Western Balkan. The paper focuses on five main formal areas of independence, namely the appointment of the chief executive of QA agencies, the process of preparing and adopting quality standards, the appointment of experts, the decision-making procedures on the accreditation and evaluation procedures, and appeal procedures. The paper aims to answer why it is necessary to foster the independence of QA agencies to ensure a protective environment for higher education institutions and enhance quality assurance procedures.

Keywords: Higher education, Quality Assurance Agencies, Western Balkan, European standards and guidelines (ESG), Agency's independence, Political influences.

1. INTRODUCTION

Quality assurance (Kahveci et al., 2012) is a holistic approach covering all the processes in a higher education institution to serve the students and other stakeholders in expected quality standards. The success of a quality assurance system depends on the support of the management.

External quality assurance refers to the evaluation or audit of a higher education programme or institution undertaken by a specialised body outside the institution. Typically, the body may be a quality assurance or accreditation agency or an ad hoc panel of experts and peers constituted by the responsible Ministry. The evaluation will involve the collection of data, information and evidence for assessment against agreed standards (European higher education Area, 2022).

Although the quality in higher education primarily lies within the responsibility of higher education institutions, external quality assurance is underpinned by the responsibility of the QA agencies.

From a system point of view, it seems challenging to consider higher education institutions' academic freedom and institutional autonomy without considering the role of QA agencies, which represent the legal relationship between public authorities and higher education institutions.

Regulation by independent agencies rather than ministries is believed to result in better policy outcomes. Nevertheless, this belief requires one to accept a complex causal chain leading from formal independence to actual independence from politics, policy decisions, and, ultimately, policy outcomes.

With the concept of political independence of an agency, we mean »the degree to which the agency takes day-to-day decisions without the interference of politicians in terms of the offering of inducements or threats and/or the consideration of political preferences« (Hanretty & Koop, 2013, p. 196). On a general level, independence has been normally understood as the capability to decide on matters of responsibility without third-party interference. From the perspective of the QA agencies, independence can be “determined by the scope and the extent of the agency’s decision-making competencies” (Jordana, 1994).

2. INDICATION OF RESEARCH PROBLEM

The area of independence remains one of the major challenges for QA agencies. The importance of ensuring independent agencies is justified in the *Standards and Guidelines for Quality Assurance in the European Higher Education Area* (ESG), which stipulates that operational and organizational independence, and independence of formal outcomes of QA agencies must be guaranteed to be in compliance with the ESGs.

The challenging issues of the independence are evident from the efforts of members associations of QA agencies, such as the *European Association of Quality Assurance in Higher Education (ENQA)* and *Central and Eastern European Network of Quality Assurance Agencies in Higher Education (CEENQA)* to foster the independence of their member agencies. Efforts to strengthen the independence culture can also be seen in the activities of individual agencies that started to implement activities to strengthen the agency's independence, including activities of the *Slovenian Quality Assurance Agency in Higher Education (SQAA)*¹ and the *Ukrainian National Agency for Higher Education Quality Assurance Agency (NAQA)*.²

The QA agencies within the CEENQA association, which connects 41 members from 26 countries, report³ about the worrying issues of the independence status of QA agencies, especially in formal Eastern bloc countries. QA agencies report that the biggest threat to independence comes from ministries and other political entities, in particular in the area of decision-making procedures and leadership of the agencies. The standing committee KP3 of the ENQA also identified similar challenges of the QA agencies.

In accordance with the presented theoretical background, the article focuses on the independence of QA agencies. The main research question the articles aims to explore is the relationship between the formal independence and actual independence of the QA agencies in Western Balkan. Further, the paper aims to answer why it is necessary to foster the independence of QA agencies to ensure a protective environment for higher education institutions and enhance the accountability of QA agencies to HEIs, students and the public.

¹ Slovenian Quality Assurance Agency (SQAA), *Thematic analysis*, available at: <https://www.nakvis.si/reports-and-analyses/system-wide-and-thematic-analyses/?lang=en>

² Ukrainian National Agency for Higher Education Quality Assurance Agency (NAQA), available at: <https://en.naqa.gov.ua/?p=948>

³ Ukrainian National Agency for Higher Education Quality Assurance Agency (NAQA), available at <https://en.naqa.gov.ua/?p=921>

3. METHODOLOGY

The study was based on a qualitative methodological approach. A philosophical underpinning for the current study mainly relied on the inductive approach, which contributes to developing theories and is usually associated with qualitative research (Bryman, 2012).

The research was implemented at the turn of 2021 to 2023, with a focus on QA agencies from Western Balkan. The first stage of the research included a thorough literature review. A literature review sets the theoretical baseline of the research work. In the second stage of the research, secondary data sources in the national and international databases were examined. Accordingly, higher education acts, regulations on accreditations and evaluations, self-evaluation reports of quality assurance agencies and other legal documents available through national legal repositories, and documentation available on agencies' websites were analysed. In the research process, ENQA reports of the QA agencies, including the 3. 3. standard of the ESG, which refers to the independence of QA agencies, were studied.

In the last stage of the research process, in-depth interviews with the management representative of the QA agencies from Western Balkan were implemented.

4. RESULTS AND DISCUSSION

The article reports on the findings of the qualitative data analysis acquired from the in-depth interviews with representatives of the management of the QA agencies and the analysis of secondary sources of five QA agencies. The qualitative data were analysed using text coding, mainly through an inductive approach.

The focus of the research relied on the five main categories of independence: the appointment of the chief executive of the QA agencies, the process of preparing and adopting criteria and standards for accreditation and evaluation procedures, the appointment of experts for accreditation and evaluation procedures, the decision-making procedures on the accreditation and evaluation procedures and the appeal procedures for the accreditation and evaluation procedures.

In qualitative terms, the analysis of each of the five categories showed that on a general level, QA agencies have mainly established formal mechanisms to safeguard operations and outcomes of those operations without political influences. Further, the analysis showed that the influences from ministries or other political entities have diminished and that agencies have strengthened their operational and organisational capacities in the last years.

Reviewing higher education acts, regulations on accreditations and evaluations, self-evaluation reports of quality assurance agencies and other legal documents showed that all QA agencies from the Western Balkans are young agencies with a short operational tradition.

The representatives of the interviews confirmed examples of good governing where an agency decides independently on the implementation of the evaluations, the methods used, the members of the evaluation teams, timetables, content of reports and other decisions pertaining to higher education evaluations. All of the agencies acknowledge that great progress was made in regard to reducing the undue political pressures in recent years. Interviewees believe that membership in ENQA and CEENQA positively impacts strengthening the agency's independence. The participants highlighted that prescribed quality standards of independence must be established prior to becoming a full member of ENQA.

The legal framework of the QA agencies and their operation is well set. However, the interviewees highlighted that there are dangers of unstable legal frameworks when the government changes. The interviewees further pointed out the scarce knowledge of ESGs among different stakeholders, both at the level of HEIs and ministries. The representative of the management of the agencies stressed out the struggle with the basic conditions for a successful operation, such as funding and staff, to manage the numerous accreditation and evaluation procedures. Likewise, all of the agencies reported on a strong influence of the ministry. In particular, interviewees reported examples such as situations where the government directly appoints the chief executive of the QA agencies. Further, the government can dismiss the chief executive without a serious reason, the chief executive is accountable to the government. Likewise, provisions on the operating principles, staff, qualification requirements, councils and remuneration are issued by government decree. On a similar note, Minister in charge for science and higher educations, rectors or deans of HEI's can suggest the extraordinary accreditation and evaluation procedures. In regard to appeal procedures some agencies report that institutions can appeal on formal decisions only in a limited manner.

Further on, the analysis displayed that there is also a great deal of indirect governmental influence on the work of quality assurance agencies by having a predominant representation of ministry representatives in the board. In some cases, the ministry prepares the register of the experts for the accreditations and evaluations, and the QA agency only selects the experts from the register. In the decision-making process, the level of autonomy is further demonstrated by the decision-making power, particularly whether the agency has the final call for an appointment (i.e., the agency's competence to make final decisions).

5. CONCLUSION

Regulatory agencies, such as QA agencies, have a crucial role in society. The underlying objective of establishing independent agencies is rooted in the need to maintain public confidence in the impartiality, transparency and objectivity of decisions on the accreditation and evaluation procedures. The articles emphasise that the independent status of QA agencies is important in securing their good work and providing a high level of accountability to higher education stakeholders and wider.

The paper highlights that agencies' dependence depends on the specific context in which they operate and the legal requirements placed on agencies. The analysis results show that agencies' autonomy is mostly impaired in decision-making procedures and the nomination process of the agency's chief executive.

One important influence on the functioning of the institutions is the influence on the choice of the director and the decision-making bodies within the institutions. If the state has such influence, then this process is usually called political appointment to positions of authority or cronyism. The disadvantages of cronyism are reduced professionalism, increased conflicts of interest and unnatural staff turnover. As a rule, governments and their party candidates for directors and management bodies have little information about the functioning of individual public sector bodies, and, as a result, fewer professional candidates are selected. Cronyism is easiest when politicians have a majority in the management body. As a result, decisions involving a conflict of interest and an associated corruption risk are significantly higher as politicians mandate such decisions (Demšar, 2022).

The study's outcomes suggest the need to develop and foster an appropriate political and organisational culture and unified methods to safeguard the independence of QA agencies from political and national interests, taking account of and accommodating the diversity of agencies in Western Balkan.

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