

# A3ES

Agência de Avaliação  
e Acreditação  
do Ensino Superior

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**ENQA COORDINATED EXTERNAL REVIEW OF A3ES**

**Self-Evaluation Report**

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**July 2013**

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## **1. INTRODUCTION**

### **1.1. Aims of external assessment**

The Portuguese Parliament passed Law 38/2007 of 16 August defining the new legal framework for the Portuguese higher education quality assurance system. Decree-Law 369/2007 of 5 November established the new Portuguese quality assurance agency - *Agência de Avaliação e Acreditação do Ensino Superior* (henceforth referred to as the Agency or A3ES) - and endorsed its statutes. The members of the Agency's Management Board were appointed in December 2008 and the Agency started its operation in 2009.

Article 25 of Law 38/2007 determines that the government is responsible for promoting a periodic international review of the higher education quality assurance system. In May 2012, as the Agency completed three years of full operation, the Ministry of Education and Science requested the European Association for Quality Assurance in Higher Education (ENQA) to coordinate the review of the Agency.

Therefore, the formal purpose of the review is both to comply with the requirements of Portuguese legislation and to ensure the full membership status in ENQA and later to become listed in the European Quality Assurance Register (EQAR). In addition, the A3ES will use the recommendations of this review process to improve its operations, with the expectation that discussions with the review team will provide an opportunity to improve our proposals for the future development of the system.

The Agency has some special characteristics that should be examined by an extensive discussion with a panel of experts. These include:

- the use of an electronic platform for all the quality assessment and accreditation procedures, including reporting, additional information, messages to institutions and stakeholders, institutional responses, accreditation decisions, assessment processes;
- a department of research and studies of the higher education system and its policies;
- an international advisory scientific council composed of leading researchers in quality assurance and higher education policies.

At this stage, the Agency is undertaking a complete first accreditation cycle of all the study programmes in the Portuguese higher education system and promoting the implementation of internal quality assurance systems in higher education institutions. The system will be changed after completion of this first accreditation cycle, with the introduction of a more flexible approach partly supported by audits of internal quality assurance systems, performance indicators and sampling. The Agency would like to discuss these plans in more detail.

### **1.2. The self-evaluation process**

This report is the final product of a self-evaluation process conducted by the Agency for presentation to the external assessment panel.

Following the ENQA Guidelines for External Reviews, the document is structured in five parts. A short introduction (Chapter 1) is followed by a summarised description of the Portuguese higher education system and of its quality assurance system (Chapter 2) and of the Agency (Chapter 3). Chapter 4 provides the evidence of compliance with the ESG for external

quality assurance in higher education (ESG- Part 2) and Chapter 5 presents the evidence of fulfilment of the ENQA membership criteria (ESG- Part 3). Chapter 6 presents the SWOT analysis and Chapter 7 outlines improvement proposals and an analysis of future challenges. Appendices provide complementary information.

The report was extensively discussed with all staff-members and the Agency's Office of Research and Analysis has given a valuable contribution by collecting and organising data and identifying areas of strength and weakness, as well as improvement proposals.

The report was then submitted to the Agency's bodies, including the Board of Trustees, the Advisory Council and the Appeals Council. All relevant stakeholders are members of the Advisory Council, including representatives of the Council of Rectors, Council of Presidents of Polytechnics, Association of Private Institutions, Student Unions, Professional Organisations, Employers Associations, Trade Unions, etc.

Lastly, after collecting the opinions of all consulted members, the final draft was produced, being approved by the Management Board.

The recommendations of the External Review Panel will be sent to the Ministry of Education and Science and together with the self-evaluation report will be published on the A3ES website.

## 2. THE PORTUGUESE HIGHER EDUCATION SYSTEM

### 2.1. The education system

The Comprehensive Law on the Education System (Law 46/86, of 14 October, subsequently amended by Law 115/97, of 19 September, and by Law 49/2005, of 30 August) establishes the framework for the education system.

School education comprises the following stages: basic, secondary and higher education. Pre-school education is optional and intended for children from the age of three to the age for admission into the first cycle of basic education. Pre-school education is free in public sector nursery classes supported by the Ministry of Education (with the collaboration of regional or local authorities) and by other public or private organisations.

Basic education is universal, compulsory and free, and consists of three consecutive cycles. The first cycle lasts 4 years, the second 2 and the third 3 years.

Secondary education is also compulsory and comprises a 3-years cycle (10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> years of schooling). Permeability is guaranteed between courses mainly oriented to working life (technological courses) and courses oriented to continuation of studies at higher education level (general courses).

Higher education is provided at universities and polytechnics (binary system), both public and private. Following the adaptation of the system to the Bologna reform, higher education degrees are *Licenciado* (1<sup>st</sup> cycle), *Mestre* (2<sup>nd</sup> cycle) and *Doutor* (3<sup>rd</sup> cycle). Integrated masters are also possible in universities.

### 2.2. Recent developments of the higher education system

At the time of the 1974 revolution the Portuguese higher education system was an elite system with low participation rate – around 7% –, most of its students coming from the more affluent families. In the aftermath of the revolution there was an explosive rise in demand for higher education and the government reacted by implementing a generalised *numerus clausus* system aiming at protecting public universities from being flooded by students. However, this political decision resulted in rising social tensions instigated by students who could not enter higher education, and their families. These tensions, combined with the idea that Portugal should converge with Europe, resulted in the system's expansion which was promoted by two simultaneous processes: by allowing the development of a private sector of higher education and by implementing, following advice from the World Bank, a polytechnic sector providing shorter and more vocational degrees.

From 1990 to 2000 total enrolments increased by 105.8% but this expansion was not uniform across the system. Enrolments in public universities increased 62% while enrolments increased 224.7% in public polytechnics and 121.7% in the private sector. Gross participation rates (20-24 years-old) have increased steadily from its very low 7% value in 1974, to 37% in

1995, 50% in 2000, 54% in 2005 and 67.3% in 2011 (Table 1). This was a very fast increase without parallel in other European countries<sup>1</sup>.

Table 1 – Gross participation rates, 20-24 years old

|         | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 |
|---------|------|------|------|------|------|------|------|------|------|------|
| Public  | 20.4 | 21.4 | 22.2 | 23.5 | 25.5 | 27.4 | 29.5 | 32.2 | 35.0 | 37.0 |
| Private | 10.1 | 11.4 | 12.4 | 13.5 | 14.5 | 14.8 | 14.7 | 15.1 | 14.8 | 14.7 |
| TOTAL   | 30.5 | 32.8 | 34.6 | 37.0 | 40.0 | 42.2 | 44.2 | 47.3 | 49.8 | 51.7 |
|         | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
| Public  | 38.2 | 38.4 | 39.6 | 40.4 | 42.0 | 45.1 | 46.4 | 49.7 | 52.7 | 53.7 |
| Private | 14.7 | 14.5 | 13.8 | 13.4 | 13.9 | 14.7 | 14.9 | 15.2 | 15.1 | 13.6 |
| TOTAL   | 52.9 | 52.9 | 53.4 | 53.8 | 55.9 | 59.8 | 61.3 | 64.9 | 67.8 | 67.3 |

Source: DGECC, 2013

In the academic year 1983/84 public universities were responsible for 76.2% of total enrolments, with 12.6% in public polytechnics and 11.2% in the private sector. However, the expansion of the system has resulted in changes of the relative contribution of the different sectors (see Figure 1), because of a very fast increase of enrolments in public polytechnics and the private sector, while enrolments in public universities increased at a slower pace.

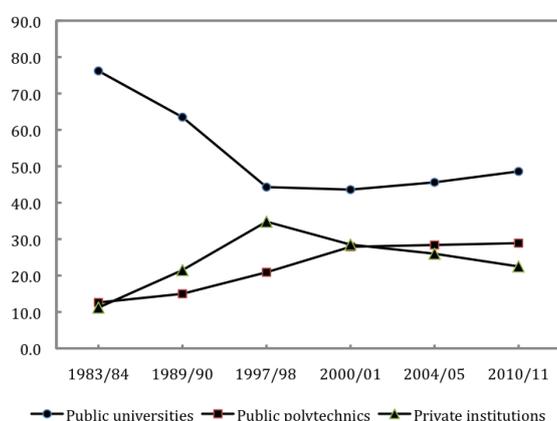


Figure 1 – Enrolments (%) in the different higher education sectors

The earlier increase in enrolments was mainly due to the private sector that in 1991 registered a 33.5% increase (22.5% in 1989 and 33.3% in 1990). This very fast expansion of the private sector started to slow down by the mid 1990s and became negative in 1997 (Table 2). The increase in enrolments at public polytechnics was more sustained although it also became slightly negative in 2003. This trend was observed at public universities with a first negative value also in 2003.

<sup>1</sup> However, it is important to notice that a component of the participation rate increase is due to a decreasing number of 20-24 year old young people (789,944 in 2000 and 580,521 in 2011)

Table 2 – Change in enrolments relative to the preceding year (%)

|         |             | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001  |
|---------|-------------|------|------|------|------|------|------|------|------|------|-------|
| Public  | University  | 6.9  | 5.6  | 4.1  | 5.2  | 5.9  | 2.7  | 3.4  | 3.5  | 4.0  | 2.2   |
|         | Polytechnic | 19.0 | 11.5 | 9.9  | 10.3 | 9.6  | 11.2 | 10.1 | 12.8 | 12.7 | 6.6   |
|         | Total       | 9.9  | 7.2  | 5.7  | 6.7  | 7.0  | 5.3  | 5.5  | 6.7  | 7.2  | 3.8   |
| Private |             | 18.9 | 14.9 | 11.1 | 10.3 | 5.9  | -0.5 | -2.4 | 0.6  | -3.8 | -2.1  |
| TOTAL   |             | 12.7 | 9.7  | 7.5  | 8.0  | 6.6  | 3.2  | 2.7  | 4.6  | 3.6  | 2.1   |
|         |             | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011  |
| Public  | University  | 0.4  | -1.2 | -2.1 | -1.3 | -1.2 | 3.9  | -0.3 | 4.8  | 5.1  | 2.5   |
|         | Polytechnic | 3.7  | -0.9 | -1.7 | -4.1 | 1.9  | 2.3  | -1.3 | 2.9  | 4.4  | -1.1  |
|         | Total       | 1.7  | -1.1 | -2.8 | -2.4 | -0.1 | 3.3  | -0.7 | 4.0  | 4.8  | 1.2   |
| Private |             | -1.4 | -3.3 | -7.6 | -7.0 | -0.4 | 1.3  | -2.2 | -0.8 | -1.7 | -10.9 |
| Total   |             | 0.8  | -1.7 | -3.6 | -3.6 | -0.2 | 2.8  | -1.0 | 2.8  | 3.3  | -1.5  |

The number of traditional students has been declining due to persistent low birth rates. To counteract this trend the Ministry has taken a number of initiatives, including legislation (2005) to make easier the access of mature students by decreasing the lower limit age from 25 to 23 years and transferring to HEIs the responsibility for the selection of candidates. Until 2005 persons aged over 25 without formal qualifications at high school level could apply to be submitted to special national examinations (*exames ad-hoc*) to demonstrate their capacity to attend higher education. However, very few were successful in the examinations. The results of the new policy were immediate and the number of new mature students jumped from 551 in 2004/05 to 10,856 in 2006/07 and 11,773 in 2007/08 [1]. However, the number of these students has been declining (8,231 in 2011/12 and 6,572 in 2012/13).

Table 3 presents the annual enrolments by sector and for the whole system and confirms that enrolments in the private sector have been decreasing, with this sector losing about 35,000 students from 2000/01 to 2011/12. The public sector shows a more erratic behaviour, with several ups and downs, although over this period enrolments in the sector have increased by almost 38,000 students.

Table 3 – Students enrolled in Portuguese HE

|         |             | 2005/6  | 2006/7  | 2007/8  | 2008/9  | 2009/10 | 2010/11 | 2011/12 |
|---------|-------------|---------|---------|---------|---------|---------|---------|---------|
| Public  | University  | 171 575 | 169 449 | 175 998 | 175 465 | 183 806 | 193 106 | 197 912 |
|         | Polytechnic | 103 946 | 105 872 | 108 335 | 106 973 | 110 022 | 114 872 | 113 662 |
|         | Total       | 275 521 | 275 321 | 284 333 | 282 438 | 293 828 | 307 978 | 311 574 |
| Private | University  | 61 197  | 60 094  | 60 732  | 60 230  | 60 174  | 60 452  | 55 147  |
|         | Polytechnic | 30 594  | 31 314  | 31 852  | 30 334  | 29 625  | 27 838  | 23 552  |
|         | Total       | 91 191  | 91 408  | 92 584  | 90 564  | 89 799  | 88 290  | 78 699  |
| TOTAL   | 367 312     | 366 729 | 376 917 | 373 002 | 383 627 | 396 268 | 390 273 |         |

The Portuguese HE system comprises at present 121 institutions (HEIs), which are composed of 338 units (schools, faculties, institutes, etc.); the public sector corresponds to about 1/3 of all institutions and almost 60% of its units (Table 4).

Table 4: Institutions and Units of the Higher Education System

| Type of Institution                     | 1*                  |       | 2     |       | 3                |       | 4         |       |
|---|---------------------|-------|-------|-------|------------------|-------|-----------|-------|
|   | Institutions (HEIs) | %     | Units | %     | Study programmes | %     | Vacancies | %     |
| <b>Public Higher Education</b>          |                     |       |       |       |                  |       |           |       |
| University                              | 16                  | 13,22 | 100   | 29,59 | 2126             | 50,86 | 68250     | 43,78 |
| Polytechnic                             | 20 (27)*            | 16,53 | 94    | 27,81 | 965              | 23,09 | 35512     | 22,78 |
| TOTAL                                   | 36 (43)*            | 29,75 | 194   | 57,40 | 3091             | 73,95 | 103762    | 66,56 |
| <b>Public Military Higher Education</b> |                     |       |       |       |                  |       |           |       |
| University                              | 3                   | 2,48  | 3     | 0,89  | 21               | 0,50  | 260       | 0,17  |
| Polytechnic                             |                     |       | 2     | 0,59  | 21               | 0,50  | 28        | 0,02  |
| TOTAL                                   | 3                   | 2,48  | 5     | 1,48  | 42               | 1,00  | 288       | 0,18  |
| <b>Private Higher Education</b>         |                     |       |       |       |                  |       |           |       |
| University                              | 40                  | 33,06 | 77    | 22,78 | 740              | 17,70 | 34021     | 21,82 |
| Polytechnic                             | 42 (51)*            | 34,71 | 62    | 18,34 | 349              | 8,35  | 17820     | 11,43 |
| TOTAL                                   | 82 (91)*            | 67,77 | 139   | 41,12 | 1089             | 26,05 | 51841     | 33,25 |
| TOTAL HE                                | 121                 | 100   | 338   | 100   | 4222             | 100   | 155891    | 100   |

\* There are some polytechnic units integrated in universities. The number between brackets refers to the total number of polytechnic units, including those integrated in universities.

### 2.3. The duality of the Portuguese higher education system

Conceição and Heitor [2] have introduced the concept of the duality of the Portuguese society to explain the coexistence of large infra-structural weaknesses inherited from the dictatorship with developments resulting from strong modernisation efforts. Portugal combines high growth rates in sectors that are relevant for its development and competitiveness with structural deficiencies such as the low efficiency of secondary education. Despite all efforts over the last three decades to overcome these problems, the percentage of the population holding a HE degree still lies at the level of developing countries. Conceição and Heitor [2] argue the notion of the dual society allows for a more fair analysis of the national effort over the last three decades, which is not visible when national average values are compared with European averages.

A recent OECD evaluation of the Portuguese HE system [3] recommends that “existing higher education capacity should not be lost”, and that while existing institutions may need to be “down-sized”, amalgamated or linked with others they should not be closed, though individual departments or schools may be closed because they are not viable. The OECD report also stressed the importance of maintaining the binary system; changing polytechnic schools into university schools via “co-operation” initiatives should not be countenanced or permitted. For the OECD “universities should be specifically and unambiguously excluded from entering programme areas and levels of award that are outside their core area of business, and which properly reside within the polytechnic sector. Polytechnics should be specifically tasked to develop employable graduates with advanced technical skills and practical knowhow, underpinned by analytical, problem-solving and communication abilities of a high order”.

## 2.4. The structure of the higher education system

The university and the polytechnic subsystems are differentiated by their conceptual and formative matrices, although the definition of the borderline has always been rather controversial. One can say that polytechnic institutions are more oriented towards professional training, providing a scientific and technical education more focused on the transfer of existing knowledge to meet today's needs, rather than on the advancement of knowledge to meet the future needs of society and industry.

The degree structure has been recently changed to comply with the Bologna process. The degree of *licenciado (licenciatura)* is awarded by universities and polytechnics after a cycle of studies with a number of credits corresponding to six to eight semesters of studies. However, while universities are free to set the length of studies, polytechnics can only offer 3-year programmes unless there is legislation or an established European practice allowing for a longer study programme.

The degree of *mestre* is awarded by both the university and polytechnic institutions, after a cycle of studies with a number of credits corresponding to three to four semesters of studies, although, exceptionally, the duration may be of two semesters.

The degree of *mestre* may also be awarded by universities after an integrated cycle of studies of 10 to 12 semesters, in cases where, in order to access the right to practice a regulated profession, such a duration is determined by a EU Directive or results from a consolidated practice in the EU member states.

The degree of *doutor* is awarded only at university institutions with qualified academic staff, adequate facilities and an accumulated scientific experience demonstrated by relevant scientific and academic production in the corresponding scientific field. The admission to the doctoral degree is open to the holders of a degree of *mestre* and also to the holders of a relevant academic, scientific or professional curriculum confirmed by a decision of the competent academic body of the institution.

## 2.5. Access and equity

Access to higher education complies with the constitutional principles of "equality of opportunities" and "democratisation of the educational system", aiming at the "enhancement of the educational, cultural and scientific level of the Country" (article 76.2).

In order to qualify for admission to higher education through the national competition, students are required to:

- have successfully completed the 12<sup>th</sup> year of schooling or equivalent;
- have completed the national specific examinations for the study programme the student wishes to attend;
- have obtained the minimum marks required by the higher education institution;
- have fulfilled special vocational, functional or physical prerequisites for the higher education study programme the student wishes to attend, if required.

However, in Portugal access to higher education is governed by a generalised system of *numerus clausus* that applies to all study programmes, university or polytechnic, public or

private, and not only to a few programmes in very high demand. Students compete for a place in a public institution by indicating six possible combinations of institution/study programme by order of preference, relying on an access grade that is a weighted combination of their upper secondary school grades and grades in national examinations for the core scientific areas.

The percentage of female students is higher than 50% for all types of degrees, except for integrated masters, where they only represent 49.5%, probably due to the fact that many integrated masters are engineering programmes. Students show strong preference for programmes in the area of Social Sciences, Commerce and Law, followed by Engineering, Transforming and Building Industries and the Health sector. The presence of female students is very strong in areas such as Education and Teacher Training (85%) and Health (79%), with Engineering being the only area where they are a minority (26%).

The recent trend of declining numbers of candidates to HE has changed enrolment patterns by scientific area, with students progressively avoiding areas corresponding to saturated segments of the labour market. The analysis of the socio-economic indicators shows that the nature of the student family has strong influence on access to HE, with Portugal being still far from equitable access. Data published in 2005 shows that, among European countries, Portugal [4] had the highest predominance of students from families with a HE background when compared with the relevant age group of the overall population. A more recent report [5] presents a slightly improved situation, as the ratio “% students’ parents with HE” / “% all men 40-69 years old with HE” has decreased from 3.65 to 3.01. However, access to HE in Portugal remains far from being equitable.

The educational background influences not only the decision to enter HE but also the choice of type of institution and even the choice of study programme [6]. Available data show that students from families with higher social capital have higher preference for university programmes than for the shorter and more vocational polytechnic programmes. However, as the social capital of the families decreases the difference in preference for a university rather than a polytechnic vanishes.

The 2005 changes in the access rules for mature students (over 23 years of age) mentioned in section 2.2 have allowed an overall increase of total mature students enrolments in 2006–2007 of almost 19 times the 2004–2005 enrolments, but with different segments of the system reacting in different ways [7]. In 2006–2007, mature students represented 4.3% of the total first year enrolments in public universities, 13.9% in public polytechnics and 29.6% of the total first year enrolments in the private sector.

## **2.6. Autonomy and Governance**

In 2005 a new government decided to rely on the advice of international organisations, such as the OECD (Organisation for Economic Cooperation and Development), ENQA (European Association for Quality Assurance in Higher Education) and EUA (European University Association), to increase the internationalisation of the system.

New legislation covers almost every aspect of higher education. Law 62/2007 (Legal Framework for HEIs – RJIES) established the new legal framework for HEIs, governing their constitution, attributions and organisation, the duties and powers of their bodies, the degree

of autonomy and the supervision powers of the government. Law 38/2007 defined a new quality assurance system; Decree-Law 369/2007 established a new quality agency; Decree-Law 74/2006 defined a new degree structure compatible with the Bologna process. Other legislation dealt with academic careers of universities and polytechnics.

The RJIES was presented as the implementation of New Public Management (NPM) in Portuguese HE. The new Law strongly reduced collegiality and enforced the presence of external stakeholders in the main governance bodies of all institutions.

The most important decision-making body in public universities is the General Council that detains most powers that previously were held by the University Assembly and the Senate. It has a small number of members: 15 to 35, depending on the dimension of the institution. At least 50% of its members are academic staff and researchers, external stakeholders represent at least 30% and students represent at least 15%. The presence of non-academic staff is optional. Academic staff and researchers and students elect their own representatives. The elected members co-opt the external stakeholders. The General Council elects one of the external stakeholders as Chairman. The Council ratifies alterations to the statutes, elects or dismisses the Rector and appraises his decisions.

The Rector presents proposals to the Council and holds decision power on matters that were previously under the remit of the Senate, such as the disciplinary power; creation, suspension and extinction of study programmes; the number of new admissions and enrolments; allocation of social support for students.

The provisions of the law are similar for polytechnics, also with elimination of collegiality and having a president instead of a rector. For private institutions the legislation recognises the role of its founding entity and adapts the rules governing the statutes to the private nature of the institutions.

The new law has introduced an innovation that follows trends observed in other European countries: the possibility of a university becoming a foundation operating under private law. University foundations have, in principle, more management flexibility, for instance in the areas of finance and staff management, than universities operating under public law.

## **2.7. Quality Assurance: a historical perspective**

The new 1976 Portuguese Constitution passed in the aftermath of the 1974 revolution contains an explicit reference to the autonomy of universities and to quality assessment:

*Article 76, no. 2: Universities shall be autonomous in the making of their statutes and shall enjoy scientific, educational, administrative and financial autonomy, in accordance with the law, without prejudice of an adequate assessment of the quality of teaching.*

The University Autonomy Act (Law 108/88 of 24 September) awarded public universities a considerable degree of autonomy, including full pedagogic autonomy, meaning in practice that public universities had almost complete freedom to start, suspend or cancel study programmes. However the law, in its article 32, commanded the government to present to the Parliament a proposal of legislation regulating the assessment and supervision of the activities of universities.

The Polytechnic Autonomy Act (Law 54/90 of 5 September) awarded autonomy to public polytechnic institutes, although to a lower degree when compared to public universities. For instance, polytechnics did not enjoy full pedagogic autonomy and they had to ask permission from the Ministry before being able to start, suspend or cancel study programmes. However, the law (article 48) also commanded the government to present to the Parliament a proposal of legislation regulating the assessment and supervision of the activities of polytechnic institutes.

The activity of private institutions was regulated by Decree-Law 16/94 of 22 January (later including changes resulting from Law 37/94 of 11 November and Decree-Law 94/99, of 23 March). However, although private institutions have very extensive autonomy in what concerns financial matters and staff, their pedagogic autonomy was limited and they needed a priori permission of the Ministry before being able to start, suspend or cancel study programmes. The law also commanded the Ministry with responsibility for higher education with the task of ensuring the assessment of the pedagogic, scientific and cultural quality of private higher education, in parallel with that of public higher education.

Expansion and diversification of HE, as well as the increase of student enrolments in fields that were of economic importance, have been explicit government policy goals for many years after the revolution. Over this expansion period public policies were mainly concerned with expanding enrolments at any cost without paying much attention to quality. Several factors have contributed to establishing a consensus around the necessity of setting up a quality assessment system, including the passing of the 1988 University Autonomy Act and the idea that there were quality problems due to the very fast expansion of the system.

In Portugal, the initial quality assurance activities were an initiative of the Portuguese Council of Rectors (CRUP) that organised a pilot experiment in 1993 following the Dutch methodology. When the Ministry produced a draft of the Law on the Assessment of Higher Education, the CRUP was able to make a counterproposal based on this pilot experiment. The Quality Assessment Act, Law 38/94 of 21 November, finally passed by the Parliament followed closely the CRUP's proposal. The Foundation of Portuguese Universities, similar to the Dutch VSNU, became responsible for the assessment of public universities after being recognised by the Ministry.

The first assessment cycle was completed in 1999 and included only the public universities and the Catholic University. The public polytechnics and the private higher education institutions have taken some time to join this process. This was the result of the government's decision to define the global coordination of the quality assurance system and to establish the requisites for the recognition of new agencies. This was a lengthy process that had to wait for the publication of the Decree-Law 205/98 of 11 July, which created an overall coordination council (CNAVES). The new agencies were recognised in 1998 for the public polytechnics (ADISPOR) and in 1999 for the private sector (APESP).

The second assessment cycle began in 2000 and included all institutions, while CNAVES became responsible for ensuring the "harmony, cohesion and credibility" of the overall system and to carry out the meta-evaluation of the system, if necessary using foreign experts [8]. However, the external reports were in general carefully drafted so that the public in general

and the media in particular could not easily draw up league tables and very seldom offered a basis for ministerial decisions leading to the cancellation of study programmes.

In 2002, a new minister publicly complained that the conclusions of the external reports were obscure, and decided to change the quality system. Parliament passed Law 1/2003, clarifying the consequences of the results of assessments and introducing academic accreditation, which was included in the remit of the agencies already responsible for quality assessment. The minister, by forcing the quality agency to produce an accreditation-type conclusion (a yes or no answer), was aiming at having a sounder basis for acting. However, the minister did not stay long in office, the law was never regulated and accreditation was quickly forgotten [9].

Law 1/2003 also determined that the review panels should produce a rating of each study programme in 'fields of appraisal' using a five-point scale from A (excellent) to E (negative). However, the reports remained inconclusive and did not make explicit recommendations about actions to take on reviewed programmes. By the end of the second cycle, there had not been a single example of a study programme being closed as a result of poor quality.

In 2005, a new government commissioned from ENQA a review of the Portuguese quality assurance system. The terms of reference committed ENQA to advise CNAVES and the Ministry on academic and management structures for implementing adequate quality assurance and accreditation practices and to provide a final report including recommendations for improvement and for complying with the ESG [10].

In the final evaluation report, the ENQA panel praised the excellent quality of the CNAVES self-evaluation report, providing a satisfactory level of critical self-reflection and recognised that "many of the critical observations made by the ENQA panel in this report may also be identified in the CNAVES self-evaluation report itself" [11]. The ENQA panel also recognised that, despite some weaknesses (when set against the ESG), the Portuguese model was fit for purpose at the time of its establishment and "accumulated a number of positive experiences that should be considered carried over into a new quality assurance system" [11].

The major strengths of the Portuguese quality assurance system as identified by the panel were its contribution to the establishment of a self-evaluation culture, its methodological model, which is in principle appropriate and in many respects in compliance with ESG and practice, and its comprehensiveness as it includes all HEIs.

The major weaknesses were its apparently limited independence (like the former Dutch system, there was strong intervention of the HEIs), the lack of sufficient operational efficiency and consistency (limited staff numbers, no efficient training of the reviewers, inconsistencies in reporting, etc.), low internationalisation, and, above all, serious lack of consequences. The report also included guidelines for establishing a new quality assurance system complying with the ESG.

The report of the ENQA panel was used for drafting the legislation framework regulating the new quality assurance system and its compliance with the ESG. In 2007 the Parliament passed a Quality Assessment Act (Law 38/2007) defining the new quality framework, and the government passed Decree-Law 369/2007 defining the statutes of the Assessment and Accreditation Agency (A3ES).

## 2.8. Legal Framework

A first essential aspect of the legal framework on higher education is that the *university autonomy* is a fundamental Constitutional right (article 76.2 in its original version). The main legal documents regulating the area of higher education are:

- a) The Comprehensive Law on the Education System (Law 46/86, of 14 October, amended by Law 115/97, of 19 September, and by Law 49/2005, of 30 August), defining the scope and organisational structure of higher education and the conditions for access.
- b) Decree-Law 74/2006, of 24 March, amended by Decree-Law 107/2008, of 25 June, and by Decree-Law 230/2009, of 14 September, regulating the organisation of higher education degrees and its adaptation to the Bologna process.
- c) Law 38/2007, of 16 August, framework law for quality assurance.
- d) Law 62/2007, of 10 September, framework law for higher education institutions.
- e) Decree-Law 369/2007, of 5 November, creates a new quality assurance agency and defines its statutes.
- f) Decree-Law 205/2009, of 31 August, regulates the academic career for public universities.
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### 3. A3ES IN BRIEF

#### 3.1. Organisation

The new Assessment and Accreditation Agency (A3ES) was established as a private foundation, independent both from the government and from higher education institutions. The organisation chart of the Agency is presented in Figure 2.

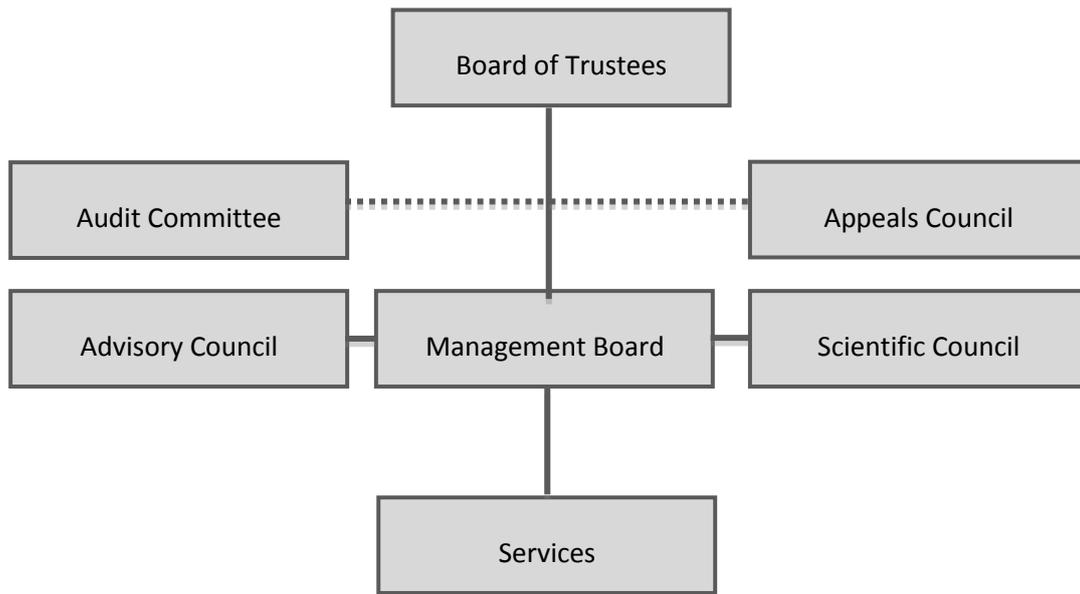


Figure 2 – Organisation chart of the Agency

The [Board of Trustees](#) is composed of five members appointed by the Cabinet in consultation with the bodies representing the higher education institutions (public and private, universities and polytechnics). The period in office is five years, which can be extended in a further additional year but cannot be renewed. The Board of Trustees has, amongst its areas of authority, the mandate to appoint the members of the Management Board and of the Appeals Council; formulates views about the operation of the Management Board and issues recommendations for its operation; reviews the Agency’s Annual Activity Plan, the Annual Management Report, the budget and the accounting.

The [Management Board](#) is responsible for performing all the necessary actions for fulfilling the Agency’s objectives that the statutes do not commit to other bodies. The Board of Trustees appoints the members of the Management Board (a maximum of 4 executive members and 3 non-executive members) for a 4-year term of office that can be renewed. At present the Management Board is comprised of 4 executive members and 1 non-executive member who were appointed on 18 December 2008, being re-appointed in 2012 for another term of office.

The Management Board enjoys extensive powers of representation and management and its mandate can only be terminated by a decision taken by four fifths of the total number of members of the Board of Trustees based in ponderous motives such as permanent disability,

serious violation of the duties or obvious incapacity. The Management Board is responsible for starting any assessment and accreditation procedure; approval of reports resulting from assessment and accreditation procedures and making final assessment and accreditation decisions (if necessary the Board decisions may not follow the recommendations of the External Assessment Teams); the potential adoption of the results of assessment or accreditation carried out by other quality assurance bodies, national or foreign; the approval of regulations in the area of quality assurance in higher education.

The **Audit Committee** is responsible for checking the legality, regularity and proper management of the Agency's finances and equity, consists of three members, with a three-year mandate, renewable once for a further three-year period, who are appointed by the member of the Government responsible for Finances. One of the members must be an official auditor.

The **Appeals Council** is the body for appeals against the decisions of the Management Board on assessment and accreditation. The Appeals Council consists of five members, appointed by the Board of Trustees, with relevant professional experience, without permanent ties to Portuguese higher education institutions, and must include people with experience in foreign counterpart bodies. At present the president of the Appeals Council is a judge, former president of the Portuguese Supreme Administrative Court, and the remaining members are two retired academics (one from a university, the other from a polytechnic), and two foreign experts (Dr. Andree Sursock and Dr. Pdraig Walsh).

The **Advisory Council** is a body that advises on matters of higher education quality assurance and provides support for the decisions of the Management Board. The Advisory Council must issue an official opinion about the Agency's annual activity plan and its general activity lines and strategic orientation. The membership of the Advisory Council integrates representatives of higher education stakeholders, including the Council of Rectors of Portuguese [Public] Universities; the Coordinating Council of the [Public] Polytechnic Higher Institutions; the Portuguese Association of Private Higher Education; the student unions for higher education, one of them representing university higher education and the other representing polytechnic higher education; the existing professional associations; the Council of Associated [Research] Laboratories; associations representing industry, commerce and services and agriculture; trade union confederations; interested ministries; up to five specialists co-opted by the Council itself.

The **Scientific Council** is a non-statutory body integrating six foreign experts with recognised international competency in the area of higher education quality assurance. The Council convenes once a year to discuss a report of the Agency's annual activity and its development proposals. The Council produces a report containing its views and recommendations aiming at improving the performance of the Agency. The members of the Council are at present:

- David Dill, Professor Emeritus of Public Policy, the University of North Carolina at Chapel Hill, USA.
- Don Westerheijden, Senior Research Associate, Center for Higher Education Policy Studies (CHEPS), the Netherlands.

- Bjørn Stensaker, Professor at Faculty of Educational Sciences, University of Oslo, and research professor at the Norwegian Institute for Studies in Research and Higher Education (NIFU), Norway.
- Mary Henkel, Associate Professor Brunel University, Visiting Professor King's College, London and Visiting Professorial Fellow of the Institute of Education, University of London, UK.
- Guy Neave, scientific director of CIPES, former professor of Comparative Education, Institute of Education, University of London, Professor Emeritus of CHEPS and Foreign Associate of the US National Academy of Education.
- José Ginés-Mora, Visiting Professor, Centre for Higher Education Studies, Institute of Education, University of London and former coordinator of the Spanish Accreditation Programme of the National Agency for Assessment and Accreditation (ANECA).

### **3.2. Financing**

The independence of the Agency is also clearly reflected in the financing rules. The then Ministry of Science, Technology and Higher Education transferred to the Agency, as initial funding, the sum of one million Euros, as a set-up subsidy, and a financial contribution of three million Euros for installation. Following this initial funding, the State shall no longer be responsible for providing any further regular funds to the Agency, except for the payment of any rendered services commissioned by the State.

The services provided by the Agency are paid for by the respective recipients, although the prices charged by the Agency are limited, both in terms of the amount of the actual cost of the service and in terms of practices in this field registered at the level of the European system of quality assurance in higher education.

Assets of the Agency consist of the initial provision granted by the State, in the sum of one million Euros, and own revenues, as well as any other assets, rights and obligations or economic content which it comes to own. The Agency own revenues include amounts due for assessments and accreditations; remunerations due for other services rendered; contributions or grants awarded by any entities, as well as gifts, inheritances or bequests; the revenue of services rendered to third parties and of the sale of its publications and studies.

Therefore, after an initial financial contribution from the State for establishing the Agency, its revenues are mainly the result of services provided by the Agency and paid for by the respective recipients, which has made the Agency financially independent from the public budget.

### **3.3. The initial phases of the new quality assurance system**

Under the new legal framework, the Agency is responsible for the assessment and accreditation of all higher education institutions and their study programmes, taking into account the contribution of internal quality assurance systems. However, some of the legal provisions are not easily compatible with each other. On the one hand, legislation determines that institutions should develop an internal quality assurance policy for their programmes, a culture of quality and quality assurance in their activities, and a strategy for the continuous improvement of quality. It also states that external assessment should take into account the

contribution of internal quality assurance systems. On the other hand, it establishes that external assessment may lead to a comparison among higher education institutions, organisational units and study programmes, and involve the establishment of rankings according to parameters to be established by the Agency.

The legislation also commits the Agency to complete an initial accreditation of the study programmes that were already in operation, in view of removing those identified as of the poorest quality. Herb Kells [1] recommends that when a higher education system has institutions and programmes of very diverse quality, it is well advised to administratively eliminate the worst cases before an accreditation agency starts its operations, thus avoiding a situation in which institutions see the agency as a threat. This did not happen in the Portuguese case, and the Agency had the task of 'cleaning' the system before starting its regular operations.

It was under these difficult conditions that the Agency initiated its operations. To soften the negative impression institutions might form from its initial operations, the Agency formally stated its assumption of the basic principle that the main responsibility for the quality of education lies with each higher education institution. Moreover, the legislation establishes that the institutions should also implement internal structures and procedures appropriate for promoting and assuring the quality of their education. The Agency offered to help institutions to implement their internal quality systems and to promote voluntary audits aimed at certifying institutional procedures for assuring the quality of their programmes.

The Agency, together with its Advisory Council and the bodies representing higher education institutions, promoted debates on internal systems of quality assurance, performance indicators to be used in the assessment and accreditation processes for study programmes, and modes of student participation. It commissioned a report entitled '[Comparative Analysis of European Processes for Assessment and Certification of Internal Quality Assurance Systems](#)', which was used to discuss with institutions how to implement their internal quality systems. The Agency discussed with higher education institutions and their representative bodies, as well as with the Advisory Council, the rules for the certification of internal systems for quality assurance. The Agency proposed to implement simplified accreditation procedures for those institutions with certified internal quality assurance systems and performance indicators above the minimum required standards. An experimental exercise of certification of internal quality assurance systems was launched in 2012.

All these actions aim at devolving to higher education institutions the responsibility for their own quality and for the quality of the study programmes they offer, in accordance with a quality enhancement approach. It is expected these initiatives will dispel the potential negative institutional perceptions of the Agency's initial operations and that Portuguese higher education institutions will be up to the challenge of taking responsibility for the quality of their study programmes.

#### **3.4. The preliminary accreditation system**

To implement the initial accreditation process, the Agency created a preliminary accreditation system which involved asking institutions to reorganise their offer of study programmes, clarifying which ones they would like to maintain alongside a demonstration of

sufficient resources to fulfil the required minimum legal standards. Therefore, each institution was asked to assume responsibility for adjusting its offer of study programmes to its available resources and to its development strategy, allowing for the discontinuation of study programmes which were no longer viable or were already being discontinued.

The study programmes with performance indicators above a given threshold were exempt from a full assessment/accreditation process at this stage, being considered as pre-accredited until the regular operation of the accreditation system started in the academic year 2011/2012. Where institutions wished to maintain study programmes but were unable to produce sufficient evidence that these complied with minimum quality standards, the study programmes went through a formal assessment/accreditation process by external assessment teams that included foreign experts.

The preliminary accreditation process allowed the testing of the assessment/ accreditation procedures using a limited number of cases. It also gave a clear sign to institutions and society that the Agency could act in an efficient and effective way by removing study programmes with evident quality problems. This was combined with the implementation of internal quality assurance systems, aiming at promoting consensus between the Agency and its partners regarding a common concept of quality. The guidelines for the preliminary accreditation of study programmes asked institutions to declare if they already had an internal quality assurance system (closed question) and to describe any internal quality assurance activities in operation (open question) [2]. The replies to those questions showed an increasing awareness of the importance of internal quality assurance systems, although most of the concerned units were still in the initial implementation phase. It is also possible that because institutions were replying to the Accreditation Agency, they tried to offer any possible evidence that they were taking care of quality.

### 3.5. The results of the accreditation process

As explained, institutions were asked to declare which study programmes they would like to see in operation in the future. Table 5 shows that institutions only submitted 4 379 programmes to accreditation, having removed 883.

Table 5 – The initial results of preliminary accreditation

| <b>STUDY PROGRAMMES IN FEBRUARY 2010</b>               |              |
|--|--------------|
| <b>Programmes in operation (officially recognised)</b> | <b>5 262</b> |
| Submitted to preliminary accreditation                 | 4 379        |
| Removed by institutions                                | 883          |

A3ES analysed all the data provided by institutions and discussed its findings with every institution. Table 6 shows that three years later, in February 2013, 3 384 programmes had received preliminary accreditation from A3ES while institutions have removed 1 457 programmes. 421 programmes did neither receive preliminary accreditation nor were removed by institutions and were submitted to a full assessment/accreditation process with a site visit by an external assessment team. Of those programmes, 307 were accredited by A3ES and 114 were not accredited.

Table 6 – Results of accreditation after three years of operation

| <b>STUDY PROGRAMMES IN FEBRUARY 2013</b>            |              |              |
|---|--------------|--------------|
| <b>Programmes in operation that were accredited</b> | <b>3 691</b> | <b>70,1%</b> |
| Programmes with preliminary accreditation           | 3 384        | 64,3%        |
| Accredited after on-site visit                      | 307          | 5,8%         |
| <b>Programmes that were removed</b>                 | <b>1 571</b> | <b>29,9%</b> |
| Removed by institutions                             | 1 457        | 27,7%        |
| With a negative decision on accreditation by A3ES   | 114          | 2,2%         |

Table 7 presents the results of the accreditation of new programmes submitted to A3ES.

Table 7 – Accreditation of new programmes\*

| <b>ACCREDITATION OF NEW PROGRAMMES</b>            |              |               |
|---|--------------|---------------|
| <b>New programmes submitted for accreditation</b> | <b>1 049</b> | <b>100,0%</b> |
| New programmes accredited by A3ES                 | 664          | 63,3%         |
| New programmes not accredited by A3ES             | 385          | 36,7%         |

\* Data collected in 31 January 2013.

These results show that the Portuguese higher education system has been under a transformation and rationalisation process following the operation of the Agency. It is also interesting to notice that most of the process has been the result of initiatives taken by the institutions themselves rather than the result of a direct intervention of the Agency. This development confirms that the A3ES's strategy has been effective while at the same time promoting change in permanent dialogue with institutions.

### 3.6. The first regular accreditation cycle

The A3ES is now running the first regular accreditation cycle that consists of the accreditation of all study programmes that received preliminary accreditation. This first cycle will be completed in 2016, being planned as shown in Table 8.

Table 8 – Annual allocation of the regular accreditation of study programmes\*

| Year         | 1st cycles   | Integrated Masters | 2nd cycles   | 3rd cycles | Total        |
|--------------|--------------|--------------------|--------------|------------|--------------|
| 2012         | 260          | 10                 | 229          | 34         | 533          |
| 2013         | 267          | 26                 | 278          | 94         | 665          |
| 2014         | 216          | 34                 | 383          | 134        | 767          |
| 2015         | 360          | 6                  | 364          | 71         | 801          |
| 2016         | 179          | 50                 | 272          | 117        | 618          |
| <b>Total</b> | <b>1 283</b> | <b>126</b>         | <b>1 526</b> | <b>450</b> | <b>3 384</b> |

\* Data collected in 31 January 2013.

Once this accreditation cycle is complete, institutions will be again asked to provide data on all their programmes allowing the update of the database of the higher education system. Comparison of these data with data provided in 2010 will allow for an evaluation of the progress made.

### **3.7. Internationalisation**

The Agency is member of a number of international organisations, such as ENQA (Affiliated member), ECA, CHEA International Quality Group and IMHE (OECD), being member of its Management Board. The Agency participates in a number of international projects:

- IBAR – a project financed by the European Commission on the analysis of barriers to the implementation of the ESG.
- JOQAR – a project run by ECA on “Joint programmes: Quality Assurance and Recognition of Degrees Awarded”.
- ECA’s WG4 working group on Learning Outcomes in Quality Assurance and Accreditation.
- Three working groups led by ENQA: Quality Assurance and Excellence in Higher Education; Collection of (good) practices on how to measure impact of External Quality Assurance Processes; Stakeholder Involvement in Quality Assurance Practices.
- The Agency is member of the Advisory Board of the QUEST Project for Quality for Students.
- The Agency offers technical support to Angola’s quality assurance agency.

The Agency also organised an International Conference on Recent Trends in Quality Assurance and its staff participates in a large number of international conferences. Additional elements of the Agency’s internationalisation policy are an international Scientific Council, the presence of foreign experts in the Appeals Council and at least a foreign member in External Assessment Teams. It is possible that some visits are conducted in English.

### **3.8. Office of Research and Analysis**

One important unit in the Agency’s organisational structure is its Office of Research and Analysis, which allows the Agency’s research staff to shift between more analytical and more hands-on work in the processes of assessment and accreditation. This unit is instrumental in strengthening the Agency’s knowledge capital in the future. This applies only to the Agency’s staff hired as researchers, who also participate in visits to institutions as Project Coordinators. Other staff members are hired as Project Coordinators but, in general, do not have research activities on a regular basis, although they are encouraged to enrol in post-graduate programmes, namely at PhD level, and they participate in conferences and training sessions.

This office is responsible for a large number of international scientific publications, including books and research papers, and it also produces reports on the Portuguese higher education system (see also section 4.8).

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## 4. FULFILMENT OF THE ESG FOR EXTERNAL QUALITY ASSURANCE IN HIGHER EDUCATION

### 4.1. Use of internal quality assurance procedures

**Standard 2.1:** External quality assurance procedures should take into account the effectiveness of the internal quality assurance processes described in Part 1 of the European Standards and Guidelines.

**Guidelines:** The standards for internal quality assurance contained in Part 1 provide a valuable basis for the external quality assessment process. It is important that the institutions' own internal policies and procedures are carefully evaluated in the course of external procedures, to determine the extent to which the standards are being met.

If higher education institutions are to be able to demonstrate the effectiveness of their own internal quality assurance processes, and if those processes properly assure quality and standards, then external processes might be less intensive than otherwise.

The [Guidelines for the Assessment and Accreditation of Study Programmes in Operation](#) include the assessment of the following internal quality assurance elements (section numbers are indicated in brackets):

- Quality assurance mechanisms for the study programme (2.2.1; 2.2.2).
- Procedures for collecting information, monitoring and periodically assessing the study programme (2.2.3).
- Periodical evaluation procedures of the qualifications and competences of the academic staff (2.2.4).
- Discussion of results of the study programme evaluation and its use to define improvement actions (2.2.5).
- Procedures to evaluate the competences and performance of the academic staff (4.1.7) and the performance and training of the non-academic staff (4.2.3; 4.2.4).
- Adequacy of measures for pedagogic support and counselling of students and to promote students' integration in the academic community (5.2.1; 5.2.2).
- Use of the results of student satisfaction surveys to improve teaching/learning processes (5.2.4).
- Existence of a periodic system for reviewing the curricula in order to ensure its scientific and methodological updating (6.1.3).
- Adequacy of the methodologies for the evaluation of the students learning outcomes in light of the objectives of the curricular unit (6.3.3).
- Use of the results of the monitoring of academic achievement to define improvement actions (7.1.3).
- Use of the results of the monitoring of scientific, technological and artistic activities for their subsequent improvement (7.2.6).
- Availability of public information about the institution, the study programme and the education given to students (7.3.3).
- Mechanisms to ensure the quality of the students' in-service training, if applicable (A.12.3).

The [Guidelines for the Prior Accreditation of New Study Programmes](#) include the assessment of the existence and effectiveness of the evaluation procedures for academic staff performance and for its permanent updating, as well as of the mechanisms to ensure the quality of the students' in-service training, when applicable (4.3 and 11.3).

The recent institutional audit process is totally focused on the internal quality assurance systems of higher education institutions, making use of a frame of reference (standards) fully aligned with part 1 of the ESG ([Manual for the Audit Process](#), Appendix I).

The Audit Process is voluntary for higher education institutions. However, it will be an essential element of the “lighter-touch” based approach that the Agency is considering for the next accreditation round to start in 2016, in order to alleviate the burden placed on institutions by the processes of programme accreditation.

#### **4.2. Development of external quality assurance processes**

**Standard 2.2:** The aims and objectives of quality assurance processes should be determined before the processes themselves are developed, by all those responsible (including higher education institutions) and should be published with a description of the procedures to be used.

**Guidelines:** In order to ensure clarity of purpose and transparency of procedures, external quality assurance methods should be designed and developed through a process involving key stakeholders, including higher education institutions. The procedures that are finally agreed should be published and should contain explicit statements of the aims and objectives of the processes as well as a description of the procedures to be used.

As external quality assurance makes demands on the institutions involved, a preliminary impact assessment should be undertaken to ensure that the procedures to be adopted are appropriate and do not interfere more than necessary with the normal work of higher education institutions.

The procedures for the assessment/accreditation of study programmes were defined in advance, in thorough consultation with stakeholders, namely through the Advisory Council. A formal document on the [Regulations on the assessment and accreditation procedures](#) was adopted and published in the Official Journal.

The [Assessment Handbook](#) deals in detail with the prevailing assessment and accreditation processes, namely the concepts, principles and norms for internal and external assessment of study programmes, including provisions for the composition and functioning of the external assessment teams, the visits, the drafting of the external assessment reports and their publication.

Similarly, the [Manual for the Audit Process](#) presents the concepts, procedures and criteria underpinning the auditing and certification of internal quality assurance systems.

Comprehensive [guidelines](#) were developed for self-assessment and external assessment reports concerning the prior accreditation of new study programmes, the assessment/accreditation of study programmes in operation (differentiated, as appropriate, between university and polytechnic education) and the audit process.

To ease the administrative burden on institutions, an electronic platform was developed enabling the online submission and processing of all applications.

All the regulations, manuals and guidelines were adopted after public consultation, are publically available on the Agency’s website and are periodically reviewed for improvement.

#### **4.3. Criteria for decisions**

**Standard 2.3:** Any formal decisions made as a result of an external quality assurance activity should be based on explicit published criteria that are applied consistently.

**Guidelines:** Formal decisions made by quality assurance agencies have a significant impact on the institutions and programmes that are judged. In the interests of equity and reliability, decisions should be based on published criteria and interpreted in a consistent manner. Conclusions should be based on recorded evidence and agencies should have in place ways of moderating conclusions, if necessary.

The criteria established for the assessment and accreditation of study programmes are explicitly defined, as an appendix, in the guidelines for the drafting of the external assessment reports which are publicly available on the Agency's website.

The Assessment Handbook includes, as an appendix, the document [Qualifications Criteria for Teaching Staff](#), which defines the minimum criteria on the qualifications of the teaching staff and on the organisation and practice of research activities for the accreditation of study programmes.

The [Manual for the Audit Process](#) establishes the criteria for certification of the audited internal quality assurance system, including a matrix "criteria versus target area" (Appendix II) which defines, for each of the areas under assessment, the criteria for assigning the different levels of the assessment scale.

The final decision on the applications for accreditation is taken by the Management Board, which may, or may not, follow, under grounded reasons, the recommendation made by the external assessment team. This mechanism acts as a moderation factor, contributing to a greater consistency of the accreditation decisions.

#### **4.4. Processes fit for purpose**

**Standard 2.4:** All external quality assurance processes should be designed specifically to ensure their fitness to achieve the aims and objectives set for them.

**Guidelines:** Quality assurance agencies within the EHEA undertake different external processes for different purposes and in different ways. It is of the first importance that agencies should operate procedures which are fit for their own defined and published purposes. Experience has shown, however, that there are some widely-used elements of external review processes which not only help to ensure their validity, reliability and usefulness, but also provide a basis for the European dimension to quality assurance.

Amongst these elements the following are particularly noteworthy:

- insistence that the experts undertaking the external quality assurance activity have appropriate skills and are competent to perform their task;
- the exercise of care in the selection of experts;
- the provision of appropriate briefing or training for experts;
- the use of international experts;
- participation of students;
- ensuring that the review procedures used are sufficient to provide adequate evidence to support the findings and conclusions reached;
- the use of the self-evaluation/site visit/draft report/published report/follow-up model of review;
- recognition of the importance of institutional improvement and enhancement policies as a fundamental element in the assurance of quality.

The Agency has taken considerable care in the design of the quality assurance processes to ensure their fitness for purpose, namely through the following elements:

- The careful selection of experts for the external assessment teams, which is based on the appropriateness of their curriculum and profile to the functions to be performed, their independence in relation to the institution or study programme to be assessed, and the balance of both gender and geographical origin taking into account the national higher education network, without prejudice of the previous requirements.

- The Agency adopted a formal document on [Norms for the appointment and conduct of the External Assessment Team](#), establishing the procedures and criteria for the selection and appointment of experts, the rules to prevent conflict of interests and the norms of conduct (see also section 5.7.3).
- The inclusion in each team of at least one expert recruited internationally from among recognised specialists in the relevant academic, scientific or professional area.
- The preparation and training of experts, through a training programme sponsored by the Agency.
- The support provided to each team by a qualified staff member of the Agency, who acts as Project Coordinator and liaises with the Management Board.
- Students participation in assessment/accreditation processes at various levels, *inter alia*:
  - Contribution to the preparation of self-assessment reports and as active stakeholders in the internal quality assurance systems;
  - Participation in meetings with the external assessment teams during the site visits;
  - Part of external assessment teams for the audit process (one student per team);
  - Part of the Agency's Advisory Council (two students' representatives).

The Agency commissioned a study on the participation of students with a view to adopt a national model for their inclusion in the external assessment teams for the assessment/accreditation of study programmes, which has been discussed by the Advisory Council and with the representative bodies of higher education institutions. An experimental exercise was run in 2012, involving 18 students<sup>2</sup> who participated in 19 site visits as part of nine different assessment teams, with the agreement of the institutions involved. The experiment was assessed by means of a survey addressed to the involved institutions, coordinators of the external assessment teams, project coordinators and the students themselves. The consequent report on the experimental exercise favoured the future generalisation of the participation of students in the external assessment teams (see also section 5.7.6).

- The guidelines for the proposal of new study programmes, the self-assessment of study programmes in operation and the self-assessment of the internal quality assurance systems, are very detailed in order to ensure that sufficient evidence is produced to support the conclusions reached by the external assessment teams.
- The assessment/accreditation processes follow the usual 4-phase model of self-assessment, site visit, report drafting and its publication, as well as the periodic reassessment of the assessed study programme or institution.

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<sup>2</sup> An open call was publicised through the student unions to identify candidates interested in participating in the experimental exercise. The 58 candidates fitting in the areas to be assessed were invited to an intensive one-day training session and, following the session, to present a short (about 10 pages) essay on a quality assurance theme. 39 students participated in the training, but only 25 accepted the challenge to present the essay and were selected to integrate the assessment teams. However, at the time of appointment, only 18 kept their availability to be nominated as team members.

- A great emphasis is placed on the importance of institutional enhancement policies as a central element in quality assurance. The guidelines for self-assessment reports include an important analytical dimension of SWOT analysis and suggestions for improvement. The instructions for the preparation of the external reports contained in section 4.3.7 of the [Assessment Handbook](#) include the following guidance: “The aim of the assessment in progress should be borne in mind during the different phases of the drafting of the External Assessment Reports: accreditation, according to the law, of the study programmes being assessed and consequent enhancement of the conditions of its functioning and its quality”. As a consequence, each section of the form for the assessment report includes a field for recommendations for improvement.

#### 4.5. Reporting

**Standard 2.5:** Reports should be published and should be written in a style which is clear and readily accessible to its intended readership. Any decisions, commendations or recommendations contained in reports should be easy for a reader to find.

**Guidelines:** In order to ensure maximum benefit from external quality assurance processes, it is important that reports should meet the identified needs of the intended readership. Reports are sometimes intended for different readership groups and this will require careful attention to structure, content, style and tone. In general, reports should be structured to cover description, analysis (including relevant evidence), conclusions, commendations, and recommendations. There should be sufficient preliminary explanation to enable a lay reader to understand the purposes of the review, its form, and the criteria used in making decisions. Key findings, conclusions and recommendations should be easily locatable by readers. Reports should be published in a readily accessible form and there should be opportunities for readers and users of the reports (both within the relevant institution and outside it) to comment on their usefulness.

The [Assessment Handbook](#) establishes, in sections 4.3.6 to 4.3.8 and 4.4.3, the rules for the preparation of the preliminary version of the external evaluation report, its delivery to the higher education institution for appreciation and possible presentation of a response, the preparation of the final version and its publication on the Agency’s and the institution’s websites, along with the response from the institution, if any.

Reports are prepared online with the help of an appropriate password-protected electronic form, which ensures uniform formatting, encourages clear and concise answers and facilitates the comparability among reports. The rules for the drafting of the report are precise and sufficiently detailed on the elements to be covered. The themes of concision and clarity of the reports are specifically discussed in the preparation of the team members.

#### 4.6. Follow-up procedures

**Standard 2.6:** Quality assurance processes which contain recommendations for action or which require a subsequent action plan, should have a predetermined follow-up procedure which is implemented consistently.

**Guidelines:** Quality assurance is not principally about individual external scrutiny events: It should be about continuously trying to do a better job. External quality assurance does not end with the publication of the report and should include a structured follow-up procedure to ensure that recommendations are dealt with appropriately and any required action plans drawn up and implemented. This may involve further meetings with institutional or programme representatives. The objective is to ensure that areas identified for improvement are dealt with speedily and that further enhancement is encouraged.

The [Manual for the Audit Process](#) establishes follow-up procedures for the certification of internal quality assurance systems. The certification, if awarded, is valid for six years. A year and a half after the completion of the audit, the institution must submit a brief follow-up

report, indicating the results of meta-evaluations and progress achieved, including information on the measures that were planned and implemented as a result of recommendations in the audit report. In case the audit report includes some areas assessed as being in “partial development”, the institution must submit an additional follow-up report three years after the conclusion of the audit process, presenting a self-reflection on the evolution of the state of development in each of the areas concerned.

The Agency, at its discretion, may request and monitor the annual reports prepared by the audited institutions, in relation to the monitoring and review of their internal quality assurance systems. The Agency and the concerned institution may also agree to carry out a mid-term seminar through the duration of the certification period, to discuss the impact of the audit and the corresponding developments in the internal quality system.

In the case of a decision of "conditional certification", the institution shall submit annual progress reports during the validity of the conditional certification.

As for the assessment/accreditation of study programmes, the accreditation decision is valid for five years and its renewal implies a new assessment/accreditation procedure. A favourable decision may, however, be conditioned to the adoption of given improvement measures, within a reasonable period of time. At the end of the period of conditional accreditation, the institution submits a progress report and the Management Board, on the advice of the external assessment team, decides either to accredit unconditionally the study programme or to refuse its accreditation.

The legal framework for higher education establishes a detailed list of information items that the institution must disclose regularly on its website ([RJIES](#), article 162). If there are indications that the presuppositions that supported an accreditation decision were altered, the Management Board may, at any time, decide to open a re-appreciation of the accreditation procedure (article 19.1 of the [Regulations on the assessment and accreditation procedures](#)).

#### **4.7. Periodic reviews**

**Standard 2.7:** External quality assurance of institutions and/or programmes should be undertaken on a cyclical basis. The length of the cycle and the review procedures to be used should be clearly defined and published in advance.

**Guidelines:** Quality assurance is not a static but a dynamic process. It should be continuous and not “once in a lifetime”. It does not end with the first review or with the completion of the formal follow-up procedure. It has to be periodically renewed. Subsequent external reviews should take into account progress that has been made since the previous event. The process to be used in all external reviews should be clearly defined by the external quality assurance agency and its demands on institutions should not be greater than are necessary for the achievement of its objectives.

In accordance with the [Regulations on the assessment and accreditation procedures](#), the assessment of the performance of higher education institutions must occur every five years (article 29). Accreditation decisions on study programmes are therefore valid for a period of five years. If the interested higher education institution wants to keep an accredited study programme in operation after that period, an accreditation renewal should be submitted.

As previously mentioned, the certification of an internal quality assurance system is also a cyclical process with a periodicity of six years.

The Agency is still in its first round of assessments/accreditations. It is the Agency's intention to adapt the guidelines for self-assessment and external reports for the next round (2017-2021) in order to allow the expert teams to take into account the results and recommendations of previous assessments and consistently evaluate the extent to which relevant action plans have been implemented.

#### 4.8. System-wide analyses

**Standard 2.8:** Quality assurance agencies should produce from time to time summary reports describing and analysing the general findings of their reviews, evaluations, assessments etc.

**Guidelines:** All external quality assurance agencies collect a wealth of information about individual programmes and/or institutions and this provides material for structured analyses across whole higher education systems. Such analyses can provide very useful information about developments, trends, emerging good practice and areas of persistent difficulty or weakness and can become useful tools for policy development and quality enhancement. Agencies should consider including a research and development function within their activities, to help them extract maximum benefit from their work.

As mentioned in Chapter 3, the Agency has an Office of Research and Analysis with four full-time researchers, through which collected information is analysed and prospective reflection is carried out, including the participation in national and international studies and research projects on quality assurance in higher education. The results from the studies and analysis performed, available on the website, include [publications in journals](#), [books](#) and book chapters, [PhD thesis](#) and other [documents](#) relevant to the development of the assessment, accreditation and audit processes, and to the higher education system in general.

In the specific scope of system wide analysis, the following documents have been recently published in the [A3ES Readings Series](#) (translated titles – these publications are available in Portuguese only):

- Employability and Higher Education in Portugal (122 p.);
- The Portuguese Higher Education System in Maps and Numbers (142 p.);
- Higher Education System – Institutional Profiles: Public Universities (298 p.);
- Higher Education System – Institutional Profiles: Public Polytechnics (184 p.);
- Recent Trends in Portuguese Higher Education (252 p.);
- Educational Efficiency and Employability in Portuguese Higher Education (228 p.).

## 5. FULFILMENT OF THE ENQA MEMBERSHIP CRITERIA

### 5.1. Activities

**Criterion 1 (ESG 3.1, 3.3):** Agencies should undertake external quality assurance activities (at institutional or programme level) on a regular basis. The external quality assurance of agencies should take into account the presence and effectiveness of the external quality assurance processes described in Part 2 of the European Standards and Guidelines.

The external quality assurance activities may involve evaluation, review, audit, assessment, accreditation or other similar activities and should be part of the core functions of the member.

The core function of the Agency, as stated in article 3 of [Decree-Law 369/2007](#), is “the assessment and accreditation of higher education institutions and their study programmes, and also with carrying out the functions inherent in Portugal joining the European system of quality assurance in higher education”. For this effect, the Agency conducts the following quality assurance processes on a regular basis:

- The prior accreditation of new study programmes;
- The assessment/accreditation of study programmes in operation;
- The audit of internal quality assurance systems.

In the previous chapter it was outlined how these processes take into account the presence and effectiveness of the external quality assurance processes described in Part 2 of the European Standards and Guidelines.

### 5.2. Official status

**Criterion 2 (ESG 3.2):** Agencies should be formally recognised by competent public authorities in the European Higher Education Area as agencies with responsibilities for external quality assurance and should have an established legal basis. They should comply with any requirements of the legislative jurisdictions within which they operate.

The Agency is a private law foundation, established for an indeterminate period of time, with legal status and recognised as being of public utility. It was created by the Portuguese State by means of [Decree-Law 369/2007](#), of 5 November, aiming at promoting and ensuring the quality of higher education.

The Agency has exclusive responsibility for the accreditation of Portuguese higher education institutions and their study programmes (articles 3.1, 3.2 and 7.8 of Decree-Law 369/2007).

### 5.3. Resources

**Criterion 3 (ESG 3.4):** Agencies should have adequate and proportional resources, both human and financial, to enable them to organise and run their external quality assurance process(es) in an effective and efficient manner, with appropriate provision for the development of their processes, procedures and staff.

The Agency’s resources are sufficient for the development of its activities:

- The map of staff required for the Agency was established by the Management Board, taking into consideration the activities to be undertaken. The Project Coordinators<sup>3</sup> were selected through a public competition and, despite their high academic

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<sup>3</sup> The responsibilities of Project Coordinators are defined in pages 48-49 of the [Assessment Handbook](#).

qualifications and professional experience in quality assurance and/or higher education systems, they undertook an initial 5-month in-house intensive training, at post-graduate level, including contents such as policy, law, economics and quality assurance in higher education. Further staff development activities are provided as necessary.

- Adequate IT, legal and accounting support is available through outsourcing. The subcontractors are recognised professionals in their fields.
- Current financial resources are obtained through the collection of fees for services provided, which are established by the Management Board on the basis of the average costs of these services.
- There was an initial endowment of four million Euros from the State (one million Euros as endowment and three million Euros as a set-up subsidy). As the Management Board has decided to rent the necessary facilities instead of buying them, a substantial part of the endowment is still available as a reserve fund.
- The resources available allowed for the establishment of an Office of Research and Analysis, composed by very qualified research staff (four full-time researchers, all with PhD qualifications).
- The Agency’s activity programmes have been fulfilled on schedule.

The permanent staff of the A3ES includes:

- 4 executive members of the Management Board;
- 1 Secretary-General;
- 9 project coordinators and 4 researchers, all of them holding a higher education degree and 70% a PhD degree;
- 6 technical and administrative staff.

The number of experts cooperating with the Agency as members of external assessment teams is shown in Table 9. Their remuneration is calculated on the basis of attendance fees, depending on the number of study programmes and site visits involved in their assessment work.

Table 9 – Number of experts in External Assessment Teams (experts from abroad in brackets)

| <b>Process</b>  | <b>2010</b> | <b>2011</b> | <b>2012</b> |
|---|-------------|-------------|-------------|
| Prior accreditation of new study programmes               | 170 (37)    | 248 (50)    | 258 (38)    |
| Assessment/accreditation of study programmes in operation | -           | 358 (122)   | 191 (55)    |
| Audit of internal quality assurance systems               | -           | -           | 7 (1)       |

An important asset is the internet-based electronic platform developed through an IT specialised subcontractor. All applications, reports, responses and decisions are submitted into the platform, by means of available online guidelines/forms, and communication with institutions is also performed electronically. This provides not only a paper-free working environment, but also a worthy database on higher education performance data and indicators. The support of the database is guaranteed by one in-house IT specialist and the

subcontractor that developed the platform. Data protection is guaranteed by a safe connection and user-password authentication. As the platform makes use of free software, no expenses with software licenses are involved.

The main budget lines for the last two years, presented in Table 10, show the sustainability and financial independence of A3ES.

Table 10 – Synthesis of income and expenditure

|                          | <b>2011</b>         | <b>2012</b>         |
|--------------------------|---------------------|---------------------|
| <b>Income</b>            | <b>3.086.368,81</b> | <b>4.010.254,23</b> |
| Fees from services       | 2.657.975,00        | 3.612.439,96        |
| Other income             | 428.393,81          | 397.814,27          |
| <b>Expenditure</b>       | <b>2.848.700,38</b> | <b>3.593.849,66</b> |
| Personnel expenses       | 1.236.173,98        | 1.433.830,55        |
| Experts' fees            | 913.600,00          | 1.421.831,00        |
| Other costs with experts | 201.611,15          | 204.708,60          |
| Operational expenses     | 497.315,25          | 533.479,51          |

#### 5.4. Mission statement

**Criterion 4 (ESG 3.5):** Agencies should have clear and explicit goals and objectives for their work, contained in a publicly available statement.

This statement should describe the goals and objectives of the member's quality assurance processes, the division of labour with relevant stakeholders in higher education, especially the higher education institutions, and the cultural and historical context of its work. The statement should make clear that the external quality assurance process is a major activity of the member and that there exists a systematic approach to achieving its goals and objectives.

There should also be documentation to demonstrate how the statement is translated into a clear policy and management plan.

The mission, objectives and functions of the Agency are well defined and publically available on the A3ES website, as well as in the introductory sections of the [Quality Manual](#).

The Agency has also established and adopted a [Strategic Plan](#), defining the main action lines and priorities to be developed during the first cycle of assessment and accreditation of study programmes running until 2016, and outlining strategies for the future adoption of simplified procedures for assessment/accreditation of study programmes, based on a system of institutional audits, for institutions with better quality indicators.

As regards division of labour with higher education institutions, the Agency's strategy emphasises the principle that the main responsibility for the quality of education lies first of all with every institution. Consequently, the Agency supports the implementation and promotes the certification of the institutional internal quality assurance systems as a means to encourage a quality enhancement approach and to facilitate the future simplified procedures referred in the previous paragraph.

In addition to the activities most directly associated with the processes of assessment, accreditation and audit, the strategic plan also stresses the strand of research and tracking of new developments in quality assurance, as well as the strand of internationalisation.

The strategic plan, together with the annual [Activity Plans](#) and [Activity Reports](#), demonstrate how the A3ES mission is translated into clear policies and management plans.

## 5.5. Independence

**Criterion 5 (ESG 3.6):** Agencies should be independent to the extent both that they have autonomous responsibility for their operations and that the conclusions and recommendations made in their reports cannot be influenced by third parties such as higher education institutions, ministries or other stakeholders. An agency will need to demonstrate its independence through measures, such as:

- its operational independence from higher education institutions and governments is guaranteed in official documentation (e.g. instruments of governance or legislative acts);
- the definition and operation of its procedures and methods, the nomination and appointment of external experts and the determination of the outcomes of its quality assurance processes are undertaken autonomously and independently from governments, higher education institutions, and organs of political influence;
- while relevant stakeholders in higher education, particularly students/learners, are consulted in the course of quality assurance processes, the final outcomes of the quality assurance processes remain the responsibility of the agency.

The independence of A3ES in relation to higher education institutions, government and other stakeholders is established in [Decree-Law 369/2007](#), which created the Agency, and in the A3ES's Statutes published as annex to this legal document. The following elements guarantee the Agency's independence (relevant articles of the Decree-Law are indicated in brackets):

- The Agency is a private law foundation, established for an indeterminate period of time, with legal status and recognized as being of public utility (article 2.1);
- The Agency is independent in carrying out its functions, within the framework of the law and its Statutes, notwithstanding the guiding principles set by the State through its own bodies (article 5);
- The members of the Management Board, who are appointed by the Board of Trustees for a term of four years, renewable, are independent in the exercise of their duties (Statutes, 10.1, 10.4);
- Cessation of the mandate of the members of the Management Board may only occur following a decision by a majority of four fifths of the total number of members of the Board of Trustees, based on: a) permanent disability; b) supervening incompatibility; c) serious violation of the duties entrusted to them; d) obvious incapacity regarding the normal performance of the respective duties (Statutes, 10.8);
- The rules concerning the accreditation procedures and their relationship to the assessment procedures are approved by the Management Board (article 7.5); particularly, the selection of experts and decision on the composition of the external assessment teams is the sole responsibility of the Management Board;
- In order to achieve its aims, the Agency may issue rules to its recipients that are compulsory and binding in nature, namely regarding procedures, technical criteria, and others (Statutes, 4.3);
- The accreditation decisions are of the exclusive authority of the Management Board, without prejudice to the powers of the Appeals Council, in case of appeal (articles 7.2, 7.8), and cannot be reversed or changed by government entities;
- The Agency has no regular income from the State budget (article 4.4). Its revenues are generated through the services provided, which guarantees its financial independence.

## 5.6. External quality assurance criteria and processes used by the members

**Criterion 6 (ESG 3.7):** The processes, criteria and procedures used by agencies should be pre-defined and publicly available.

These processes will normally be expected to include:

- a self-assessment or equivalent procedure by the subject of the quality assurance process;
- an external assessment by a group of experts, including, as appropriate, (a) student member(s), and site visits as decided by the agency;
- publication of a report, including any decisions, recommendations or other formal outcomes;
- a follow-up procedure to review actions taken by the subject of the quality assurance process in the light of any recommendations contained in the report.

Agencies may develop and use other processes and procedures for particular purposes.

Agencies should pay careful attention to their declared principles at all times, and ensure both that their requirements and processes are managed professionally and that their conclusions and decisions are reached in a consistent manner, even though the decisions are formed by groups of different people. Agencies that make formal quality assurance decisions or conclusions which have formal consequences should have an appeals procedure.

The nature and form of the appeals procedure should be determined in the light of the constitution of each agency.

As explained in section 4.2, all the quality assurance processes in use by the Agency – prior accreditation of new study programmes, assessment/accreditation of study programmes in operation and audit of internal quality assurance systems – were pre-defined in consultation with stakeholders and are publicised and scheduled in the annual Activity Plans.

Additionally, as stated in section 3.2.1 of the [Quality Manual](#), the Agency has formally endorsed documentation on its strategy and organisational structure, as well as on the rules and regulations applicable to the regular operation of its activities, the procedures and instruments used in the development of the assessment, accreditation and audit processes, including the criteria for decisions on accreditation/certification, and the mechanisms for internal quality assurance. This documentation, available in the Agency's website, includes, *inter alia*:

- The medium term [Strategic Plan](#) and the annual [Activity Plans](#);
- The Agency's [Organisational Structure](#);
- The [International Relations Policy](#);
- The [Normative Framework](#), comprising the [Regulations on the assessment and accreditation procedures](#), as well as other resolutions relating to appeals, fees, deadlines for the accreditation and audit processes, and the effects of non-accreditation of a study programme in operation;
- The [Guidelines](#) for the prior accreditation of new study programmes, the assessment/accreditation of study programmes already in operation and the audit of internal quality assurance systems;
- The [Assessment Handbook](#), presenting an introduction to quality assessment and, in particular, to the Portuguese system of assessment and accreditation, as well as the concepts, principles and norms for internal and external assessment of study programmes; it includes, as an appendix, the [Qualifications Criteria for Teaching Staff](#), which defines the minimum reference criteria on the qualification of the teaching staff and on the organisation and practice of research activities for the accreditation of study programmes;
- The [Manual for the Audit Process](#), containing the concepts, procedures and criteria for the audit of internal quality assurance systems.

In sum, the assessment, accreditation and audit processes, including the criteria for decisions on accreditation/certification, were pre-defined, regulated and publicised.

As seen in section 4.4 in connection with standard 2.4, the assessment processes include the usual phases of self-assessment, external peer-review assessment with a site visit, and the drafting and publication of a report containing the decision taken, recommendations for improvement and, if available, the response from the institution. Follow-up procedures are also defined for the case of conditional accreditation of a study programme and for the audit process.

The Agency has in place some mechanisms to ensure the professional management of requirements and processes and the consistency of decisions and conclusions, namely:

- Each external assessment team is supported by a qualified staff of the Agency (a Project Coordinator);
- The final decisions on accreditation or certification are taken by the Management Board, which may, or may not, accept the recommendations from the external assessment team for the sake of decision consistency (see section 4.3);
- The Agency's strategies for staff training and for the preparation of experts take these aspects into consideration.

The organic structure of the Agency includes an [Appeals Council](#), as the body for appeals against the assessment and accreditation decisions of the Management Board.

The organisation and operation of this Council, its membership, as well as the procedures for reviewing decisions relating to the assessment and accreditation of higher education institutions and their study programmes are defined in the [Regulations of the Appeals Council](#), published on the website.

The Appeals Council is composed of five members, appointed by the Board of Trustees from among personalities with relevant professional experience, without a permanent connection with any Portuguese higher education institution, and some of its members must have experience in similar foreign bodies. Presently, as mentioned in section 3.1, the Council is chaired by a former President of the Portuguese Supreme Administrative Court and comprises a former President of a public polytechnic institute and a former Dean of a public university school, both retired, and two internationally renowned specialists on quality assurance.

## 5.7. Accountability procedures

**Criterion 7 (ESG 3.8):** Agencies should have in place procedures for their own accountability.

These procedures are expected to include the following:

- i. a published policy for the assurance of the quality of the agency itself, made available on its website;
- ii. documentation which demonstrates that:
  - the agency's processes and results reflect its mission and goals of quality assurance;
  - the agency has in place, and enforces, a no-conflict-of-interest mechanism in the work of its external experts, Committee/Council/Board and staff members;
  - the agency has reliable mechanisms that ensure the quality of any activities and material produced by subcontractors, if some or all of the elements in its quality assurance procedure are subcontracted to other parties;
  - the agency has in place internal quality assurance procedures which include an internal feedback mechanism (i.e. a means to collect feedback from its own staff and council/board); an internal reflection mechanism (i.e. means to react to internal and external recommendations for improvement); and an external feedback mechanism (i.e. means to collect feedback from

- experts and reviewed institutions for future development) in order to inform and underpin its own development and improvement.
- iii. a mandatory cyclical external review of the agency's activities at least once every five years which includes a report on its conformity with the membership criteria of ENQA.

### **5.7.1. Quality policy**

The Agency has adopted and publicised a formal [Quality Policy Statement](#) where it expresses its permanent commitment to quality, defines the fundamental elements of its quality policy and identifies the main internal quality assurance procedures and mechanisms for promoting and improving quality and accountability.

Aiming to assemble in a single document the information available on the Agency's organisation and on its quality policy, a formal [Quality Manual](#) was adopted in January 2013. It brings together (mainly through hyperlinks) the most relevant information relating to its strategy and organisational structure, as well as on the rules and regulations applicable to the regular operation of its activities, the procedures, criteria and instruments used in the development of the assessment, accreditation and audit processes, and the policies, procedures and mechanisms for internal quality assurance. In practice, this manual documents how the Agency's quality policy is translated into procedures and mechanisms that embody an internal quality assurance system.

### **5.7.2. Fulfilment of mission and goals of quality assurance**

The clear definition of the quality assurance processes conducted by the Agency and of the corresponding timelines, as well as the care and detail placed on the contents and consistency of the guidelines, as explained in the previous section, together with the disclosure of results in the annual activity reports, highlight the permanent concern to ensure that the Agency's processes and results reflect its mission and goals of quality assurance.

### **5.7.3. No-conflict-of-interest mechanisms**

The Agency adopted a Code of Ethics (section 3.2.7 of the Quality Manual) to regulate and govern the conduct and actions of its staff members. The Code establishes a number of principles, values and norms of conduct, under the headings of neutrality and impartiality, integrity, confidentiality, transparency, responsibility, sobriety, non-conflict-of-interest, cooperation and team-work, professionalism and intellectual property rights.

The provisions of the Code of Ethics apply to permanent employees of the Agency and, *mutatis mutandis*, to temporary employees, including the members of the external assessment teams. Additionally, the [Norms for the appointment and conduct of the External Assessment Team](#) define specific norms relating to non-conflict-of-interest and personal conduct applicable to the teams' experts. These norms are quite comprehensive, covering not only the expert's institutional affiliation (the expert must not have had any paid or contractual relationship with the institution of higher education in the two years prior to its assessment), but also relevant norms of conduct, such as: to look for the Agency's advice on any particular situation that may constitute a conflict of interest; to keep adequate detachment towards the higher education institution, in order to safeguard the independence, neutrality and impartiality of the assessment process; to assume, before the institution, a constructive attitude, so that the assessment process is developed with the confidence and openness

necessary for promoting a real improvement opportunity; to consider the higher education institution and its interlocutors as responsible partners, thus promoting their openness and commitment, without attempting to impose other programmes or institutions as models, which could undermine the diversity of improvement actions adopted by institutions. In particular, it is strictly forbidden for experts to use examples from their own programme or institution as a model to be followed by those being assessed.

As an additional mechanism of transparency and early prevention of possible conflicts of interest, the institution is given notice of the external team's composition and may decide to question it prior to the visit, by declaring its opposition to some of its members, in case of demonstrable conflict of interest. The Agency examines the reasons that support the claim and, if substantiated, replaces the experts on whom a grounded conflict of interest incident had been raised (section 4 of the above mentioned Norms).

#### **5.7.4. Subcontracted services**

The Agency does not subcontract to other parties any elements of its quality assurance procedures. There are some technical services subcontracted, related to IT, legal advice and accounting, which are however, in all cases, accompanied by a member of the Agency qualified in the field, under the supervision of a member of the Management Board.

#### **5.7.5. External feedback**

Notwithstanding the mechanisms for systematic collection of formal feedback on its activities and results, the Agency, when designing the assessment processes and associated procedures, favours the direct contact with different partners, through, *inter alia*, frequent meetings with the representative bodies of higher education institutions, student associations and, on request, individual higher education institutions.

An initial structured and comprehensive consultation, sponsored by the Agency during its installation phase, was organised on the basis of a questionnaire about the implementation of assessment and accreditation procedures, addressing all external stakeholders. Survey responses were analysed by the Office of Research and Analysis, whose conclusions were published and also presented at the 4<sup>th</sup> EQAF<sup>4</sup>.

The Agency has a statutory mechanism for regular consultation of representatives of external stakeholders, via the [Advisory Council](#), which includes representatives from the different sectors of higher education, student unions, professional associations, the business sector, trade unions and some ministries. The Advisory Council normally meets twice a year to issue opinions about the Agency's annual activity plan, its general activity lines and strategic orientations, as well as on the annual activity reports and other documents relevant to the development of the assessment, accreditation or audit procedures.

The Agency also promotes the systematic collection of feedback from higher education institutions and members of the external assessment teams through on-line surveys after the conclusion of the assessment exercises. The surveys on the processes for the prior

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<sup>4</sup> [Rosa et al. \(2009\) \*The Portuguese System of Quality Assurance – new developments and expectations\*](#). (Paper presented at the 4<sup>th</sup> European Quality Assurance Forum, Copenhagen, November 2009).

accreditation of new study programmes and for the accreditation of study programmes already in operation are applied alternately, once a year. Surveys on the process of auditing internal quality assurance systems, which involve a smaller number of recipients, are applied annually to participating institutions and members of the external assessment teams.

Another important tool for external critical reflection lies in the work of the Scientific Council, composed of six renowned international experts who annually visit the Agency and issue a critical and prospective opinion on the most relevant aspects of organisation and operation, including recommendations for developing and improving processes. The [reports of the Scientific Council](#) are published on the website.

#### **5.7.6. Internal feedback and reflection**

The relatively small number of permanent employees of the Agency and the type of the facilities favours a frequent and close contact between the Project Coordinators and the members of the Management Board, to monitor the progress in processes and the fulfilment of procedures. The continuous collection of informal internal feedback is, therefore, an important asset for internal quality assurance. The identified difficulties are either immediately resolved or discussed at Management Board meetings, according to their degree of complexity.

In addition, structured internal feedback is systematically collected. The Project Coordinators also complete the surveys on accreditation processes mentioned in the previous section. Additionally, the Management Board meets once a year with the Project Coordinators in order to identify and discuss problematic issues as well as suggestions for their resolution.

The internal reflection on the results of external and internal feedback is essentially made at the level of the Management Board, which systematically analyses comments and suggestions and incorporates them in the decision-making process. [Reports on the surveys' results and improvement measures](#) are produced, circulated to stakeholders and published on the website (in Portuguese only). Four meta-evaluation reports have already been prepared, on the following surveys:

- Survey on the process of accreditation of new study programmes – Analysis of results and improvement measures (November 2012);
- Survey on the process of assessment/accreditation of study programmes in operation – Analysis of results and improvement measures (February 2013);
- Survey on the process of audits of internal quality assurance systems – Critical analysis of the experimental exercise and improvement measures (March 2013);
- Survey on the participation of students as members of external assessment teams – Critical analysis of the experimental exercise and improvement measures (May 2013).

As for the impact of its work, the Agency collects and analyses some indicators related to the effects of accreditation processes in self-regulation of the educational offer by higher education institutions, including the evolution of the number of new study programmes submitted to prior accreditation and the number of study programmes discontinued on the initiative of the institutions themselves (see, for example, sections 2, 3 and 4 of the 2012 Activity Report).

### **5.7.7. Other accountability mechanisms**

In the scope of the provision of public information on its activities and results, the following documents are regularly published on the Agency's website:

- Annual [Activity Reports](#);
- Ongoing [Projects](#) carried out by the Office of Research and Analysis;
- [Publications](#) produced in the scope of these projects;
- [Accreditation Process Results](#), including, for each assessed study programme or institution, the external evaluation report, the decision of the Management Board and the response of the institution if any.

As regards finances and assets, the Agency's accounting tools are monitored and supervised by the [Audit Committee](#), and the annual management reports and accounts are examined by the [Board of Trustees](#).

### **5.7.8. Cyclical external review**

The Agency's quality policy statement explicitly determines the submission of A3ES to a periodic external assessment, in accordance with the European Standards and Guidelines. The [Quality Manual](#) (section 3.2.10) establishes that the frequency of the external reviews will be five years, as provided in the Statutes of ENQA.

## **5.8. Consistency of judgements, appeals system and contribution to ENQA aims**

### **Criterion 8 (Miscellaneous):**

- i. The agency pays careful attention to its declared principles at all times, and ensures both that its requirements and processes are managed professionally and that its judgments and decisions are reached in a consistent manner, even if the judgments are formed by different groups.
  - ii. If the agency makes formal quality assurance decisions, or conclusions which have formal consequences, it should have an appeals procedure. The nature and form of the appeals procedure should be determined in the light of the constitution of the agency.
  - iii. The agency is willing to contribute actively to the aims of ENQA.
- i. The mechanisms used by the Agency to ensure the professional management of requirements and processes and the consistency and moderation of decisions and conclusions were already presented in sections 5.6 and 4.3.
  - ii. Similarly, the nature and form of the appeals procedure run by the Appeals Council were discussed in section 5.6.
  - iii. As pointed out in section 5.1, A3ES is legally responsible for performing the actions inherent to the insertion of Portugal in the European system for the quality assurance of higher education ([Decree-Law 369/2007](#), article 3). To fulfil this requirement, one of the Agency's first actions was to apply to ENQA membership and was accepted in 2009 as an associate member (presently, under the new statutes of ENQA, A3ES is an affiliate member).

Pursuing its internationalisation policy, A3ES is also a member of the European Consortium for Accreditation (ECA) since June 2012 and has been invited to be part of the CHEA International Quality Group (CIQG), a forum established by CHEA (Council for Higher Education Accreditation) for bringing together people, ideas and resources from around the world to tackle issues ranging from defining quality and addressing rankings to combating degree and accreditation mills.

Moreover, A3ES is member of the OECD Institutional Management in Higher Education programme (IMHE), being also a member of its Board.

The Agency has been actively involved in ENQA's activities, by participating in the annual ENQA General Assembly meetings, in all the European Quality Assurance Forum (EQAF) events, where several papers authored by A3ES researchers were presented, as well as in the ENQA Internal Quality Assurance (IQA) Seminars and in ENQA Workshops.

Additionally, A3ES is involved in a number of research and development activities in cooperation with ENQA and other relevant international entities, participates in three Work Groups led by ENQA, as mentioned in section 3.7, and organised an International [Conference on Recent Trends in Quality Assurance](#).

In conclusion, the Agency is truly willing to contribute to the aims of ENQA and welcomes the opportunity to continue to do it under the new status of full member.

## 6. SWOT ANALYSIS

|                   |   |
|-------------------|---|
| <b>Strengths</b>  | Full operational autonomy and total independence from government and higher education institutions.   |
|                   | Clear strategic vision and strong commitment of the Management Board.   |
|                   | Well-built and documented assessment/accreditation/certification processes, based on clear regulations, guidelines, norms and information system.   |
|                   | Close (informal and formal) interaction with stakeholders.  |
|                   | Academic qualifications and expertise of researchers and project coordinators, as well as the internationalisation of the External Assessment Teams.  |
|                   | Research activities on quality assurance and integration of their results into ongoing processes.   |
|                   | Membership of the Appeals Council, integrating 40% of foreign experts.  |
|                   | Added value of the recommendations of the Scientific Council composed of international experts with worldwide reputation.   |
|                   | Focus of the different external quality assurance processes on quality enhancement.   |
|                   | Internal quality assurance policy and enhancement-led feedback and analysis mechanisms. Commitment towards accountability.  |
|                   | Use of an electronic platform in all phases of the quality assurance processes.   |
| <b>Weaknesses</b> | An agreement with the Ministry to administratively “clean-up” the system (i.e., eliminating very low quality programmes in operation) prior to starting the assessment/accreditation cycle was not fulfilled. There was, therefore, the need to put considerable emphasis on low quality programmes, many of which did not comply with minimum standards. |
|                   | Impact of the heavy workload resulting from the need to initially cope with a large number of study programmes to be assessed/ accredited every year.   |
|                   | Electronic platform considered to be not yet totally user-friendly by some users, particularly those less acquainted with ICT. Limited use of tools to upload institutional data into the platform.   |
|                   | Difficulties in the training/coaching of foreign members of the external assessment teams.  |
|                   | Difficulties in recruiting qualified experts in some scientific areas and still insufficient experience of some experts on external quality assurance procedures.   |
|                   | Difficulties in recruiting students to act as team members in the external quality assurance processes.   |

|                      |  |
|----------------------|--|
| <b>Opportunities</b> | Legal framework enabling a strong independence of the Agency.  |
|                      | General awareness on the need to reorganise, improve and rationalise the educational offer in higher education.  |
|                      | Commitment of higher education institutions towards the development of internal quality assurance systems and the assessment/accreditation processes conducted by the Agency.  |
|                      | Building upon earlier accumulated experience to improve practices and instruments.   |
|                      | Tracking of international trends and sharing of best practices in quality assurance, namely within the European Higher Education Area.   |
|                      | Possible impact of the Audit Process on the future simplification of the accreditation procedures through a lighter-touch approach.  |
| <b>Threats</b>       | Assessment/accreditation processes may be seen as bureaucratic exercises, not contributing effectively to quality enhancement. This could lead to some degeneration of quality culture into bureaucratic formalism, undermining the relationships between the academics, the administrative estate and the agency. |
|                      | The concept and use of learning outcomes, as well as the new teaching/learning paradigm, do not yet fully integrate the academics' culture.  |
|                      | The financial crisis may hinder the capacity of higher education institutions to cope with the implementation of (internal and external) quality assurance requirements.   |
|                      | The future lighter-touch approach may have the perverse effect of putting the pressure mainly on the more fragile institutions.  |

## 7. IMPROVEMENT AND CHALLENGES

As mentioned in sections 5.7.5 and 5.7.6, the Agency pays careful attention to the interaction with stakeholders, collecting frequent formal and informal (internal and external) feedback, which is systematically analysed and incorporated in the decision-making processes by the Management Board.

In particular, the [reports on the surveys](#)<sup>5</sup> organised in 2012 and 2013 include a comprehensive analysis of the collected data. The questionnaires used in the surveys contain both closed-answer questions (using a 1-5 Likert scale) and open questions enquiring about strong and weak points on each block of questions and asking for suggestions for improvement. The wealth of qualitative data collected in this way is summarised in each report, providing the basis for the adoption of explicit improvement action plans. Examples of such improvement actions include:

- The preparation and adoption of a set of formal documents, available online, assembling information otherwise somewhat dispersed or not explicitly written, *inter alia*:
  - the [Assessment Handbook](#), bringing together concepts, principles and norms for internal and external assessment of study programmes;
  - the document [Qualifications Criteria for Teaching Staff](#), clarifying and deepening the definition of minimum reference criteria on the qualifications of the teaching staff and on the organization and practice of research activities for the accreditation of study programmes;
  - the [Quality Manual](#), presenting a synthesis of the A3ES's strategy for quality policy and internal quality assurance and accountability procedures;
  - the *Code of Ethics*, as section 3.2.7 of the Quality Manual, and the [Norms for the appointment and conduct of the External Assessment Team](#), which define specific complementary rules relating to conflicts of interest and personal conduct applicable to members of the external assessment teams.
- Revision of the guidelines for the prior accreditation of new study programmes, the assessment and accreditation of study programmes in operation and the audit of internal quality assurance systems, to introduce clarifications and improvements suggested on the basis of the experience of their use.
- Improvements in the electronic platform, concerning the uploading of data;
- Stabilisation of the calendar for the online submission of requests for the prior accreditation of new study programmes, self-assessment reports of study programmes in operation and self-assessment reports for the certification of internal quality assurance systems, avoiding the overlap of the different processes.
- The preparation of a more complete documentation package in electronic format for experts and reinforcement of training sessions for the members of the external assessment teams.

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<sup>5</sup> Available in Portuguese only, as mentioned in section 5.7.6.

- The preparation of a documentation package in electronic format for foreign experts, including information on the Portuguese higher education system.
- The setting up of two Working Groups, involving staff members of the Agency, representatives of higher education institutions and members of external assessment teams, for a deeper reflection on the guidelines and on the usability of the electronic platform, aiming at their simplification and improvement.

Although the accreditation processes are at present running rather smoothly and with a good degree of acceptance by the stakeholders, besides the above mentioned improvement action plans, the Agency is already concerned with the preparation of the new phase of the quality assurance system, once the first regular accreditation cycle (2012-2016) is completed. The launching of the Audit process in 2012, following two-years of preparatory work, had already in mind the development of alternative or complementary ways for external quality assurance at institutional level, as explained in section 3.3.

Indeed, A3ES is aware that assessment/accreditation systems are not static. International experience shows that these systems are in permanent evolution, with regard not only to aims, procedures and used methodologies, but also to their legal framework and international influences. It is also aware that it is highly recommended that the exact same processes and methods should not be repeated on the next assessment rounds, since both institutions and quality assurance agencies may become routinely used to them, leading to loss of efficacy.

Additionally, it needs to be recognised that a system which performs exhaustive analysis of the complete educational offer at programme level is too demanding, both in terms of work and costs.

For all these reasons, the Agency intends to discuss with higher education institutions the methods to be used when the current round of regular assessment/accreditation is completed, namely in areas of excellence in which consistent indications of above average quality were identified in the present cycle. The Agency thinks that, for such areas of excellence, it will be possible to adopt a more flexible assessment/accreditation regime, which could possibly include an assessment of a sample of the associated educational offer, together with an annual monitoring process based on a set of performance indicators previously agreed with institutions.

As an initial approach for discussion, the Agency would consider as areas of excellence, for adopting a lighter-touch approach to external quality assurance, those with a combination of the following performance indicators:

- Excellence of qualifications of teaching staff;
- Internationally reviewed research, with at least a classification of Very Good in the international assessments conducted by the Foundation for Science and Technology;
- The existence of an internal quality assurance system which has been duly certified by the Agency through the audit process.

With this objective in mind, the Agency organised in September 2012 an international conference entitled Recent Trends in Quality Assurance, where one of the themes was the application of the concept of risk management to quality assurance systems. The Agency also undertook a study entitled [Performance Indicators as a Support for Assessment and](#)

[Accreditation of Study Programmes](#)<sup>6</sup>, as the basis for the definition of the respective performance indicators and standards to be used by the Agency in the assessment/accreditation processes in progress, in discussion with higher education institutions, their representative bodies and the Advisory Council.

Meanwhile, the Agency has also been following recent developments in assessment processes both by being part of European projects analysing the barriers to the effective use of ESG (European Standards and Guidelines), and by participating in meetings on the implementation of OECD's AHELO (Assessment of Higher Education Learning Outcomes) project, the aim of which is to define a methodology for the measurement of "learning outcomes" in the context of higher education. Finally, the fact that the Agency is a member of the CIQG (CHEA International Quality Group) will make possible the monitoring of developments in the U.S, where there is a large experience in this field.

The A3ES would appreciate the opinions of the External Review Panel on these intentions and developments.

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<sup>6</sup> Available in Portuguese only.

## LIST OF ABBREVIATIONS

|         |   |
|---------|---|
| A3ES    | Agência de Avaliação e Acreditação do Ensino Superior<br>( <i>Agency for the Assessment and Accreditation of Higher Education</i> )                 |
| ADISPOR | Associação das Instituições Superiores Politécnicas Portuguesas<br>( <i>Association of Portuguese Polytechnic Institutions</i> )                    |
| AHELO   | Assessing Higher Education Learning Outcomes (OECD)   |
| APESP   | Associação Portuguesa dos Estabelecimentos de Ensino Superior Privado<br>( <i>Portuguese Association of Private Higher Education Institutions</i> ) |
| CHEA    | Council for Higher Education Accreditation (US)   |
| CIPES   | Centro de Investigação de Políticas do Ensino Superior<br>( <i>Centre for Research in Higher Education Policies</i> )                               |
| CIQG    | CHEA International Quality Group  |
| CNAVES  | Conselho Nacional de Avaliação do Ensino Superior<br>( <i>National Council for the Evaluation of Higher Education</i> )                             |
| CRUP    | Conselho de Reitores das Universidades Portuguesas<br>( <i>Council of Rectors of Portuguese Universities</i> )                                      |
| ECA     | European Consortium for Accreditation   |
| EHEA    | European Higher Education Area  |
| ENQA    | European Association for Quality Assurance in Higher Education  |
| EQAF    | European Quality Assurance Forum  |
| EQAR    | European Quality Assurance Register   |
| ESG     | Standards and Guidelines for Quality Assurance in the European Higher Education Area  |
| EU      | European Union  |
| EUA     | European University Association   |
| HE      | Higher education  |
| HEI     | Higher education institutions   |
| IMHE    | Institutional Management in Higher Education (OECD)   |
| OECD    | Organisation for Economic Cooperation and Development   |
| RJIES   | Regime Jurídico das Instituições de Ensino Superior<br>( <i>Legal framework for higher education institutions</i> )                                 |

## APPENDICES

- Appendix 1** – [Law 38/2007](#), of 16 August (Legal framework for the evaluation of higher education)
- Appendix 2** – [Law 62/2007](#), of 10 September (RJIES – Legal framework for higher education institutions)
- Appendix 3** – [Decree-Law 369/2007](#), of 5 November (Creates A3ES and endorses its Statutes)
- Appendix 4** – [Regulations on the assessment and accreditation procedures](#)
- Appendix 5** – [Regulations of the Appeals Council](#)
- Appendix 6** – [Assessment Handbook](#)
- Appendix 7** – [Norms for the appointment and conduct of the External Assessment Team](#)
- Appendix 8** – [Qualifications Criteria for Teaching Staff](#)
- Appendix 9** – [Guidelines for the prior accreditation of new study programmes](#)
- Appendix 9a** – [Guidelines for the request of prior accreditation of a new study programme](#)
- Appendix 9b** – [Guidelines for the assessment/accreditation of a new study programme](#)
- Appendix 10** – [Guidelines for the assessment/accreditation of study programmes in operation](#)
- Appendix 10a** – [Guidelines for the self-evaluation of a study programme in operation – University education](#)
- Appendix 10b** – [Guidelines for the external report on the assessment/accreditation of a study programme in operation – University education](#)
- Appendix 10c** – [Guidelines for the self-evaluation of a study programme in operation – Polytechnic education](#)
- Appendix 10d** – [Guidelines for the external report on the assessment/accreditation of a study programme in operation – Polytechnic education](#)
- Appendix 11** – [Manual for the Audit Process](#)
- Appendix 12** – [Guidelines for auditing internal quality assurance systems](#)
- Appendix 12a** – [Guidelines for the self-evaluation of the internal quality assurance system](#)
- Appendix 12b** – [Guidelines for the audit report](#)
- Appendix 13** – [Quality Policy Statement](#)
- Appendix 14** – [Quality Manual](#)
- Appendix 15** – [Strategic Planning](#)
- Appendix 16** – [Activity Plan 2013](#)
- Appendix 17** – [Activity Report 2012](#)
- Appendix 18** – [Reports of the Scientific Council](#)

**Appendix 18a** – [Report of Scientific Council – October 2012](#)

**Appendix 18b** – [Report of Scientific Council – February 2011](#)

**Appendix 18c** – [Report of Scientific Council – December 2009](#)

**Appendix 19** – Questionnaire for the survey applied to external assessment teams' experts

#### **APPENDICES ONLINE**

**Appendix 20** – [Results from the accreditation processes](#) (link – available in Portuguese only)

**Appendix 21** – [Reports on surveys' results and improvement measures](#) (link – available in Portuguese only)