

Title:

The use of Representatives from Working Life in Quality Assurance of Higher Education
- Similarities, Differences and Examples of good Practice within the Nordic Countries

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**The use of Representatives from working life in Quality Assurance of Higher Education
- Similarities, Differences and Examples of good practice within then Nordic Countries**

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Keywords: Employer Representatives, Representatives from working life, Stakeholders from working life, Stakeholder Cooperation, Nordic Countries, Quality Assurance in Higher Education, Evaluation Processes in Higher Education, Experts, Expert Panels.

Abstract

The Nordic Quality Assurance Network in Higher Education (NOQA) has chosen in its annual joint project 2011 to focus on agencies cooperation with representatives from working life. This paper presents the results of this project. The results of the project show that each Nordic agency has both similar and different practices. It is evident, that representatives from working life are often used as part of evaluation processes, audits and accreditation panels. It is also evident, that the composition of the expert panels and the qualifications of the individual experts are essential. Among other things, the discussion shows that: 1. the legislation concerning representatives from working life vary, 2. the role of the representatives from working life is influenced by the quality assurance concept, 3. cooperation with representatives from working life are important – but when this group is involved in evaluation processes, the agencies must careful consider their independence (autonomous responsibility for their operations) and support transparency, dialog and a holistic view on educational quality.

Introduction

The Nordic Quality Assurance Network in Higher Education (NOQA) was established by the five Nordic countries¹ and their respective national organizations engaged in evaluation and quality assurance of higher education. The network has convened on a regular basis since 1992. NOQA is continually, on a yearly basis, running a joint project where the goal is to map, discuss and improve each countries practice through comparison and the study of good examples within this topic. The main objective of this year's project has been to create *an understanding of different Nordic countries practices and cooperation regarding employer representatives, stakeholders from working life and other representatives tied to evaluation processes and quality assurance in higher education.*

Method

After decision in the annual NOQA meeting, to focus upon stakeholder cooperation each quality assurance agency found a person representing their agency in the annual NOQA working group (see list of authors for members). This working group has had continuously meetings and mail correspondence during one year (2010/2011).

¹ Denmark, Finland, Iceland, Norway and Sweden

The main focus of the meetings has been to map and analyse stakeholder corporations in quality assurance (QA) among the agencies. During discussions the group decided to narrow the project to focus specifically on corporations with representatives from working life in QA.

Table 1 below shows the participating agencies in the annual project.

Table 1: Quality assurance agencies involved in the project

Country	Quality assurance agencies
Denmark	ACE-Denmark The Danish Evaluation Institute (EVA)
Finland	Finish Higher Education Evaluation Council (FINHEEC)
Iceland	International Quality Council / Ministry of Education, Science and Culture
Norway	NOKUT
Sweden	SNAHE (HSV)

The annual NOQA working group had the following questions as starting points:

- What is the definition of a stakeholder in our different QA-contexts?
- How and when do we cooperate with representatives from working life/stakeholders?
- What competencies are needed from representatives from working life/stakeholders taking part in evaluations of higher education?
- How and where do we find relevant individuals representing working life?

The questions were answered by investigating each agencies laws and practise, through mapping, comparisons and discussions.

Results

Definition

The working group found it hard to make a joint definition and demarcation of the topic. However the participating agencies to some extent agreed on a broad understanding as follows:

- Stakeholder/stakeholders: A group or a person representing a party in society with a special interest in higher education and/or quality of higher education.
- Cooperation with representatives from working life within quality assurance and evaluation procedures in higher education: The agencies collaboration with stakeholders from working life to ensure dialogue and accountability. An umbrella concept that includes experts/representatives from working life and the labour market.

Framework

When building and adjusting national quality assurance systems within higher education the agencies must pay carefully attention to national demands from the government and must comply with the European standards and guidelines for quality assurance in the European higher education area (ENQA, 2005; ESG 2009). When the framework of each agency are decided upon, input from stakeholders are always taken into consideration, for example by participation of representatives from working life in meta-evaluations of the agencies or by involvement of representatives from working life in consulting procedures (hearings / statements after circulation for comments). Each agency must take into consideration the input from all relevant stakeholders. However, either the national framework or the ESG-standards provides a precise definition of a stakeholder in this perspective. Table 2 presents the legal structure framing each agency.

Table 2: An overview of the legal framework under which each agency operates

ACE Denmark	<p>Please notice annexes 1-3.</p> <p>The Accreditation Institution is anchored in the Danish Act on the Accreditation Agency for Higher Education (Lov om Akkrediteringsinstitutionen for videregående uddannelser) of 2007 (hereinafter the Accreditation Act). The responsibility for the act lies with the Danish Minister for Science, Technology and Innovation (hereinafter the Minister for Science).</p> <p>The act sets out the responsibilities of the Institution, which are to ensure and document the</p>
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	<p>quality and relevance of higher education programmes by carrying out an accreditation based on centrally defined criteria for the quality of existing and new study programmes.</p> <p>Studying the explanatory Notes to the Bill on the Accreditation Agency for Higher Education this pinpoints that the objective for employing accreditation is as well for Danish higher education study programmes to "... become better able to meet society's demands for highly-qualified labour with international competitiveness that can be documented."</p> <p>The Act on the Accreditation Agency for Higher Education explicitly refers to the relevance of a study programme. Thus "The object of the Accreditation Agency shall be to ensure and document the quality and relevance of higher education study programmes by performing an assessment (accreditation)." And further "Accreditation shall also comprise an assessment of study programmes on the basis of relevance criteria."</p> <p><i>The Council</i> It further states in the act, that "The chairman and members of the Council shall possess knowledge and experience on quality assurance, higher education, research and labour market conditions for graduates between them. At least one member shall have international accreditation experience."</p> <p><i>The accreditation panels</i> "When accrediting existing study programmes, the Academic Secretariat shall set up an accreditation panel consisting of relevant experts and international members ... The panel shall make an accreditation assessment of the quality and relevance of the study programme pursuant to criteria." The assessments of new study programs shall also assess the quality and relevance of the study programme.</p> <p><i>The Accreditation order</i> The Accreditation Act is implemented in the Ministerial Order on Criteria for the Relevance and Quality of University Study Programmes and on Procedures for Approval of University Study Programmes. From section number 2 it follows that "The Accreditation Council shall make decisions on the accreditation of the offering of new and existing study programmes based on the following three general criteria columns laid down for the relevance and quality of university study programmes: demand for the study programme in the labour market, research-based teaching and the academic profile and level of the study programme as well as the internal quality assurance of the programme."</p> <p>From the order the demand for a study program in the labour market becomes explicitly a criterion for the accreditation.</p>
EVA	<p>Please notice annexes 4-5.</p> <p>The Danish Evaluation Institute (EVA) is an independent institution formed under the auspices of the Danish Ministry of Education. The institution was established in 1999 by act of parliament (LBM 1073 af 15/09/2010).</p> <p>In 2007, an act of parliament introduced the systematic accreditation of all higher education programmes in Denmark as mandatory external quality assurance (LOV nr 294 af 27/03/2007). The act states that all programmes must be accredited according to criteria that are based on quality and relevance.</p>
FINHEEC	<p><i>The mission of FINHEEC</i> 1. The mission of the Finnish Higher Education Evaluation Council shall be to 1) assist the higher education institutions and the Ministry of Education in matters pertaining to evaluation; 2) conduct evaluations relating to the activities and quality assurance systems of higher education institutions;</p>

- 3) support quality assurance and enhancement in higher education institutions; and
 - 4) participate in international evaluation activities and cooperation concerning evaluation.
2. Further, the Higher Education Evaluation Council shall perform duties assigned to it in the Presidential Decree concerning university of applied sciences degrees awarded in the Province of Åland (548/2005).
3. The Higher Education Evaluation Council may accept other commissions relating to evaluation from Finnish and foreign operators.
4. The Higher Education Evaluation Council must participate in international evaluation of its own activities on a regular basis. The Higher Education Evaluation Council must annually submit an account of its own activities and the salient findings of the evaluations.

Composition of the Higher Education Evaluation Council

1. The Higher Education Evaluation Council shall have a maximum of 12 members, who must be versed in higher education evaluation. They must represent expertise in the activities and operational environment of higher education institutions and the world of work and the majority of them must be affiliated with higher education institutions. The Ministry of Education shall appoint the members for a maximum of four years at a time after hearing the higher education institutions and stakeholders.
2. The Higher Education Evaluation Council shall elect a chairperson and a vice-chairperson from amongst its members for its term of office.
3. Where a member of the Higher Education Evaluation Council becomes unable to perform his or her duties in the middle of the term of office, the Ministry of Education shall appoint a new member in his or her place for the remainder of the term.

Subcommittees

1. The Higher Education Evaluation Council may set up subcommittees to prepare matters which come before the Council. The chairperson, vice-chairperson and members of the subcommittee shall be appointed by the Higher Education Evaluation Council.
2. A member assigned to a subcommittee may also be external to the Higher Education Evaluation Council.

International advisory body

1. The Higher Education Evaluation Council may appoint a consultative committee composed of international and national experts and chaired by the chairperson of the Evaluation Council to assist it in its operation and development and to enhance international cooperation.

Meetings

1. The Higher Education Evaluation Council shall convene at the invitation of the chairperson or, when he or she is prevented, by the vice-chairperson.
2. The Higher Education Evaluation Council shall form a quorum when at least half of the members, including the chairperson, are present. Matters shall be decided by a simple majority. If the votes are equal, the chairperson shall have the casting vote.

Secretariat

1. For the preparation of matters which come before the Evaluation Council, there shall be a secretariat whose officials are appointed by the Ministry of Education after hearing the Higher Education Evaluation Council.
2. The work of the secretariat shall be led by a secretary-general, the qualification requirement for whom shall be a doctoral degree, familiarity with the field concerned and proven leadership skills.
3. The qualification requirement for the officials in the expert posts of the secretariat shall be a Master's degree and familiarity with the field concerned.

International Quality Council / Ministry of Education, Science and Culture (Iceland)	Please notice annexes x-x - please fill in -
NOKUT	Please notice annexes x-x - please fill in -
SNAHE	Please notice annexes x-x - please fill in -

Table 3 presents an overview of each agency and their main quality assurance activities in the higher education area:

Table 3: Overview of countries, agencies and main activities

Country / population	Agency	Year of establishment	Is the agency under legislation?	Does the legislation mention representatives from working life?	The agency's main activities
Denmark 5,4 mill	ACE-Denmark	2007	Yes	Yes	- Accreditations of university programmes
	EVA	1999	Yes	Yes	- Accreditations of programmes under the Ministry of Education and the Ministry of Culture - Evaluations based on EVA's annual action plan - Projects commissioned by ministries and others.
Finland 5,4 mill	FINHEEC	1996	Yes	Yes	- Audits of quality assurance systems - Evaluations for Centres of Excellence - Thematic evaluations - Specific accreditations
Iceland 318.000	International Quality Council / Ministry of Education, Science and Culture	2011	?	Until January 2011, the Office of evaluation and analysis, within the Ministry of education, science and culture, was responsible for carrying out the evaluation of higher education institutions in Iceland. All institutional and program evaluations are conducted by independent Icelandic and international experts. In January this year (2011), an international quality council took over this task. The council will be assisted by an advisory group of stakeholders, mainly from the universities.	
Norway 4,7 mill	NOKUT	2003	?	No	- Initial accreditation of studies where the institutions do possess self-accrediting power - Initial accreditation of institutions - Audit, evaluation of the institutions' internal quality assurance- Supervision of higher education
Sweden 9,4 mill	SNAHE	1995	Yes	Yes	- Evaluating subject areas (main fields of study) and study programmes within a concept from spring 2011

Activities involving employer representatives/stakeholders from working life

Each agency must listen and take into consideration the input from stakeholders and at the same time remain as an independent agency. Table 4 presents activities that involve employer representatives/stakeholder from working life within each agency:

Table 4: Activities that involve employer representatives/stakeholders from working life

Agency	Activities that involve employer representatives/stakeholders from working life
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ACE-Denmark	The Accreditation council Accreditation panels Dialogue partners e.g. through “ going home meetings”
EVA	The EVA board The committee of representatives Accreditation panels When EVA does evaluations and projects the co-operation with employer representatives and stakeholders is decided in the beginning of the process
FINHEEC	Out of FINHEEC council 12 members two are representatives from working life. The council is appointed by the ministry. All the evaluation panels (e.g. audit panels) should have one member representing the working life.
International Quality Council / Ministry of Education, Science and Culture in Iceland	Working life representative is to be found in most panels, students and academics is found in all panels. In addition, working life representatives are invited to participate in the preparation of new rules or regulations on an <i>ad hoc</i> basis.
NOKUT	The NOKUT Board, appointed by the Ministry The use of stakeholders from society/working life as experts in institutional accreditation When visiting the institutions in accreditation procedures, the expert panels will interview representatives from relevant society groups
SNAHE (HSV)	SNAHE cooperates with stakeholders on a daily basis at different levels and for different purposes. For example consultation meetings with working life representatives take place in the beginning of every re-accreditation project and experts nominated from higher education institutions, student organizations and relevant associations in working life are engaged as experts/peers in all assessments.

Finding relevant representatives from working life for quality assurance

In the following this paper will present what agencies take into consideration, when they cooperate with representatives from working life.

Table 5 presents the required competences from representatives from working life:

Table 5: Required competences from representatives from working life:

Agency	What competencies are required from representatives from working life being a member of an evaluation panel
ACE-Denmark	<ul style="list-style-type: none"> • Must have competence to act. A member of the accreditation panel must therefore have no personal or economic interest in the outcome of the assessment or have close family connection to persons who may have such interest. A panel member can therefore not be or has been employed at the university within the past two years. • Must have expertise or knowledge of the graduates of the accredited study program. • Must have minimum the same educational length as the study program which is being accredited. Thus the employer must be at least a graduate on master level when participating in an accreditation panel which assesses a master programme. • Should be educated within the same scientific area. That is the employer should be a master of political science when accrediting a study programme within political science. • Should have power to appoint within the business or organization • Individual experience to graduates, hereunder knowledge to quality and relevance of the particular study programme being accredited is highly weighted.
EVA	Knowledge about and experience from the employment area(s), knowledge directed towards current and key trends in the relevant employment areas. Experts are chosen after a careful research procedure. Research is done from our databases, knowledge of the merits of earlier experts, contact to people who have knowledge of the field, encouraging institutions, professional societies and labour market organisations to nominate candidates, etc. EVA is fully in charge of all stages in this process.
FINHEEC	Relevant educational background, experience with quality assurance and evaluations and

	visions of higher education. The experts are found using FINHEEC's own experience and different networks. FINHEEC is currently also having an official database including representatives from the working life. Audit panel members are trained before they start the evaluation project.
International Quality Council / The Ministry of Education, Science and Culture in Iceland	Considerable and relevant work experience in respective working fields, high esteem within the field and university education, usually no less than a master degree. The experts are found by different methods. In some cases, relevant working life associations are asked to nominate representatives, but usually individuals are hand-picked by the Office of evaluation and analysis following informal inquiries.
NOKUT	Some years of work within the relevant working field, general interest and engagement in issues related to higher education, special insights, for example as a member of an institutional board.
SNAHE (HSV)	Some years of work within a relevant vocational field, general interest and engagement in issues related to higher education, special insights, for example as supervisors/mentors for students in the evaluated programs. Panel experts from working life also need a high grade of integrity and cooperative skills to get along with the other experts/peers. SNAHE lets relevant associations nominate people whom they find suitable for being in the expert groups.

Each agency from the Nordic countries has different - but defined and well described - procedures, when they need to find and select experts. Table 6 describe these selection procedures.

Table 6: Selection procedure of experts

ACE Denmark	<p>The procedure for selection varies depending on the role that the specific task the employer are employed to do.</p> <p>The selection of employers for accreditation panels ACE Denmark has established a database where employers interested in participation can sign up. Parallel to the opportunity to sign up ACE Denmark also as a standard procedure before each accreditation cycle invites employers to apply as panel members. These invitations are being distributed through, the national external examiners appointed by the Ministry of Science, Technology and Innovation, the labour market institutions and trade unions. It is ACE Denmark as operator that assesses and appoints the participating employers in the individual accreditation panels. However ACE Denmark document detailed information on the members of the accreditation panels to the Accreditation Council who continually evaluate the quality of the accreditation panels.</p> <p>Selection of employers as dialogue partners are to a larger extent less formulized and more based upon randomly hand picking through various labour market organisations and trade unions hereunder Dansk Industri and Dansk Erhverv.</p>
EVA	<ul style="list-style-type: none"> • Experts are involved in all accreditations and most evaluations. • EVA has formulated a set of requirements that is followed when experts are selected. The requirements are available at EVA's website (see Annex 6). • EVA has a database with about 800 experts. The database has been developed by requesting external examiners to submit CV-details to EVA if they are interested in

	<p>becoming experts.</p> <ul style="list-style-type: none"> • Experts are chosen after a careful research procedure. Research is done from our databases, knowledge of the merits of earlier experts, contact to people who have knowledge of the field, encouraging institutions, professional societies and labour market organisations to nominate candidates, etc. EVA is fully in charge of all stages in this process. All experts must be approved by the project managers. • Furthermore, experts are often invited to take part in accreditations several times in order to strengthen the quality and consistency. However, EVA continuously monitors the experts and their performance to ensure that we always have the most competent and motivated new and experienced experts on our panels. • Each expert has to go through a consultation procedure at the institution before their contracts with EVA are signed. • All experts are informed of their role, both through written documents describing their task, individual expert briefings, seminars organized by EVA or at the first expert meeting. EVA's consultants continually guide the expert panels in their work throughout the whole accreditation process. It is EVA's experience that this continuing guidance guarantees a high quality and a high level of consistency in the accreditation processes, and there are no immediate plans to alter the current introduction scheme for experts. • International experts are used when relevant, both in accreditation of new and existing programmes. Panels for accreditation of new and existing programmes in the arts always have international members. • Students participate in accreditation of all existing programmes. • In the accreditation of all existing programmes, EVA uses site visits with the participation of both experts and EVA's consultants. • For each accreditation criterion, the institutions are asked to describe, explain and demonstrate that the criterion is fulfilled. The requirements are described in written instructions, published on EVA's homepage. • During the accreditation process, the experts and EVA formulate additional questions to the institutions in order to obtain further information if required. • All reports contain a description of the background for the panels' judgments for each criterion. This approach ensures that the institutions can see how they could improve. However, the reports do not contain any direct recommendations. The idea is that the institutions themselves have to work out how they should amend their programme and identify relevant follow-up activities related to their own unique goals and circumstances.
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FINHEEC	<p>The Evaluation Council shall appoint planning and evaluation groups for evaluation projects and chairpersons to the groups. Deputies may also be appointed for the group members. The chairperson of a planning group is generally elected from the members of the Evaluation Council, which promotes the flow of information between the planning group and the Council. Student organisations usually propose the student members to the planning and evaluation groups.</p> <p>In the composition of the groups, the aim shall be as diverse and comprehensive expertise as possible in regard of the field, theme, higher education institution or higher education sector to be evaluated. The members shall be representatives of higher education institutions, stakeholders, the labour market and student organisations. Depending on the evaluation, the evaluation group may also have foreign experts as members. Written contracts shall be concluded with the group members on the assignment. In regard of disqualification, the appointment of members to the groups shall be governed by the provisions of the Administrative Procedure Act (434/2003, Chapter 5, Sections 27–29).</p> <p>The planning group shall chart the area to be evaluated and make a proposals as to its delimitation. In addition the planning group shall define the aims, content and method of the evaluation project, in other words, draw up a project plan submitted to the Evaluation Council for approval, propose the composition of the evaluation group and arrange a discussion and orientation event for the evaluation group, where the project plan is talked through.</p> <p>In its conclusions, the evaluation group shall be independent and autonomous. Depending on the evaluation, the evaluation group shall:</p> <ul style="list-style-type: none"> • Acquaint themselves with the assignment, specify the evaluation assignment in more detail and define possible evaluation criteria • Acquaint themselves with the target of evaluation with the help of the project plan adopted by the Evaluation Council and background material provided by the Secretariat • Participate in the orientation arranged by FINHEEC • Scrutinize the self evaluation reports or other materials submitted by the higher education institutions • Based on the self evaluation reports, specify the matters to be inspected during the site visit • Determine possible need for additional information.
International Quality Council / Ministry of Education, Science and Culture (Iceland)	Please notice annexes x-x - please fill in -
NOKUT	Please notice annexes x-x - please fill in -
SNAHE	Please notice annexes x-x

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Summary of the results

The working group found that:

- All Nordic agencies cooperate with representatives from working life.
- The cooperation is regulated in the legal framework of the agencies in Denmark and Sweden where the cooperation is explicitly included in the law. Whereas this is not the case for Norway, Finland and Iceland.
- Expert panels and expert groups with representatives from working life are common in the Nordic countries.
- Generally speaking the representatives from working life cooperate with the Nordic quality assurance agencies in Higher Education in the following ways:
 1. As experts directly participating in the assessment process (accreditation, audits) or other quality assurance models
 2. As council members – decision makers
 3. As dialogue partners.
- The cooperation with representatives from working life contribute to secure that the output from the higher education sector is in line with the needs and requirements of the society in general and the labour market especially.

The data demonstrates the need of different requirements for different types of quality assurance activities. It also indicates that each Nordic agency differs in their stated requirements when they use representatives from working life. The study also leads to the conclusion that it is a delicate process to find representatives from working life with the suitable knowledge, perspectives and engagement. The agencies have different procedures when they find relevant representatives/stakeholders. The most common ways are:

- By nominations (strengthened by CVs etc.)
- By strategic hand picking (strengthened by recommendations and CVs)
- By letting individuals sign up themselves (strengthened by CVs etc.)

Discussion

During the study the following discussion points have been talked over:

- The representatives from working life have different tasks in different quality assurance models/evaluation procedures: For instance in Finland (mostly audits) they will find themselves supporting a developmental approach. This is different from Sweden (assessment of subjects and programmes) where they will find themselves supporting a controlling approach.
- Some evaluation procedures and quality assurance models are easier for representatives from working life to understand than others. It can be rather difficult for some representatives from working life to understand the structure of the programme they are asked to evaluate. The representatives from working life acceptance and general understanding of the agency and the agency's models make the procedures run more smoothly which in turn (may) enhance the quality of higher education...
- When the use of expert panels, peer-review models and experts groups with representatives from working life is put on a stop or gets limited, the following scenario might emerge: "hard facts" which are easy to gather and measure, for example quantitative figures showing examination rates, retention/drop-out rates or transition rates from university to working life, becomes the main basis for evaluation.
- That site visits give representatives from working life an opportunity to view labour potentials among current students in a program but also give students a chance to meet a potential future employer and become inspired by the particular choices of carriers taken by the representative.
- An important but subtle task for agencies is as follows: Cooperation with representatives from working life are crucial and important – but at the same time agencies should be independent to the extent both that they have autonomous responsibility for their operations and that the conclusions and recommendations should not be influenced by third parties such as higher education institutions, governments/ministries or other stakeholders.
- Where representatives from working life acts as experts, will they be met by the same expectations to participate as the academic experts? Are there any signs that show that we treat our experts differently according to their competencies? Do the agencies really show that they will take special advantage of these competencies?
- What do we find important to prioritize concerning cooperation with representatives from working life?

References

ENQA (2005). *Standards and Guidelines for Quality Assurance in the European Higher Education Area*. European Association for Quality Assurance in Higher Education.

ESG (2009). *Standards and Guidelines for Quality Assurance in the European Higher Education Area - 3rd edition*. European Association for Quality Assurance in Higher Education.

Annexes (the following pages)

Annex 1: ACE Act on the Accreditation Agency for Higher Education

Annex 2: ACE Explanatory Notes to the Draft Bill on the Accreditation Agency

Annex 3: ACE The Accreditation Order

Annex 4: EVA The EVA act

Annex 5: EVA The Accreditation Act

Annex 6: EVA Principles expert panels

**Act no. 294 of 27 March 2007
(Translation)**

Act on the Accreditation Agency for Higher Education

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby make known that the Danish Parliament has passed and we have given our Royal Assent to the following Act:

Part 1

Object etc.

1. The Minister of Science, Technology and Innovation shall set up the Accreditation Agency for Higher Education as an independent institution within the public administration.

(2) The object of the Accreditation Agency shall be to ensure and document the quality and relevance of higher education study programmes by performing an assessment (accreditation) on the basis of criteria laid down centrally regarding the quality of existing and new study programmes. In addition, the Accreditation Agency shall collect national and international experience of relevance to accreditation.

(3) Accreditation shall also comprise an assessment of study programmes on the basis of relevance criteria laid down centrally, unless otherwise provided in this Act, in rules laid down under this Act or in other legislation.

Part 2

The Accreditation Agency

2. The Accreditation Agency shall consist of the Accreditation Council and two secretariats:

- a) A Council Secretariat, which shall undertake secretarial duties for the Council.
- b) An Academic Secretariat, which shall undertake tasks related to the accreditation of study programmes.

(2) The Minister of Science, Technology and Innovation shall appoint the management of the secretariats following a recommendation from the Council.

3. The Accreditation Council shall lay down the general framework of the Council's activities and make accreditation decisions. In addition, the Council shall make decisions concerning the approval of university study programmes with the effect that the study programmes will be covered by the Danish University Act (Universitetsloven) and become eligible for subsidies thereunder.

(2) The Council shall make accreditation decisions on the basis of accreditation reports. The Council shall appoint the operators drafting such reports, unless otherwise provided in this Act, in rules laid down under this Act or in other legislation.

(3) The Council shall lay down rules of procedure.

4. The Accreditation Council shall consist of a chairman and eight members and shall be independent.

(2) The Minister of Science, Technology and Innovation shall appoint the chairman after having consulted with the Minister of Education and the Minister of Culture.

(3) The Minister of Science, Technology and Innovation shall appoint the Council's members as follows:

1) three members shall be appointed following a recommendation from the Minister of Education,
2) one member shall be appointed following a recommendation from the Minister of Culture,
3) one member shall be appointed following a recommendation from the student representatives on the boards of the educational institutions offering higher education under the Minister of Science, Technology and Innovation and the Minister of Education and from the student representatives on the school/conservatory councils of the higher education institutions under the Minister of Culture, and

4) three members shall be appointed by the Minister of Science, Technology and Innovation.

(4) The chairman and members of the Council shall possess knowledge and experience on quality assurance, higher education, research and labour market conditions for graduates between them. At least one member shall have international accreditation experience.

(5) The chairman and members of the Council shall be appointed for a period of four years.

However, the member appointed pursuant to Subsection 3(3), shall be appointed for a period of one year. Members shall be eligible for reappointment once. In the event that the chairman or a member retires prematurely, a substitute shall be appointed for the remaining period pursuant to Subsections 2 and 3.

Part 3

Universities under the Minister of Science, Technology and Innovation

5. Bachelor programmes (bacheloruddannelser) and master's programmes (candidatus) (kandidatuddannelser) as well as master's programmes (masteruddannelser) and other part-time programmes offered in Denmark under the University Act shall be accredited by the Accreditation Council.

(2) To the extent that Danish universities may offer study programmes corresponding to the programmes mentioned in (1) above abroad, such study programmes shall be accredited by the Council or quality assured according to the national quality assurance system in the country in which the programme is offered.

(3) The Council shall be entitled to refuse an accreditation request or discontinue the processing of a request if:

1) a request does not contain adequate documentation for the quality and relevance of the study programme,

2) a request essentially concerns matters which the Council has considered during the past two years and for which accreditation was refused, or

3) a request pursuant to Subsection (1) concerns a study programme which is not eligible for approval pursuant to Section 10(1).

6. When accrediting existing study programmes, the Academic Secretariat shall set up an accreditation panel consisting of relevant experts and international members, cf., however, Section 8.

(2) The panel shall make an accreditation assessment of the quality and relevance of the study programme pursuant to criteria laid down pursuant to Section 11, and on the basis of this assessment the Academic Secretariat shall prepare an accreditation report.

(3) Accreditation may cover several study programmes, where the completion of one programme is an admission requirement for another study programme.

7. The Council shall make the accreditation decision on the basis of the accreditation report. The decision may be positive or conditional positive or a refusal of accreditation.

(2) In the event of positive accreditation, the Council shall stipulate the validity period for such accreditation. Before the expiry of the validity period, the Council may, on its own initiative or following a request from the Minister of Science, Technology and Innovation, check whether the criteria pursuant to Section 11 are still being fulfilled. In the event that the criteria are not fulfilled, the Council shall revoke accreditation. The university shall notify the Council in the event that the criteria are no longer being fulfilled or in case of doubt. If the Council revokes accreditation, it shall immediately inform the Minister of Science, Technology and Innovation.

(3) In the event of conditional positive accreditation, the Council shall state which criteria are not being fulfilled and provide a timetable for follow-up. The Council shall subsequently make an accreditation decision on the basis of a supplementary accreditation report.

(4) When refusing accreditation, the Council shall indicate the reasons for such refusal.

8. The Accreditation Council may decide to use an internationally recognised institution other than the Academic Secretariat for the preparation of accreditation reports due to academic considerations or in order to test the competitiveness of the Academic Secretariat.

(2) The Council may, on its own initiative or following a request from a university, base its accreditation decision fully or partly on an accreditation report from another internationally recognised institution, to the extent that such report is prepared in accordance with the criteria laid down pursuant to Section 11.

9. When accrediting new study programmes, the Academic Secretariat shall assess the quality and relevance of the study programme in accordance with criteria laid down pursuant to Section 11 and prepare an accreditation report. In special cases, the Accreditation Council may demand that the Academic Secretariat set up an accreditation panel, cf. Section 6(1). Accreditation may cover several study programmes, where the completion of one programme is an admission requirement for another study programme.

(2) The Council shall make accreditation decisions on the basis of the accreditation report. The decision may be positive or a refusal of accreditation.

(3) A positive accreditation shall apply for a period corresponding to the prescribed period of study plus two years. In the event that the accreditation decision comprises several study programmes, it shall apply for a period corresponding to the prescribed study period for the total course of education plus two years. Such period shall be rounded up to full calendar years.

(4) Before the expiry of the validity period, the Council may, on its own initiative or following a request from the Minister of Science, Technology and Innovation, check whether the criteria pursuant to Section 11 are still being fulfilled. In the event that the criteria are not fulfilled, the Council shall revoke accreditation. The university shall notify the Council in the event that the criteria are no longer being fulfilled or in case of doubt. If the Council revokes accreditation, it shall immediately inform the Minister of Science, Technology and Innovation.

(5) When refusing accreditation, the Council shall indicate the reasons for such refusal.

10. Bachelor programmes (bacheloruddannelser) and master's programmes (candidatus) (kandidatuddannelser) as well as master's programmes (masteruddannelser) and other part-time programmes offered in Denmark under the University Act shall be approved by the Accreditation Council with the effect that they will become eligible for subsidies under the University Act, cf., however, Subsection (3) below. Such approval shall require positive accreditation or conditional

positive accreditation pursuant to Section 7(1) or positive accreditation pursuant to Section 9(2) and shall apply for the same period as the accreditation.

(2) Prior to approving study programmes pursuant to Subsection (1) above, the Council shall propose the subsidy rating, title and specific admission requirements for bachelor programmes (bacheloruddannelser) as well as the prescribed study period for the study programme to the Minister of Science, Technology and Innovation. In addition, the Council shall propose any intake limits for the study programme.

(3) The Minister of Science, Technology and Innovation may in exceptional cases decide that a study programme cannot be approved pursuant to Subsection (1) above. Such decision shall be made if the study programme does not meet statutory requirements, or if the establishment of the study programme is considered to be inexpedient on socioeconomic grounds. The university in question shall be given the opportunity to comment prior to such decision being made.

(4) The approval shall lapse if accreditation is revoked pursuant to Section 7(2) or Section 9(4).

(5) The Council shall immediately report approvals granted pursuant to Subsection 1 to the Minister of Science, Technology and Innovation.

11. The Minister of Science, Technology and Innovation shall lay down criteria for quality and relevance as well as detailed rules on the accreditation and approval procedures.

Part 4

Educational institutions etc. under other ministries

12. The Accreditation Council shall accredit higher education study programmes within the area of responsibility of the Ministry of Education pursuant to the provisions applicable thereto.

(2) The Council shall accredit higher education study programmes within the area of responsibility of the Minister of Culture. The Minister of Culture shall lay down detailed rules on accreditation as well as quality and relevance criteria.

(3) The Minister of Culture shall decide which internationally recognised accreditation institution will undertake the assessment within the area of responsibility of the Minister of Culture. It shall be a condition that the accreditation report on which the Council's accreditation is based has been prepared in accordance with criteria laid down pursuant to (2) above.

(4) Following an agreement between the Minister of Science, Technology and Innovation and the relevant minister, the Council may accredit study programmes under other ministries as well as private study programmes undertaken with employers in the course of employment. The relevant minister may lay down detailed rules on accreditation as well as quality and relevance criteria.

Part 5

Economy

13. The Minister of Science, Technology and Innovation shall bear the costs incidental to the Accreditation Agency and to the preparation of accreditation reports pursuant to Section 8(1). The Minister of Education and the Minister of Culture shall bear the costs incidental to the preparation of accreditation reports within their respective areas of responsibility.

(2) In so far as the Accreditation Council accredits study programmes under other ministries, cf. Section 12(4), the costs incidental thereto shall be borne by the relevant minister.

(3) Accreditation of study programmes pursuant to Section 5(2) and private study programmes pursuant to Section 12(4) shall be a self-financing activity.

Part 6

Complaints and publication

14. It shall not be possible to refer the decisions of the Accreditation Council to other administrative authorities, cf. however, (2) below.

(2) Complaints concerning legal issues regarding the Council's decisions may be referred to the Danish University and Property Agency by the parties within 14 days of the parties' receipt of notice of such decision.

(3) The Minister of Science, Technology and Innovation may delegate his authority under the Act to the Danish University and Property Agency and may decide that the Danish University and Property Agency's decisions cannot be referred to the Minister.

15. The Accreditation Council shall publish all accreditation reports as well as a list of all accreditation applications and the result thereof as well the study programmes accredited by the Council.

(2) The Council shall publish an annual report on the institution's activities.

Part 7

Commencement and interim provisions

16. The Act shall enter into force on 1 April 2007, cf., however, (2) below.

(2) Section 12 of the Act shall take effect on 1 January 2008.

17. The Accreditation Council shall draft a proposal for a plan for the accreditation of all study programmes being subsidised under the University Act at the time of entry into force of the Act. The accreditation plan and the budget applicable thereto shall be presented to the Minister of Science, Technology and Innovation for approval by the end of December 2007. The university shall be obliged to submit the information required for the preparation of the plan and to follow the approved accreditation plan.

(2) The Council shall notify the Minister of Science, Technology and Innovation if the university does not follow the accreditation plan.

(3) The Minister of Education shall prepare a plan for the accreditation of higher education study programmes within the area of responsibility of the Minister of Education in cooperation with the Council.

(4) The Minister of Culture shall prepare a plan for the accreditation of higher education study programmes within the area of responsibility of the Minister of Culture in cooperation with the Council.

18. The Act shall not apply to the Faroe Islands and Greenland.

Given at Amalienborg Castle, 27 March 2007

Under Our Royal Hand and Seal

Margrethe R.

/Helge Sander

L294 – Explanatory Notes

Explanatory Notes to the Draft Bill on the Accreditation Agency for Higher Education

(The Accreditation Act)

General notes

1. Background and purpose of the Bill

In continuation of the Danish government's globalisation strategy, which was presented in April 2006, the present Bill on the establishment of an accreditation agency is presented. The Danish government intends to create Danish higher education study programmes of international format, and one of the initiatives employed to fulfil this objective is that all higher education study programmes must live up to international standards. Danish higher education study programmes must also become better able to meet society's demands for highly-qualified labour with international competitiveness that can be documented. Higher education study programmes of the highest international quality require systematic quality assurance. By means of accreditation, the quality and relevance of Danish higher education study programmes may be documented and recognised according to international standards. The University Act of 2003 was a major step towards giving the universities the tools necessary to ensure research, education and dissemination of knowledge at the highest international level. The Act granted the universities more freedom and strengthened their governance. Professional boards with a majority of external members were introduced. The universities' responsibility for the systematic quality development of their study programmes was also specified and tightened.

From the late 1980s, a new institutional foundation for the extension and development of the higher education study programmes within the Ministry of Education's area of responsibility has gradually been created. With regard to the vocational college sector, the previous centralist governance model was replaced by independency with goal and framework management and implementation of the so-called taximeter grant system of funding. The new decentralised governance concept was later extended to include institutions offering medium-cycle higher education study programmes, which means that almost all institutions offering short-cycle and medium-cycle higher education study programmes are now covered by this decentralised governance concept.

The new governance model meant that the institutions under the Ministry of Education were given a greater independent responsibility for quality assurance and development of the study programmes. However, the decentralised governance concept requires external quality assurance in order to ensure that the objectives of the different programmes are met.

The reform of short-cycle higher education study programmes in 1997 introduced opportunities for improvement of the quality of these programmes. As a follow-up, requirements were set up in the year 2000 for the Academies of Professional Higher Education to create a system for quality and result assessment of each of the institutions' study programmes. With the Act on Medium-Cycle Higher Education (Lov om mellemlange videregående uddannelser) of 2000, the Minister of Education was charged with the evaluation of medium-cycle higher education study programmes

with a view to approving them for the bachelor title, which is both a seal of approval and a level rating to be used in connection with further and supplementary training.

The purpose of the Act on Higher Education in Performing and Creative Arts (Lov om videregående kunstneriske uddannelser), cf. Consolidation Act No. 889 of 21 September 2000 and Act No. 17 of 14

January 1998 on the Royal School of Library and Information Science (Lov om Danmarks Biblioteksskole), was to provide a general improvement of the quality of the higher education study programmes under the Ministry of Culture. The Act and the rules laid down under the Act have subsequently been supplemented by performance contracts focusing on the quality development of the individual study programmes. Where relevant, the higher education study programmes under the Ministry of Culture comprise a bachelor degree (bachelorgrad) and a master's (candidatus) degree (kandidatgrad). The higher education study programmes under the Ministry of Culture must be able to measure up to the highest international level. This Bill contributes to ensuring that quality and relevance correspond to society's needs.

The Bill on establishment of the Accreditation Agency for Higher Education must be regarded as a natural extension of the University Act of 2003, the Act on Medium-Cycle Higher Education and the Act on Short-Cycle Higher Education (Academy Profession Programmes) (Lov om korte videregående uddannelser (Erhvervsakademiuddannelser)) as well as legislation within the area of responsibility of the Ministry of Culture on higher education in performing and creative arts and the Act on the Royal School of Library and Information Science. The quality assurance of higher education will be strengthened significantly with this Bill. Furthermore, it is ensured that Danish higher education is able to live up to the highest international quality assurance standards.

The current ministerial approval of new study programmes at the universities will be abolished. The Minister of Science, Technology and Innovation (the Minister of Science) will continue to determine the grants given to the study programme and specific admission requirements. However, in exceptional cases, the Minister may decide that a study programme cannot be approved. Such decision will be made if the study programme does not meet statutory requirements, or if the establishment of the study programme is considered to be inexpedient on socioeconomic grounds.

Generally, the universities will be better able to develop and commence new study programmes faster and more flexibly. At the same time, the introduction of accreditation of study programmes will strengthen the quality and relevance of higher education study programmes. The establishment of an accreditation system will also make the universities better equipped to document the quality of programmes abroad.

In the Ministry of Education's and the Ministry of Culture's areas of responsibility, the ministerial approval of study programmes will be maintained.

With regard to the Ministry of Education, this is first and foremost due to the wish for a nationwide and a regional catalogue of study programmes within the field of higher education.

With regard to the Ministry of Culture, the ministerial approval is based on the wish to dimension the study programmes in performing and creative arts to match the needs of the labour market and

the educational institutions' function as leading cultural institutions with nationwide and regional dissemination.

It is important to ensure a fast and simple accreditation procedure under all three ministries, for which reason the laying-down of detailed rules within the different areas of responsibility concerning deadlines for the procedure should be considered, when the institution has had time to set up and collect sufficient experience. The fixing of any deadlines for the accreditation procedure shall be subject to discussion between the three ministers.

1.1 Accreditation, evaluation and auditing

Danish university education is generally of a very high quality relative to their foreign counterparts. In its review of the Danish university system of 2005, the OECD's expert panel noted that Danish university education in an international benchmarking generally provides a relatively high private and socioeconomic yield. However, a new quality assurance arrangement is required for Danish university education (OECD: University Education in Denmark, 2005).

Accreditation is the prevalent form of quality assurance internationally. With the introduction of an accreditation system where all new study programmes are accredited prior to approval and existing study programmes are accredited cyclically (continuously), all higher education study programmes are systematically quality assured.

Students in both the national and the global education markets need to know about the quality of the university study programmes. Owing to the increased international competition for the most gifted students, the educational institutions need to be able to document that the quality of their study programmes is at the highest international level and made subject to efficient quality assurance. With accreditation, the quality of the study programmes may be documented and recognised according to international standards.

In an international context, three central concepts are normally used in connection with the quality assurance of study programmes: accreditation, evaluation and auditing.

When study programmes are accredited, it is assessed whether the programmes fulfil predefined criteria for academic quality and relevance. On the basis of a concrete assessment of whether a given study programme fulfils the criteria, the accrediting authority decides whether the programme may be accredited.

The purpose of study programme evaluations is to develop the quality of the programmes further. In a study programme evaluation, different aspects of the programme's quality are described and analysed on the basis of both objectives for the programme laid down centrally and the programme's own objectives. Such evaluation results in a number of qualitative assessments of the programme and recommendations for developing the programme's quality.

In connection with auditing, the educational institution's internal quality assurance work is assessed. Auditing comprises an assessment of the objectives, strategies, methods and systems created by the educational institution in order to guarantee the quality of its activities. The purpose of auditing is to develop the institution's quality assurance system, and auditing results in a number of assessments and recommendations for improving the institution's quality assurance work.

Evaluations and auditing are thus tools that may be used by the institutions in their internal quality assurance, while accreditation is a formal, authoritative recognition of study programmes and functions as part of the formal (often governmental) system for the governance of higher education.

1.2 European standards and quality assurance guidelines

Accreditation is used internationally to ensure and document the quality of higher education study programmes. Due to the many different traditions within education, including the financing and governance of institutions of higher education, national accreditation models are adapted to the national education system. In the USA and Canada, where many institutions of higher education are private, and the study programmes are fully or partly user-financed, there are no national accreditation schemes. Instead, accreditation takes place regionally or in professional organisations such as engineering or medical organisations.

In Europe, accreditation models are adapted to the European educational tradition with its publicly financed and centrally governed study programmes. Several European countries have already introduced national accreditation models. These are, among others, the Netherlands, Germany, Switzerland, Poland, Norway, Austria and Spain.

Quality assurance, including accreditation, is an important element of the Bologna process for higher education in 45 European countries. On the basis of the ENQA report "Standards and Guidelines for Quality Assurance in the European Higher Education Area", the ministers of 45 European countries adopted joint standards and guidelines for quality assurance, including accreditation, in Europe in 2005. The 45 countries intend to use the standards and guidelines provided in the report.

At the coming conference of ministers in London in 2007, it is expected that the European ministers will endorse the establishment of a European register of quality assurance bodies, including accreditation agencies. The purpose of the register is to create transparency and comparability regarding quality assurance of higher education in Europe. National quality assurance bodies that have been assessed externally and live up to the European standards and guidelines may be entered in the register.

Several countries outside Europe, in Asia, South America and Africa, among others, have shown interest in the Bologna process and European developments in higher education, including the development of quality assurance procedures.

1.3 The existing arrangement for quality assurance of Danish study programmes

The Danish system for quality assurance of study programmes does not fully meet the joint European quality assurance standards. In its evaluation of the Danish university system in 2005, the OECD recommended that the quality assurance of Danish university study programmes be strengthened in a number of areas.

This problem was further highlighted in connection with the Globalisation Council's work. The Danish quality assurance system does not ensure regular and repeated evaluations of all study programmes, and the institutions are not obliged to carry out systematic follow-ups. In addition, the institutions have not implemented adequate coherent and systematic systems for quality assurance of their activities.

With the current procedures, there are thus no immediately available assessments and comparisons of Danish higher education based on international standards. For this reason, it is not immediately possible for Danish and foreign students to assess the quality of Danish higher education study programmes or for the educational institutions to document their quality.

The current ministerial approval of new study programmes primarily focuses on the legality and the relevance of the study programmes for the labour market.

In order to ensure that Danish study programmes live up to society's demands for quality and relevance, it is necessary to set up an efficient approval system fulfilling the need for establishing new study programmes quickly and for closing down study programmes that do not have the required quality or relevance.

2. Contents of the Bill

With this Bill, an accreditation agency consisting of an Accreditation Council and two secretariats will be established. The Accreditation Council will accredit new full-time and part-time study programmes and existing full-time and part-time study programmes for given periods, after which time they must be accredited again. The Council will thus control and document the quality and relevance of higher education in Denmark. In the course of 2007, the Council shall present a plan for the study programmes to be accredited within the Minister of Science's area of responsibility. The Minister of Education and the Minister of Culture prepare a plan for the accreditation of higher education study programmes within their respective areas of responsibility in cooperation with the Council. It is assumed that an accreditation process will take approx. six months for existing study programmes and approx. three months for new study programmes.

In connection with the preparation of the Bill, it was suggested that foreign and private Danish educational institutions should also have the opportunity of having study programmes corresponding to the Danish university study programmes accredited by the Accreditation Council. After the consultation process, this provision was removed from the Bill. This was partly due to the consultation responses and partly because it was considered important that the Council should have time to create an institution which should primarily focus on accrediting the many study programmes under the three ministries. In the long term, it should be considered whether it is necessary to extend the Council's powers to include foreign and private Danish educational institutions in addition to the private study programmes undertaken with employers in the course of employment.

Within the Ministry of Science, Technology and Innovation's (the Ministry of Science's) area of responsibility, the Minister's authority to approve study programmes shall be transferred to the Accreditation Council. Within the Ministry of Education's and the Ministry of Culture's areas of responsibility, the Ministers will continue to make the final decision on approval of the offering of study programmes. However, pursuant to the Bill, such approval will be based on accreditations made by the Accreditation Council. With the establishment of a Danish accreditation system, a systematic external element will be introduced in the quality assurance of Danish higher education. Through regular, repeated and external assessments of all higher education study programmes, the quality of Danish higher education will be measured and documented. It will thus be possible for Danish and foreign students to assess the quality of Danish study programmes.

The relevant ministers will lay down quality and relevance criteria to be used as the basis for the Accreditation Council's accreditations. Quality criteria must live up to international standards and also reflect the structure of Danish higher education. As an example, research-based teaching is an important criterion for accreditation of university study programmes. Relevance criteria must document the labour market's demand for the study programmes (e.g. through employment and unemployment rates), and that a dialogue has been established between the institutions and relevant employers in the labour market.

A special set of quality criteria concerns the level of education. These criteria have been described in the Danish Qualification Framework, where each type of education has been described in terms of qualifications and competences, focusing on the study programme's learning competences. The Danish Qualification Framework is currently being revised. The Qualification Framework was set up in connection with the European Bologna cooperation with a view to strengthening the transparency of the countries' education systems and facilitating the recognition of foreign study programmes.

The Accreditation Council is independent of the ministers and the institutions of higher education in terms of the setting-up of procedures and methods as well as conclusions and decisions. This means that the Minister of Science is not authorised to change the Council's academic decisions. Only study programmes accredited by the Council are eligible for subsidies.

The educational institutions are entitled to complain to the Danish University and Property Agency concerning legal issues regarding the Accreditation Council's decisions.

The Council is independent, and the members are appointed on the basis of their academic qualifications. The Council must possess knowledge and experience on quality assurance, higher education, research and labour market conditions for graduates. At least one member must have international accreditation experience. The Council has the overall responsibility for the quality of its work.

A Council Secretariat will be set up and charged with the practical assignments in connection with the Council's meetings and accreditations in all ministerial areas. In addition, an Academic Secretariat will handle the academic assignments connected with the accreditation of study programmes. The Council makes accreditation decisions on the basis of accreditation reports prepared by the Academic Secretariat, the Danish Evaluation Institute (EVA) or other internationally recognised bodies. The Council appoints the operators of such reports, unless otherwise provided in this Act, rules laid down under this Act or in other legislation.

The Accreditation Agency must live up to the requirement of independence as described in the European standards and guidelines for quality assurance of higher education:

”3.6 Independence

Standard:

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.

Guidelines:

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.”

(Standards and Guidelines for Quality Assurance in the European Higher Education Area, page 25).

The establishment of the Accreditation Agency is a breakthrough in the quality assurance of study programmes in Denmark. At the same time, the accreditation concept is being developed internationally. It is a prerequisite that the Danish model lives up to the requirements in the European standards and guidelines for quality assurance of higher education. No later than three years after the entry into force of the Act, the Accreditation Agency must be assessed with a view to ensuring that the institution lives up to the requirements applicable at any time. It is a prerequisite that the Accreditation Agency will be entered in the European register of quality assurance bodies, if established, or assessed internationally in another way. However, if the Danish model does not live up to the relevant requirements, it will be reconsidered with a view to amending the Act as required. In addition, after five years, the Minister of Science will submit a report to the Danish Parliament (Folketinget) on the basis of an evaluation of the Accreditation Agency and its activities, including interaction with other bodies and the coherence in the general Danish quality assurance system for higher education.

3. Financial consequences for the state, municipalities and regions

The total annual expenditure of the Accreditation Agency has been estimated at DKK 22.5 million. To this should be added one-off costs of DKK 5 million for the establishment of the Accreditation Agency in 2007.

With the Agreement on the Allocation of the Globalisation Fund (Aftale om udmøntning af globaliseringspuljen), DKK 20 million has been allocated in 2007 and DKK 15 million annually in 2008 and 2009 for the Accreditation Agency. Of this, an amount of DKK 1.1 million has been allocated to the Ministry of Culture and DKK 2.7 million to the Ministry of Education for the purchase of accreditation services, while the rest has been allocated to the Ministry of Science.

In addition, DKK 7.5 million will be raised annually through internal rearrangement of priorities in the Ministry of Education and the Ministry of Science.

The Ministry of Education will raise DKK 1.9 million, corresponding to EVA's expenses so far for accreditation in the Ministry's area of responsibility. The Ministry of Science will raise DKK 5.6 million, of which DKK 3.5 million will be transferred from EVA's expenses so far for evaluations and other items in the Ministry of Science's area of responsibility. The rearrangement of EVA's grants is based on the assumption that the grants will be transferred to the orderers, who will then decide where they will buy accreditation services in future. The remaining DKK 2.1 million will be rearranged internally in the Ministry of Science.

4. Administrative consequences for the state, municipalities and regions

The Bill has no administrative consequences for the state, municipalities and regions.

5. Financial consequences for trade and industry

The Bill has no financial consequences for trade and industry.

6. Administrative consequences for trade and industry

The Bill has no administrative consequences for trade and industry.

7. Administrative consequences for the public

The Bill has no administrative consequences for the public.

8. Environmental consequences

The Bill has no environmental consequences.

9. EU law

The Bill contains no aspects relating to EU law.

10. Consultation

The Bill has been made subject to consultation with a broad range of interested parties, including educational institutions under the Minister of Science, the Minister of Education and the Minister of Culture, other ministries and relevant organisations. Reference is made to the consultation list in Appendix 1.

11. Summary table

Positive consequences/reduction in expenditure

Negative consequences/additional expenditure

Financial consequences for the state, municipalities and regions

None

There will be a net financing requirement of DKK 20 million in 2007 and DKK 15 million in subsequent years.

Administrative consequences for the state, municipalities and regions

None None

Financial consequences for trade and industry

None None

Administrative consequences for trade and industry

None None

Administrative consequences for the public

None None

Environmental consequences

None None

EU law The Bill contains no aspects relating to EU law.

Notes on the individual provisions

On Section 1

On Subsection (1)

The Accreditation Agency will be a state institution under the Minister of Science. This means, among other things, that the institution is covered by the state rules, including the Danish Public Administration Act (Forvaltningsloven), the Act on Public Access to Documents in Public Files (Offentlighedsloven) and the Ministry of Finance's Budget Guidelines (Finansministeriets Budgetvejledning). The Agency's independence means that it is not subject to the Minister's power of direction in connection with accreditation issues.

On Subsections (2) and (3)

In addition to accrediting all higher education study programmes, the Accreditation Agency is also charged with the task of collecting experience and knowledge nationally and internationally on accreditation methods and criteria and on other important factors in order to ensure that the Council's accreditations live up to international standards. Accreditation comprises an academic assessment of the study programme based on quality and relevance criteria laid down centrally. However, it is envisaged that the relevance assessment for new study programmes within the areas of responsibility of the Minister of Education and the Minister of Culture will be carried out by the relevant minister. Depending on the minister's decision, the study programme will then be accredited or the minister will refuse accreditation.

On Section 2

On Subsection (1)

It is proposed that the Accreditation Agency consists of the Accreditation Council and two secretariats. A Council Secretariat charged with the practical assignments in connection with accreditations in all ministerial areas, and an Academic Secretariat handling the academic assignments related to accreditation.

The proposed secretariat model is known from the research council system, where the councils receive secretarial services from independent secretariats that are administratively connected to another institution. Similarly, it is envisaged that the Council Secretariat and the Academic Secretariat should be independent of the Minister of Science.

The Accreditation Agency must be administratively linked to another institution under the Minister of Science in order for the Council to be able to focus on academic tasks and not on the administration of the secretariats. The secretariat functions have an independent management and their own budgets. This means that the management has the financial responsibility for the operation of the Accreditation Agency, just as the management hires the secretariat staff and is responsible for the staff.

It is a prerequisite that the Accreditation Agency is entered in the European register of quality assurance bodies, if established. If not, the model will be reconsidered, cf. paragraph 2 of the General Notes.

On Subsection (2)

The Minister of Science appoints the management of the secretariats following a recommendation from the Accreditation Council, which must also approve job advertisements. The Minister is not entitled to appoint a management that has not been recommended by the Council. In its daily work, the management reports to the Council and is thus not subject to the Minister's power of direction.

On Section 3

On Subsection (1)

The Council is covered by general public administration law, cf. the notes on Section 1(1), including the provisions in the Danish Public Administration Act on incompetence. Pursuant to these provisions, Council members may be incompetent to deal with certain cases, e.g. if a member has a special personal or financial interest in the outcome of a case, or if a member is closely connected to the institution that is being considered.

On Subsection (2)

The Accreditation Council makes its decisions on the basis of academic accreditation reports. The Council will not draft such reports itself, but will order them from the Academic Secretariat or other recognised academic bodies such as the Danish Evaluation Institute (EVA) or foreign bodies. The Council is free to appoint the operators of the report, unless otherwise provided in the Act, in rules laid down under the Act or in other legislation.

On Subsection (3)

The Accreditation Council lays down a set of rules of procedure. The rules of procedure must regulate, among other things, matters regarding quorum, voting rules, frequency of meetings and procedures governing the interaction between the Council and the secretariats.

On Section 4

On Subsection (1)

The Accreditation Council is independent, for which reason members must not represent special interests in the Council. Instead, the members must use their professional background to ensure that the Council meets the requirements laid down in the Act and is thus able to solve the tasks with which it is charged.

On Subsections (2) and (3)

It is proposed that the Minister of Science appoints the chairman and three members, while the remaining five members are appointed following a recommendation from the Minister of Education, the Minister of Culture and student representatives on the boards of the educational institutions and, within the Ministry of Culture's area of responsibility, on school/conservatory councils. The three ministers must consult relevant organisations in connection with making recommendations and appointing members. Relevant organisations are rectors' conferences, social partners, consultative bodies and the like. It is proposed that the organisations should recommend qualified candidates to be included on a shortlist, which the three ministers can use for making recommendations and appointments. The Minister of Science's appointments pursuant to Subsection 3(1) and (2), must be based on a discussion between the three ministers.

The Accreditation Council must be set up in accordance with the provisions of the Danish Act on Equality between Women and Men (Lov om ligestilling af kvinder og mænd). This means, among

other things, that the recommending parties must propose the same number of women and men for the positions, and in the event of uneven numbers, one more of one sex than the other, and that the Council must be composed of an equal number of men and women.

Pursuant to Subsection 3(3), the students attending educational institutions in the three ministerial areas are entitled to recommend a member for the Council via their representatives on the boards etc. In practice, the student representatives may either recommend a member separately or jointly. When appointing members, account must be taken of the fact that the different levels of education should be given the opportunity of being represented on the Council in turn.

On Subsection (4)

The purpose of the provision is to ensure that the Council's composition reflects the purpose of the Accreditation Agency and its entire portfolio of assignments. The members of the Council must possess knowledge and experience on quality assurance, higher education, research and labour market conditions for graduates between them. Thus, Council members may have participated as experts in evaluations and accreditations of study programmes, have had managerial responsibility for the quality assurance of an institution/a study programme, have been a quality assurance consultant or otherwise have obtained the required qualifications. At least one member must have worked with accreditation internationally, e.g. through directorships in international quality assurance organisations or in international evaluations.

On Subsection (5)

This provision stipulates the term of office of members and that they may be reappointed only once.

On Section 5

On Subsection (1)

Universities will ask the Accreditation Council to accredit existing and new bachelor programmes (bacheloruddannelser) and master's programmes (candidatus) (kandidatuddannelser) as well as master's programmes (masteruddannelser) and other part-time programmes with a view to subsequent approval and thus the right to offer the study programmes in Denmark, cf. also the notes on Section 10. Joint study programmes offered in Denmark, but where parts of the programme may only be completed abroad, are also covered by this provision.

On Subsection (2)

Under the current University Act, the universities may only offer the study programmes mentioned in Subsection (1) in Denmark. To the extent that the universities may otherwise offer study programmes abroad, there has previously been no system for quality assurance of these study programmes. With this provision, it is proposed that it be made a condition that the offering of study programmes abroad corresponding to the study programmes mentioned in Subsection (1) must either be accredited by the Accreditation Council or quality assured in accordance with the national quality assurance rules in the country where the programme is offered. This condition is proposed to ensure the necessary quality in the Danish universities' offering of study programmes, also where the study programmes are not subsidised. These study programmes are not covered by

the Danish education rules and are thus not approved pursuant to Section 10. It is proposed that the universities finance this part of the Accreditation Agency's work themselves, cf. Section 13(3).

On Subsection (3)

It is proposed that the Accreditation Council should be allowed to refuse requests if it is apparent that the study programme cannot be accredited or approved. This includes situations where the request does not contain sufficient documentation for the quality and relevance of the study programme, or where the Council has refused accreditation of the same or a similar study programme within the past two years, without anything having been changed substantially. Paragraph 3 of this provision concerns, among other things, a situation where the Council finds early on that the Minister of Science intends to exercise the option provided in Section 10(3) of deciding that the study programme cannot be approved, or where the Council can immediately ascertain that the programme cannot be approved due to legality issues. This may be the case if the establishment of a study programme by the university has been made conditional upon new state subsidies, which cannot be granted, or the continuation of the study programme is conditional upon a ministerial exemption, which cannot be granted.

In situations where it is apparent that the study programme will not be approved, for example due to legality issues, it will not be expedient to begin accreditation of the study programme. In other cases, it will only become apparent later on in the procedure that a study programme cannot be approved, e.g. as it is not socioeconomically expedient to establish the study programme.

On Section 6

On Subsections (1) and (2)

When accrediting existing study programmes, the Academic Secretariat will set up an accreditation panel to perform the accreditation assessment. Existing study programmes are programmes already offered by the university. The panel must assess whether the quality and relevance of the programme live up to the criteria laid down. In order to ensure the quality of accreditations and to ensure that Danish higher education study programmes live up to international standards, the panel must comprise recognised national and international experts. The panel receives secretarial services from the Academic Secretariat. The panel's accreditation assessment of the quality and relevance of a study programme is reported in an accreditation report prepared by the Academic Secretariat.

On Subsection (3)

Several study programmes may be accredited together, e.g. if a bachelor programme (bacheloruddannelse) and master's programme (candidatus) (kandidatuddannelse) fall within the same area of study. This has the effect that the accreditation period will apply to both programmes. In practice, the university's application for accreditation will show whether the programmes should be accredited together. The Council decides whether the study programmes are such that the completion of one programme is an admission requirement for the other study programme. In addition to these situations, the university may also have an interest in requesting the simultaneous accreditation of several study programmes within the same academic fields, and there is nothing to prevent such study programmes from being accredited at the same time; however the accreditation and the accreditation period are determined for the individual study programmes.

On Section 7

On Subsections (1) and (2)

The Accreditation Council makes decisions on accreditation and determines the length of the period during which the accreditation of a study programme is valid. Internationally, study programmes are usually accredited for periods of five to seven years. The Accreditation Council determines the length of the accreditation period on the basis of the type of education (bachelor (bachelor), master's (candidatus) (kandidat) or master's (master)), and the length of the period may thus vary between different types of education. Special circumstances may occasion the Accreditation Council to make the accreditation period shorter than normal for the type of education in question, e.g. if the Council finds that there is doubt as to whether a research environment connected with a master's programme (candidatus) (kandidatuddannelse) may be maintained for a period of five to seven years.

The quality and relevance criteria reflect the general objectives and standards that the study programme must meet, which means that there will still be scope for a study programme to be developed further.

It is proposed that the Accreditation Council should be allowed to check whether the criteria for accreditation are still being fulfilled before the expiry of the accreditation period. If this is not the case, accreditation must be revoked. The Council is entitled to assess on its own initiative whether the criteria for accreditation are still being fulfilled; however, such assessment may also be made at the instance of the Minister of Science, e.g. if it has come to the Minister's attention, in connection with his supervisory duties, that the criteria may no longer be fulfilled. It is assumed that the university will provide the necessary information on the case. If the university fails to meet the Council's request for information, it may have a prejudicial effect.

If it comes to the university's attention, on the basis of an evaluation or otherwise, that the criteria may no longer be met, the university is obliged to inform the Council. This naturally only applies to factors affecting the quality and relevance of the study programme negatively.

On Subsection (3)

The Accreditation Council may give a study programme a conditional accreditation, if the Council assesses that the study programme fulfils the most important criteria such as research-based teaching, academic quality and a documented need for the study programme, but where the study programme does not fully meet the criteria for positive accreditation. It is also a prerequisite that the Council assesses that the university will be able to correct the problem within a short period of time, e.g. six months to two years, so that the study programme at the end of such period fulfils the quality and relevance criteria and can thus obtain positive accreditation.

On Subsection (4)

Refusal of accreditation means that the study programme cannot be approved, cf. Section 10(1). With the Bill amending the University Act and the Act on Research Consulting etc. (Lov om forskningsrådgivning m.v.) (amendments required due to the establishment of the Accreditation Agency), which is introduced concurrently with the present Bill, it is proposed to amend the University Act with the effect that the university cannot admit students for an existing study programme which is no longer approved. At the same time it is proposed that the Minister of Science should set up a plan for how the students already admitted can complete the study

programme in the most expedient way for the students. In connection with this, it is proposed that the Minister be given the opportunity to demand that other universities admit the students in question or take over the responsibility for the study programme for the university in question. The Minister will discuss the most expedient solution for the students with the universities involved prior to drafting the plan.

On Section 8

On Subsection (1)

As a starting point, it is the Academic Secretariat that sets up expert panels and drafts accreditation reports within the Minister of Science's area of responsibility. However, the Council may decide to use another internationally recognised institution, if it is found that another institution will be better able to solve the task or if it is found that it is necessary to check the market to test the competitiveness of the Secretariat.

On Subsection (2)

Today, international accreditation schemes have been set up for some fields of education. Such accreditations are used to document quality within the field vis-à-vis international partners and students, among others. For this reason, it would be natural for the international accreditation reports on Danish study programmes to be included in a Danish accreditation, provided that such accreditation has been performed by an internationally recognised institution.

It would further be natural to use this option in connection with accreditation of joint study programmes offered in Denmark, but where parts of the programme may only be completed abroad.

In order to ensure uniformity and quality in the accreditation, it is a prerequisite that the accreditation assessment and report fulfil the quality and relevance criteria laid down pursuant to Section 11. However, a supplementary report may be prepared if the original report does not consider all relevant criteria.

On Section 9

On Subsection (1)

When accrediting a new study programme, the Academic Secretariat will assess the potential quality and relevance of the programme. New study programmes are programmes that have not been accredited before.

The assessment is based on the university's application, including documentation such as study plans and frameworks, cooperation with employers and labour market conditions for similar study programmes.

As a new study programme has no established study environment, it will generally not be expedient to have an accreditation panel carry out an assessment. In special cases, e.g. where a university applies for accreditation of a new study programme within a field or a discipline where similar or related study programmes are not already offered in Denmark, an academic panel may be set up.

If the university applying for accreditation already offers study programmes within the general field, and similar study programmes are being offered by other universities, these are relevant benchmarks for the Secretariat's assessment of the potential quality. When the accreditation period has expired, the study programme must be accredited pursuant to Sections 6-8, in which connection an academic panel is set up to assess the quality and relevance of the study programme.

With the Bill amending the University Act and the Act on Research Consulting etc. (Lov om forskningsrådgivning m.v.) (amendments required due to the establishment of the Accreditation Agency), which is introduced concurrently with the present Bill, it is proposed to amend the Act on Research Consulting. With this amendment, it is proposed that the Accreditation Agency should be given the opportunity of asking the Danish Council for Independent Research for research-related guidance, just as the Minister of Science can do today, if the Accreditation Agency finds it necessary in connection with the assessment of the research quality and importance of the underlying research environment.

Several study programmes may be accredited together, e.g. if a bachelor programme (bacheloruddannelse) and a master's programme (candidatus) (kandidatuddannelse) fall within the same area of study, cf. also the notes on Section 6(3).

On Subsections (2) and (3)

The Accreditation Council makes accreditation decisions on the basis of an accreditation report. In order to ensure that the Accreditation Council has a sufficient basis for making the first accreditation decision regarding a study programme, it is proposed that the accreditation period should be the prescribed study period of the study programme plus two years, which means that a bachelor programme (bacheloruddannelse) will have five years, a master's programme (candidatus) (kandidatuddannelse) four years etc. It is thus possible for three years of students to complete the study programme, which provides a basis for both the quality and the relevance assessment for accreditation pursuant to Sections 6-8. If a new bachelor programme (bacheloruddannelse) and master's programme (candidatus) (kandidatuddannelse) is accredited together, the accreditation will apply for seven years.

On Subsection (4)

The Accreditation Council is entitled to revoke accreditation before the expiry of the period, cf. also the notes on Section 7(2).

On Subsection (5)

Refusal of accreditation means that the study programme cannot be approved, cf. Section 10(1). Such refusal must be reasoned in accordance with the requirements contained in the Danish Public Administration Act.

On Section 10

On Subsection (1)

The universities' offering of study programmes must be approved by the Minister of Science according to governing law. The Minister's approval of the individual study programmes includes, among other things, categorisation in the taximeter grant system and control of the legality of the study programme in respect of the governing law.

It is proposed that the Minister's approval powers should be transferred to the Accreditation Council, cf., however, Subsection (3), so that the Council can approve the study programme following an accreditation decision with the effect that the Danish State will subsidise the study programme pursuant to the provisions of the University Act. This also means that the Council is responsible for legality control in connection with its decision, and the Council must thus ensure that the study programme lives up to the provisions on study programmes, among others. The approval applies for a period corresponding to the accreditation period.

On Subsection (2)

The Minister will continue to have the overall responsibility for finances, and it is thus a prerequisite that the Minister will determine the study programme's categorisation in the taximeter grant system pursuant to the University Act prior to the Council's approval. The categorisation in the taximeter grant system will be based on a recommendation from the Accreditation Council. In addition, the Minister will set up specific admission requirements for bachelor programmes (bacheloruddannelser) as well as the titles of study programmes on the basis of a recommendation from the Council. The admission requirements will be laid down in ministerial orders pursuant to the University Act, as is the case today.

In the University Act, the study programmes' rating is fixed at 180 ECTS points for bachelor programmes (bacheloruddannelser) and 120 ECTS points for master's programmes (candidatus) (kandidatuddannelser). However, pursuant to the University Act, the Minister is entitled to deviate from this rating in exceptional cases, and the intention in the Bill is that the Council in such cases should recommend another rating to the Minister. In addition, the Minister may lay down intake limits for the study programmes (dimensioning) pursuant to the University Act. It is proposed that the Council should also recommend any dimensioning to the Minister.

If the Council chooses not to follow the university's proposal for a recommendation, the Council must consult the university in question prior to submitting the recommendation to the Minister in accordance with the general principles of public administration law.

The accreditation and approval procedures will be laid down in the executive order, which is issued pursuant to Section 11.

On Subsection (3)

It is proposed that the Minister of Science, as the authority responsible for finances and legality in the ministerial field, should remain entitled to stop approval, cf. Subsection (1), in certain situations and thus the financing of study programmes. This provision only applies in special situations, where the study programme does not meet statutory requirements, or if the establishment of the study programme is considered to be inexpedient on socioeconomic grounds. This includes, among other things, situations where there are plans to set up a study programme in a geographical area where it would be inexpedient out of consideration for similar study programmes in the area. Similarly, the

establishment of a study programme could be inexpedient in situations where a similar study programme already exists under another minister. In such situation, the matter is discussed between the ministers before a decision is made on the approval of the study programme.

With this provision, the minister will also continue to have the authority to decide to decline approval for financial reasons of study programmes entailing high costs which may lead to occupation regulated by law, and where authorisation is granted by another minister or authority, such as medical science (doctor), veterinary science (veterinarian), odontology (dentist) and clinical biomechanics (chiropractor). It is a prerequisite for making such decision regarding these study programmes that the relevant minister has been consulted.

With the Bill amending the University Act and the Act on Research Consulting etc. (amendments required due to the establishment of the Accreditation Agency), which is introduced concurrently with the present Bill, it is proposed to amend the University Act with the effect that the Minister of Science will no longer approve agreements between Danish and foreign universities on completion of parts of a study programme abroad (joint study programmes). However, with this provision, the Minister of Science will continue to have the option of stopping approval of joint study programmes that do not fulfil the requirements laid down in the University Act or rules laid down thereunder.

The university in question must be given the opportunity to comment prior to such decision being made by the Minister.

On Subsection (4)

Since accreditation is a prerequisite for approval pursuant to Subsection (1), the approval lapses if accreditation is revoked pursuant to Section 7(2) or Section 9(4).

On Subsection (5)

Since study programme approval is a prerequisite for the study programme's eligibility for subsidies pursuant to the University Act, it is proposed that the Council should notify the Minister of Science of approval immediately.

On Section 11

It is proposed that the Minister of Science should lay down the criteria that should form the basis of the Accreditation Council's assessment of the quality and relevance of a study programme. Such criteria are laid down in a dialogue with relevant parties, including universities, organisations in the labour market and student organisations.

The quality criteria will, among other things, concern research-based teaching (number of researchers per student, publication, quotations, number of researchers who teach etc.), the structure and organisation of the study programme, the internal quality assurance of the study programme as well as its academic profile and level etc. The quality criteria must be laid down in accordance with the international standards for quality measurements. It is not normal international practice to lay down criteria for relevance. For this reason, it will be necessary to start from scratch when laying down relevance criteria. Relevance criteria will, among other things, concern the demand for the study programme in the labour market. When accrediting new study programmes, the institutions must document, among other things, that there is a demand for the study programme in the labour

market, that the study programme is clearly aimed for trade and industry and that there is a clear target employer group for coming graduates. Furthermore, the institution must document that the relevant employers have been involved in the development of the study programme. Similarly, the institutions must document that they are constantly in dialogue with employers and graduates on the development of existing study programmes. It is expected that the Minister of Science will present a bill on amendment of the University Act later in the current session. In this bill, it is proposed, among other things, that the universities should establish employer panels to ensure a systematic dialogue with the employers on the quality and relevance of the study programmes for society with a view to developing new and existing study programmes and developing new forms of teaching and examination. In connection with the drafting of detailed rules on accreditation procedures, account will be taken of how the employer panels will be involved in the accreditation process.

The demand for the study programme in the labour market may also be documented specifically through the graduates' labour market situation, including employment and unemployment rates. The relevance criteria in particular are expected to need adjustment on a regular basis in cooperation with relevant parties.

In this way, it will be ensured that the social partners will be involved in the discussion on relevance.

Special criteria for different types of education may be laid down. Study programmes leading to occupation regulated by law, and for which authorisation is given by another minister or authority, must be subject to criteria ensuring that the study programme fulfils education-related and statutory requirements in the relevant field. This requires that the Council discusses the content of the study programme with the authority managing the occupation in question.

The Accreditation Agency must implement the quality and relevance criteria in measurement and documentation points within the framework of the executive order. It must be established which criteria the study programmes must fulfil to be accredited ("must criteria"), and which criteria the study programmes will be able to fulfil within a brief period of time, which must be documented (conditional accreditation). In order to thus ensure transparency and a uniform implementation of the criteria, it must be clearly established how the accreditation criteria for quality and relevance are fulfilled.

It is further proposed that the Minister of Science should determine the procedure for accreditation and approval. It is important that new and existing study programmes are processed fast and flexibly, and this provision will give the Minister of Science access to laying down rules on deadlines in the accreditation procedure. However, the Minister is only expected to lay down such rules when sufficient experience has been collected and if it proves to be expedient. The fixing of any deadlines for the accreditation procedure will be subject to discussion with the Minister of Education and the Minister of Culture.

On Section 12

On Subsection (1)

With this provision, it is proposed that accreditation of higher education within the Minister of Education's area of responsibility should be covered by the rules in the bill on higher professional education, which the Minister of Education intends to present to the Danish Parliament

(Folketinget) during this session. A few other higher education study programmes, which are covered by other legislation, will also be accredited in accordance with these rules. The Minister of Education must approve a study programme after accreditation. The Minister's approval is conditional upon the study programme receiving a positive or conditional positive accreditation from the Accreditation Council. Approved study programmes must be accredited in accordance with a plan drafted by the Minister of Education in cooperation with the Council.

Accreditation of existing study programmes is carried out on the basis of relevance and quality criteria laid down by the Minister of Education. The Minister of Education will lay down detailed rules on the procedure for approval of the offering of study programmes. Reference is made to the bill on higher professional education and the notes thereon. It is proposed that accreditation of higher education in the Minister of Education's area of responsibility should be carried out from 1 January 2008, cf. Section 16(2).

The processing of an educational institution's application on development of study programmes or changes to the programmes offered may be organised in different ways depending on the different objectives, culture and practice of the education sectors; however, it must be ensured that the sectors are given equal opportunities to develop.

On Subsection (2)

In the Ministry of Culture's area of responsibility, the detailed rules on accreditation will be laid down in a ministerial order. These rules will, among other things, stipulate that the Minister of Culture's approval of the offering of study programmes is conditional upon a positive or conditional positive accreditation from the Accreditation Council. Only study programmes receiving a positive or conditional positive accreditation may continue to be offered and financed by the Minister of Culture.

In respect of accreditation of new study programmes, the Ministry of Culture must first carry out a screening of whether there is basis for commencing the accreditation process. The Minister of Culture may stop the process on the basis of general socioeconomic considerations. The rules will also stipulate that the Minister of Culture may refuse to approve the offering of both an existing and a new study programme, even if it has received a positive accreditation, if a similar study programme is already offered in another ministerial area. In such cases, the matter is discussed by the ministers involved prior to the Minister of Culture making a final decision on the approval. With regard to existing study programmes, the Minister of Culture will lay down detailed rules on relevance and quality, which are expected to be laid down in the following main areas, among others: the study programme's structure and organisation, academic profile, internal quality assurance, the academic environment, research, development of artistic activities as well as the relevance of the study programme for the labour market. The criteria will be laid down after a discussion with, among others, the educational institutions and representatives of the employers.

On Subsection (3)

The Minister of Culture decides which internationally recognised accreditation agency should handle the academic tasks related to accreditation, including drafting of the accreditation report on which the Accreditation Council is to base its accreditation. This may be the academic secretariat or the Danish Evaluation Institute. It may also be another internationally recognised accreditation agency. It is a prerequisite that the accreditation report has been prepared in accordance with the criteria laid down pursuant to Subsection (2).

In the Ministry of Culture's area of responsibility, the internationally recognised accreditation agency will set up the accreditation panels of academic experts who will assess the quality and relevance of the study programme on the basis of the criteria laid down.

On Subsection (4)

With this provision, it is proposed that the Accreditation Council should be entitled to accredit study programmes under other ministries according to agreement with the Minister of Science. The minister in question may lay down detailed rules on such accreditation.

Several parties have expressed their interest in accreditation of other study programmes, including study programmes under other ministries, where training takes place with an employer in the course of employment, e.g. the Police College within the Minister of Justice's area of responsibility. It is assessed that there is no hard-and-fast boundary in this field between public and private study programmes, as the nature of the study programme is determined by whether the employer is public or private. This may also be changed over time, e.g. where a state enterprise is converted to a limited company. In order to prevent an inexpedient competitive situation, where public and private employers are treated differently, it is proposed that the Minister of Science should have the option of approving that all employer-based study programmes can be accredited following a recommendation from the relevant minister. This option is an offer which the employer-based study programmes may choose to accept, i.e. it is voluntary whether the study programme should be accredited. The relevant minister means the minister for the business sector in question.

On Section 13

On Subsection (1)

Generally, the costs incidental to the Accreditation Agency's work are borne by the Minister of Science.

Furthermore, the Minister of Science bears all costs incidental to accreditation reports received by the Accreditation Council from an internationally recognised institution other than the Academic Secretariat pursuant to Section 8(1). The Minister of Education and the Minister of Culture bear all costs incidental to the preparation of accreditation reports etc. If a university requests that another accreditation agency's accreditation report form the basis of the Accreditation Council's accreditation decision, cf. Section 8(2), the university cannot claim a refund of any costs incidental to the preparation of such report.

On Subsection (2)

It is proposed that other ministers bear the costs incidental to accrediting of study programmes in their areas of responsibility.

On Subsection (3)

To the extent that the Council accredits study programmes as mentioned in Section 5(2) and private study programmes pursuant to Section 12(4), this must be a self-financing activity pursuant to the provisions thereon in the Ministry of Finance's Budget Guidelines.

On Section 14

On Subsections (1) and (2)

Parties are entitled to complain to the University and Property Agency concerning legal aspects of the Council's decisions, e.g. regarding procedural errors in contravention of general public administration law. It is not possible to complain of the academic content of the Council's decisions.

On Subsection (3)

The Minister of Science is entitled to delegate his powers under the Act to the University and Property Agency. In addition, the Minister of Science is entitled to decide that the Agency's decisions may not be referred to the Minister, both when the Agency settles a complaint pursuant to Subsection (2), and where the Agency makes a decision due to delegation pursuant to Subsection (3).

On Section 15

On Subsections (1) and (2)

The consideration of cases in connection with accreditation must be characterised by openness and transparency. The Accreditation Council must regularly publish a summary of all accreditation applications and their status. In addition, the Council must publish all accreditation reports in order for interested users to be able to learn about the quality and relevance of higher education study programmes in Denmark. Finally, the Council must publish a general summary of all accredited higher education study programmes in Denmark for use by both national and international students and other users.

On Section 16

On Subsections (1) and (2)

It is proposed that the Act should enter into force on 1 April 2007 within the Minister of Science's area of responsibility, while it will not enter into force for the other ministerial areas until 1 January 2008.

On Section 17

On Subsections (1) and (2)

The existing study programmes at the universities are expected to be accredited within a period of three to five years in accordance with a plan drafted by the Accreditation Council. The Minister of Science approves the plan as well as the budget for accreditation of the university study programmes. Study programmes that are eligible for subsidies under the University Act at the time of entry into force of the Act will continue to receive such subsidies until an accreditation assessment has been carried out in accordance with the abovementioned plan. After such time, students may no longer be admitted to study programmes that do not fulfil the criteria laid down.

On Subsection (3)

Accreditation of the Ministry of Education's higher education study programmes will be carried out from 1 January 2008 in accordance with a plan drafted by the Minister of Education in cooperation with the Council, cf. the provisions in the bill which the Minister of Education intends to present to the Danish Parliament (Folketinget) during this session.

On Subsection (4)

Accreditation of the Ministry of Culture's higher education study programmes will be carried out from 1 January 2008 in accordance with a plan drafted by the Minister of Culture in cooperation with the Council.

On Section 18

The Act does not apply to the Faroe Islands and Greenland.

Appendix 1

Consultation list:

Universities

University of Copenhagen
University of Aarhus
University of Southern Denmark
Roskilde University
Aalborg University
Technical University of Denmark
University of Copenhagen – Faculty of Life Sciences
University of Copenhagen – Faculty of Pharmaceutical Sciences
Copenhagen Business School
University of Aarhus, Aarhus School of Business
The Danish University of Education
IT University of Copenhagen
IT University West

Ministries

Ministry of Employment
Ministry of Finance
Ministry of Defence
Ministry of the Interior and Health
Ministry of Justice
Ministry of Ecclesiastical Affairs
Ministry of Culture
Ministry of the Environment
Ministry of Family and Consumer Affairs
Ministry of Refugees, Immigration and Integration Affairs
Ministry of Food, Agriculture and Fisheries
Ministry of Taxation
Ministry of Social Affairs
Ministry of Transport and Energy
Ministry of Foreign Affairs
Ministry of Education
Ministry of Economic and Business Affairs

Others

Danish Academy of Technical Sciences
Danish Confederation of Professional Associations
Association of County Councils
AVT – Institute of Executive Education
Business Institute

Danish Association of Graduates in Economics and Business Administration
Danish Rectors' Conference of Centres for Higher Education
Danish Evaluation Institute
Confederation of Danish Employers
Danish Commerce and Service
Confederation of Danish Industries
Danish Association of Masters and PhDs
Danish National Union of Metalworkers
National Union of Students in Denmark
Danish Council of Ethics
Royal Danish Academy of Sciences and Letters
Danish Council for Strategic Research
Council for Academy Profession Programmes
Confederation of Danish Commercial Transportation and Service Industries
National Union of Danish University and Business School Students
Danish Society for the Advancement of Business Education and Research
Danish Research Training Council
Danish Medical Research Council
Danish Natural Science Research Council
Danish Research Council for the Humanities
Danish Research Council for Technology and Production
Danish Social Science Research Council
City of Frederiksberg
Confederation of Professionals in Denmark
Council for General and Vocational Upper Secondary Education
National Union of Upper Secondary School Teachers
Association of Headmasters of Upper Secondary Schools
National Union of Commercial and Clerical Employees
Henley-Denmark
Greater Copenhagen Authority
Danish Society of Engineers
Rectors' Conference of the Danish Ministry of Culture
City of Copenhagen
Danish Agricultural Council
Danish Confederation of Trade Unions
Council for Medium-Cycle Higher Education Programmes
Rectors' Conference (technical education)
Danish Rectors' Conference
National Audit Office of Denmark
Danish Council for Technology and Innovation
Assembly of Director Generals of the Danish Government Research Institutes
Student Counselling Services
Danish Working Environment Authority
Danish Emergency Management Agency
CIRIUS
Danish Energy Authority
National Agency for Enterprise and Construction
Danish Commerce and Companies Agency

Danish Financial Supervisory Authority
Denmark's Road Safety and Transport Agency
Danish Veterinary and Food Administration
National Survey and Cadastre
Danish National Cultural Heritage Agency
Danish Environmental Protection Agency
Danish Plant Directorate
Danish Supervisory Board of Psychological Practice
Danish Safety Technology Authority
Scandinavian International Management Institute (SIMI)
National Board of Health
Danish Maritime Authority

[Appendix 1](#)

[Appendix 2](#)

Ministerial Order on Criteria for the Relevance and Quality of University Study Programmes and on Procedures for Approval of University Study Programmes

Pursuant to Sections 11 and 14 of Danish Act no. 294 of 27 March 2007 on the Accreditation Agency for Higher Education (*Lov om Akkrediteringsinstitutionen for videregående uddannelser*), the following is stipulated:

Responsibilities of the Accreditation Council

1.-(1) The Accreditation Council shall accredit and approve bachelor programmes (*bacheloruddannelser*) and master's programmes (candidatus) (*kandidatuddannelser*) as well as master's programmes (*masteruddannelser*) and other part-time programmes offered in Denmark under the Danish University Act (*Universitetsloven*), cf. Section 5(1) and Section 10(1) of the Act on the Accreditation Agency for Higher Education.

(2) The Council shall accredit study programmes corresponding to the programmes comprised by Subsection 1 above which Danish universities offer abroad unless the individual study programme is quality-assured according to the national quality assurance system in place in the country in which the programme is offered, cf. Section 5(2) of the Act on the Accreditation Agency for Higher Education.

Criteria for the relevance and quality of university study programmes

2.-(1) The Accreditation Council shall make decisions on the accreditation of the offering of new and existing study programmes based on the following three general criteria columns laid down for the relevance and quality of university study programmes:

- 1) demand for the study programme in the labour market,
- 2) research-based teaching and
- 3) the academic profile and level of the study programme as well as the internal quality assurance of the programme.

(2) Appendix 1 to this Ministerial Order provides further information on the criteria columns for the relevance and quality of university study programmes laid down in Subsection 1 above.

(3) The descriptions of bachelor programmes (*bacheloruddannelser*), master's programmes (candidatus) (*kandidatuddannelser*) and master's programmes (*masteruddannelser*) (type descriptions) in the Qualifications Framework for Danish Higher Education (*Kvalifikationsrammen for videregående uddannelser*) shall be applied in connection with the assessment of the learning outcome targets of the study programmes, cf. Appendix 2.

3. For study programmes which may lead to occupation regulated by law and for which authorisation is required, the Accreditation Council shall lay down further criteria ensuring that the study programme fulfils education-related and statutory requirements in the relevant field. Prior to this, the Council shall discuss the content of the study programme with the authority granting authorisation to perform the occupation in question.

4. The Accreditation Council shall implement the relevance and quality criteria laid down in Section 2(1) above and in Appendix 1 to this Ministerial Order in measurement and documentation points. The Council shall publish its practices.

Approval process

5.-(1) The university shall apply for accreditation and approval, cf. Section 1(1), or accreditation, cf. Section 1(2), from the Accreditation Council. Such application shall be accompanied by documentation showing that the universities' recruitment panels, cf. Section 13 a of the University Act, have been involved.

(2) For study programmes comprised by Section 1(1), the university shall make recommendations to the Council concerning the subsidy status of the study programme within the rates laid down in the Danish Appropriations Act (*Finansloven*), the title of the study programme, specific admission requirements for bachelor programmes (*bacheloruddannelser*), the prescribed study period of the study programme and any maximum limits on the student intake for the study programme.

6.-(1) Where the Accreditation Council accepts the university's recommendation pursuant to Section 5(2), the Accreditation Council shall submit its recommendation thereon to the Danish University and Property Agency. The Council can accept a recommendation for an existing study programme through a positive or conditional positive accreditation, cf. Section 7 of the Act on the Accreditation Agency for Higher Education. A recommendation for a new study programme shall only be accepted through a positive accreditation, cf. Section 9 of the Act.

(2) The recommendation to the Danish University and Property Agency shall be submitted within five (5) business days of the accreditation of the study programme.

(3) Where the Council does not accept the university's recommendation pursuant to Section 5(2), the Council shall notify the university thereof within five (5) business days of the accreditation of the study programme. Subsequently, the university shall have ten (10) business days to submit any objections. The Council shall submit its final recommendation to the Danish University and Property Agency within twenty (20) business days of the accreditation of the study programme.

7.-(1) Within ten (10) business days of the receipt of the recommendation of the Accreditation Council pursuant to Section 6, accompanied by the requisite information, the Danish University and Property Agency shall make a decision on the subsidy status of the study programme within the rates laid down in the Appropriations Act, the title of the study programme, specific admission requirements for bachelor programmes (*bacheloruddannelser*), the prescribed study period of the study programme and any maximum limits on the student intake for the study programme, cf., however, Subsection 2. The Danish University and Property Agency shall immediately notify the Council and the university of its decision.

(2) The Danish University and Property Agency shall submit cases under Section 10(3) of the Act on the Accreditation Agency for Higher Education to the Department of the Danish Ministry of Science, Technology and Innovation. The deadline mentioned in Subsection 1 shall not apply to such cases.

(3) It is not possible to refer decisions made by the Agency in accordance with Subsection 1 to other administrative authorities.

8.-(1) In cases where the university's recommendation in accordance with Section 5(2) is accepted, the Accreditation Council shall make a decision on the approval of a study programme in accordance with Section 10(1) of the Act on the Accreditation Agency for Higher Education as soon as possible and within eight (8) weekdays of the Danish University and Property Agency having made a decision in accordance with Section 7(1).

(2) The Danish University and Property Agency shall be notified immediately of the Council's decision. The decision shall subsequently be published.

(3) In cases where the university's recommendation in accordance with Section 5(1) is not accepted, the Council shall contact the university as soon as possible and within eight (8) days of the Danish University and Property Agency having made a decision in accordance with Section 7(1) and enquire whether the university wishes to

- 1) offer the study programme on the terms and conditions stipulated by the Danish University and Property Agency or
- 2) withdraw its application.

Processing, complaints etc.

9.-(1) The processing of the Accreditation Agency shall be comprised by the provisions set out in the Danish Public Administration Act (*Forvaltningsloven*).

(2) Pursuant to Section 5(3)(1) of the Act on the Accreditation Agency for Higher Education, the Accreditation Council may decide that an application for accreditation and approval shall lapse if the university fails to comply with a reasonable time limit fixed by the Council for the submission of information necessary for the Council to make a decision.

10.-(1) Complaints concerning legal issues regarding the Accreditation Council's decisions may be referred to the Danish University and Property Agency by the parties within fourteen (14) days of the parties' receipt of notice of such decision, cf. Section 14(2) of the Act on the Accreditation Agency for Higher Education.

(2) It is not possible to refer decisions made by the Agency in accordance with Subsection 1 to other administrative authorities.

11.-(1) This Ministerial Order shall enter into force on 1 January 2010.

(2) Ministerial Order no. 1030 of 22 August 2007 on Criteria for the Relevance and Quality of University Study Programmes and on Procedures for Approval of University Study Programmes is hereby repealed.

The Ministry of Science, Technology and Innovation, 14 December 2009

Helge Sander

/ Lene Britt Boisen

Criteria column I: Demand for the study programme in the labour market

Criterion 1: Demand for the study programme

Accreditation of new study programmes:

- The institution must account for the vocational applicability of the study programme and must identify employers for coming graduates.
- The institution must render probable that there is a demand for the study programme and that relevant employers and recruitment panels have been involved in developing the programme. The institution must also, where relevant, account for the special characteristics of the study programme compared with related programmes.
- The institution must describe the labour market situation for graduates from related study programmes.

Accreditation of existing study programmes:

- The institution must document that it is in constant dialogue with employers, recruitment panels and graduates with a view to ensuring the continued relevance and quality of the study programme.
- Based on employment and unemployment rates, the institution must document that graduates find relevant employment.

Criteria column II: Research-based teaching

Criterion 2: The study programme must be based on research and connected with an active research environment of high quality

- The study programme must provide the students with knowledge, skills and competences based on research within the relevant discipline(s) and, where relevant, based on the interaction between research and practice.
- The study programme must be organised by active researchers.
- The students must to a large extent be taught by active researchers.
- The study programme must have a close connection to an active research environment.
- The research environment behind the study programme must be of high quality, which must be documented through relevant research indicators.

Criteria column III: Academic profile and level of the study programme as well as internal quality assurance of the programme

Criterion 3: Academic profile of the study programme and learning outcome targets

- There must be an interrelation between the learning outcome targets of the study programme, the name of the programme and the title that graduates of the programme are entitled to use.
- The learning outcome targets of the study programme must live up to the relevant type description (bachelor (*bachelor*), master's (candidatus) (*kandidat*) or master's (*master*)) in the Qualifications Framework for Danish Higher Education (*Kvalifikationsrammen for videregående uddannelser*), cf. Appendix 2.

Criterion 4: Structure and organisation of the study programme

- The study programme must be organised such that it supports the learning outcome targets of the programme, the specific admission requirements of the programme and the programme's examination forms.
- Instruction must be provided in a pedagogical and qualified manner by the lecturers.
- The physical setting for the study programme must match the programme and the number of students.
- The study programme must be organised such that the students are given the possibility of becoming part of an international study environment.

Criterion 5: Continuous internal quality assurance of the study programme

- The study programme must satisfactorily form part of the institution's quality assurance system, cf. the European standards and guidelines for universities' internal quality assurance of study programmes.
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Descriptions of ordinary higher degrees in Denmark (type descriptions)

	Business academy degree	Professional bachelor degree	Bachelor degree	Master's degree	PhD degree
Knowledge and understanding					
Knowledge field	Must possess development-based knowledge about the practice and central applied theories and methodologies of the profession and the subject area.	Must possess development-based knowledge about the practice and applied theories and methodologies of the profession and the subject area.	Must possess research-based knowledge about the theories, methodologies and practice within one or more subject areas.	Must possess knowledge within one or more subject areas which, in selected areas, is based on the highest-level international research within a subject area.	Must possess knowledge at the highest international level within the research field.
Level of understanding and reflection	Must be able to understand the practice and central applied theories and methodologies as well as the profession's application of theories and methodologies.	Must be able to understand the practice, applied theories and methodologies and reflect on the practice and application of theories and methodologies of the profession.	Must be able to understand and reflect on theories, scientific methodologies and practice.	Must be able to understand and, on a scientific basis, reflect on the knowledge of the subject area(s) and be able to identify scientific issues.	Must have made a significant contribution to the development of new knowledge and understanding within the research field based on scientific studies.
Skills					
Type of skills	Must be able to apply the central methodologies and tools of the subject area and be able to apply the skills related to work in the profession.	Must be able to apply the methodologies and tools of the subject area and master the skills related to work in the profession.	Must be able to apply the scientific methodologies and tools of one or more subject areas and apply general skills related to work within the subject area(s).	Must master the scientific methodologies and tools of the subject area(s) and master general skills related to work within the subject area(s).	Must master the scientific methodologies and tools and master other skills related to research and development tasks within the field.
Evaluation and decision-making	Must be able to evaluate profession-oriented issues and list and choose possible solutions.	Must be able to evaluate profession-oriented and theoretical issues and explain the reasons for and choose relevant solution models.	Must be able to evaluate theoretical and practical issues and explain the reasons for and choose relevant analysis and solution models.	Must be able to evaluate and select among the scientific theories, methodologies, tools and general skills of the subject area(s), and set up, on a scientific basis, new analysis and solution models.	Must be able to analyse, evaluate and develop new ideas, for example design and develop new techniques and skills within the subject area.
Communication	Must be able to communicate profession-oriented issues and solution proposals to collaboration partners and users.	Must be able to communicate profession-oriented and academic issues and solutions to collaboration partners and users.	Must be able to communicate academic issues and solution models to both peers and non-specialists.	Must be able to communicate research-based knowledge and discuss professional and scientific issues with both	Must be able to participate in international discussions within the subject area and communicate scientific findings and progress to a

				peers and non-specialists.	wide audience.
Competences					
Scope of action	Must be able to handle development-oriented situations.	Must be able to handle complex and development-oriented situations in work or study contexts.	Must be able to handle complex and development-oriented situations in study or work contexts.	Must be able to control work and development situations that are complex, unpredictable and require new solution models.	Must be able to plan and carry out research and development tasks in complex and unpredictable contexts.
Collaboration and responsibility	Must be able to participate in discipline-specific and interdisciplinary collaboration with a professional approach.	Must be able to independently participate in discipline-specific and interdisciplinary collaboration and assume responsibility within the framework of professional ethics.	Must be able to independently participate in discipline-specific and interdisciplinary collaboration with a professional approach.	Must be able to independently initiate and carry out discipline-specific and interdisciplinary collaboration and to assume professional responsibility.	Must be able to independently start up and participate in national and international collaboration on research and development with scientific integrity.
Learning	Must, in a structured context, be able to acquire new knowledge, skills and competences related to the profession.	Must be able to identify their own learning needs and develop their own knowledge, skills and competences related to the profession.	Must be able to identify their own learning needs and structure their own learning in different learning environments.	Must be able to independently take responsibility for their own professional development and specialisation.	Must be able to independently initiate research and development projects and, through these, generate new knowledge and new skills which develop the research field.
Formal matters					
ECTS	90-150 ¹⁾	180-240 ²⁾³⁾	180 ⁴⁾	120 ⁵⁾	180
Admission requirements	Completion of upper secondary education or relevant vocational training	Completion of upper secondary education with specific requirements for subjects and level or vocational training supplemented with requirements for completion of specific upper secondary school subjects and levels or further adult education or diploma programme	Completion of upper secondary education	Qualifying bachelor degree	Master's degree (candidatus)
Further education	Professional bachelor programmes and diploma programmes	Some master's programmes (candidatus) (<i>kandidatuddannelser</i>), possibly via entrance courses, master's programmes (<i>masteruddannelser</i>) and diploma programmes	Master's (candidatus) (<i>kandidat</i>), master's (<i>master</i>) and diploma programmes	PhD and master's programmes (<i>masteruddannelser</i>)	-
Main institution type ⁶⁾	Business academies	University colleges	Universities	Universities	Universities
Knowledge base	Business and profession-	Business and profession-	Research-based	Research-based	Research

	based as well as development-based	based as well as development-based		
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Descriptions of the higher degrees of the further adult education system in Denmark (type descriptions)

	Further adult education degree	Diploma degree	Master's (<i>master</i>) degree
Knowledge and understanding			
Knowledge field	Must, within a specialised area or in a wider perspective within the subject area, possess development-based knowledge about the practice and central applied theories and methodologies of the profession and the subject area.	Must, within a specialised area or in a wider perspective within the subject area, possess development-based knowledge about the practice, applied theories and methodologies of the profession and the subject area.	Must, within a specialised area or in a wider perspective within an area specific to one or more subjects, possess knowledge and understanding which, in selected areas, is based on the highest-level international research.
Level of understanding and reflection	Must be able to understand the practice and central applied theories and methodologies as well as the profession's application of theories and methodologies.	Must be able to understand the practice, applied theories and methodologies and reflect on the practice and application of theories and methodologies of the profession.	Must be able to understand and, on a scientific basis, reflect on the knowledge of the subject area(s) and be able to identify scientific issues.
Skills			
Type of skills	Must be able to apply central methodologies and tools and be able to apply the skills related to work in the area selected.	Must be able to apply methodologies and tools and master the skills related to work in the area selected.	Must be able to apply the scientific methodologies and tools of the subject area and master general skills related to work in the area selected.
Evaluation and decision-making	Must be able to evaluate profession-oriented issues and list and choose possible solutions.	Must be able to evaluate profession-oriented and theoretical issues and explain the reasons for and choose relevant solution models.	Must be able to evaluate theoretical and practical issues and set up, on a scientific basis, new analysis and solution models.
Communication	Must be able to communicate profession-oriented issues and solution proposals to collaboration partners and users.	Must be able to communicate profession-oriented and academic issues and solutions to collaboration partners and users.	Must be able to communicate and discuss academic issues and solution models with both peers and non-

Competences			specialists.
Scope of action	Must be able to handle development-oriented situations within the specialisation selected.	Must be able to handle complex and development-oriented situations in work contexts.	Must be able to control and develop work situations that are complex, unpredictable and require new solution models.
Collaboration and responsibility	Must be able to participate in discipline-specific and interdisciplinary collaboration with a professional approach.	Must be able to independently participate in discipline-specific and interdisciplinary collaboration and assume responsibility within the framework of professional ethics.	Must be able to independently initiate and carry out discipline-specific and interdisciplinary collaboration and to assume professional responsibility.
Learning	Must be able to develop own practice in a structured context.	Must be able to develop own practice.	Must be able to independently take responsibility for their own professional development.
Formal matters			
ECTS	60	60	60
Admission requirements	Completion of upper secondary education, vocational training or basic training for adults as well as two years of relevant work experience	Completion of business academy education, further adult education or special preparatory course as well as two years of relevant work experience	Bachelor (<i>bachelor</i>), professional bachelor or diploma as well as two years of relevant work experience
Further education	Diploma programme	Master's programme (<i>masteruddannelse</i>)	
Main institution type ⁷⁾	Business academies	University colleges	Universities
Knowledge base	Business and profession-based as well as development-based	Business and profession-based as well as development-based	Research-based

1) The study programme comprises an internship period corresponding to at least three months.

2) The study programme comprises an internship period corresponding to at least six months.

3) A professional bachelor study programme may also be planned as an independent extension to one or more business academy study programmes with a duration of at least 90 ECTS, including a three-month internship.

4) Propaedeutics courses may be approved in connection with the bachelor programme (*bacheloruddannelse*) corresponding to a maximum of 60 ECTS. In connection with some study programmes, it may be approved that the scope of the study programme exceed 180 ECTS due to a paid internship.

5) For master's programmes (candidatus) (*kandidatuddannelser*) organised with a view to teaching at upper secondary school, it may be approved that the study programme be extended with 30 ECTS when the elective course falls outside of the scope of the central study programme. Some master's programmes (candidatus) (*kandidatuddannelser*) are approved with a scope corresponding to up to 180 ECTS.

6) Specifies the type of institution which generally offers the type of degree in question. There are exceptions to the general rule, as, e.g., a business academy may be approved to offer professional bachelor programmes, in the same way as the Graduate Diploma in Business Administration programmes are being offered by universities.

7) Specifies the type of institution which generally offers the type of degree in question. There are exceptions to the general rule, as, e.g., a business academy may be approved to offer professional bachelor programmes, in the same way as the Graduate Diploma in Business Administration programmes are being offered by universities.

Overview (table of contents)	Regulations incorporated within the document
<u>Part 1</u> The Danish Evaluation Institute	Act No 593 of 24/06/2005
<u>Part 2</u> Evaluation, including quality development, follow-up, etc.	Consolidation Act No 775 of 10/08/2005
<u>Part 2 a</u> Accreditation reports	Act No 1597 of 20/12/2006
<u>Part 3</u> Appeals	Act No 561 of 06/06/2007
<u>Part 4</u> Entry into force etc.	Act No 209 of 31/03/2008
<u>Annex 1</u>	Act No 346 of 14/05/2008
The full text	Act No 1173 of 10/12/2008
	Act No 537 of 12/06/2009
Consolidation Act No 1073 of 15/09/2010	
In force	
(The EVA Act)	
Promulgation date: 18/09/2010	
Danish Ministry of Education	

Subsequent amendments to the regulations

Promulgation of the Act on the Danish Evaluation Institute

The Act on the Danish Evaluation Institute is hereby consolidated, cf. Consolidation Act No 775 of 10 August 2005 as amended by section 3 of Act No 593 of 24 June 2005, Act No 1597 of 20 December 2006, section 10 of Act No 561 of 6 June 2007, Act No 209 of 31 March 2008, section 60 of Act No 346 of 14 March 2008, section 4 of Act No 1173 of 10 December 2008 and section 7 of Act No 537 of 12 June 2009.

Part 1

The Danish Evaluation Institute

Section 1. The Danish Evaluation Institute is an independent state institution whose purpose is to help assure and develop the quality of teaching, education and learning in Denmark.

(2) The Evaluation Institute advises and collaborates with the Minister for Education and other public authorities and educational institutions etc. on issues relating to the evaluation and quality development of study programmes etc.

(3) The Evaluation Institute is charged with the task of compiling national and international experience of evaluation and quality development in addition to developing and reforming methods for evaluation and quality development on an ongoing basis.

Section 2. On its own initiative, cf. section 4, the Evaluation Institute performs systematic evaluations of learning, study programmes and teaching at public and private institutions which are subject to the Acts specified in Annex 1 to this Act, cf. however (2) and (3). With regard to private institutions however, this only applies to the extent they receive state subsidies. The Evaluation Institute may perform other forms of evaluation, including evaluations of an institution's entire activity or parts thereof. The Institute sets topics and methods for the individual evaluations.

(2) Evaluations which solely cover the primary and lower secondary school area (folkeskole) are performed following a decision from the committee of the Council for Evaluation and Quality Development of Primary and Lower Secondary School Education. The Board for Evaluation and Quality Development in Primary Education, within the budget laid down in the Finance Act for the Board's activity, sets funding levels for the

Institute's evaluations under the first sentence.

(3) Evaluations of teaching at primary schooling level at free schools and private primary schools, continuation schools, home economics schools and handicraft schools are performed as agreed with the school in question.

(4) Evaluations of study programmes and teaching which are subject to the Acts specified in Annex 1 to this Act and are provided at educational institutions that do not come under the remit of the Minister for Education, and which extend beyond evaluations of study programmes and teaching, are performed as agreed with the appropriate minister or other authority.

(5) The evaluation area may otherwise be extended by the Minister for Education as agreed with the relevant minister to cover evaluations of study programmes and institutions under the remit of other ministries.

Section 3. The Evaluation Institute may furthermore perform evaluations if requested to do so. Evaluations can be requested by the Ministry of Education, other ministries, general education councils, regional councils, municipal councils, public educational institutions, approved educational institutions or educational institutions eligible for subsidies and educational institutions which offer private study programmes.

(2) Evaluations under (1) are performed as a revenue generating activity.

Section 4. The Evaluation Institute's overall proposal for the coming year's evaluation areas is submitted to the Minister for Education and the Minister for Welfare for approval of their particular area. This does not, however, apply to evaluations under section 2(2).

(2) The Institute submits its budget, including the framework for the commercial activity, before 1 October for approval by the Minister for Education.

Section 5. The Danish Evaluation Institute is managed by a Board which is responsible to the Minister for Education.

(2) The Board consists of a chairman, who is nominated by the Minister for Education, and a number of members who are appointed by the Minister for Education as follows:

- 1) 1 member, who is appointed upon recommendation by and from among the committee for the Council for Evaluation and Quality Development of Primary and Lower Secondary School Education.
- 2) 2 members with knowledge and experience of education for young people, who are appointed upon recommendation by firstly the Council for Basic Vocational Education with 1 representative and secondly the Council for Upper Secondary Education with 1 representative.
- 3) 2 members with knowledge and experience of vocational academy and professional bachelor's programmes, who are appointed upon recommendation by the Council for Vocational Academy Programmes and Professional Bachelor's Programmes.
- 4) 1 member with knowledge and experience of vocational adult and continuing education, who is appointed upon recommendation by the Council for Adult and Continuing Education.
- 5) 1 member with knowledge and experience of the artistic study programmes etc., who is appointed upon recommendation by the Minister for Culture.
- 6) 1 member with knowledge and experience of the current provision area, who is appointed upon recommendation by the Minister for Welfare.

(3) The Board may also add to its numbers by appointing a member with special expertise in evaluation.

(4) The Board is appointed for a 3-year period. Reappointment is possible.

(5) The Minister for Education lays down the regulations of the Institute, including rules which ensure that the evaluated institution is given the opportunity to comment before the report is published. The Board establishes its own rules of procedure.

Section 6. The Board is in charge of the overall management of the Evaluation Institute and establishes its activity.

(2) The Board draws up the annual programme for the Institute, including the framework for the commercial activity, in accordance with recommendations from the Executive Director and dialogue with the ministries concerned, cf. section 4(1).

(3) The Institute's Executive Director is employed by and dismissed by the Board. The Executive Director employs and dismisses the Institute's other personnel.

(4) The Board appoints a committee of representatives which covers the Institute's entire jurisdiction. The task of the committee of representatives is to give its opinion once a year on the Evaluation Institute's annual report and on annual programmes as well as on the Board's recommendation for priorities of action areas to the ministers concerned, cf. section 4(1). The Board, which at least once a year holds a meeting with the committee of representatives, shall both consider the opinions of the committee of representatives pursuant to the second sentence and also be obliged to communicate these opinions.

(5) The composition of the committee of representatives is such that the education and institution areas etc. which are covered by the Institute's activity are represented together with representatives for pupils and students, professional associations and parties from the labour market.

(6) The committee of representatives is appointed for a 3-year period which follows the Board's mandate. Representatives for student and pupil associations however, are only appointed for 2 years.

(7) More detailed rules on the committee of representatives and its activity are laid down in the regulations of the Evaluation Institute.

(8) The Board may, upon recommendation by the Executive Director, appoint an evaluation group for each evaluation. The evaluation group consists of people with special qualified expertise in the field that is to be

evaluated. Members of the Board or employees of the Institute may not be part of the evaluation group. The Board ensures that the members of the evaluation group are not incompetent.

Section 7. The Executive Director of the Evaluation Institute is in charge of the day-to-day running of the Institute.

Section 8. The evaluation group, cf. section 6(8), is responsible for the evaluation and the evaluation report which concludes the evaluation. The report is submitted to the Board. Evaluation reports concerning evaluations under the remit of the Ministry of Education must be handed over by the Board to the Minister for Education no later than 14 days before publication. Evaluation reports concerning primary and lower secondary education, cf. section 2(2), must be handed over at the same time to the committee for the Council for Evaluation and Quality Development of Primary and Lower Secondary Education. Other evaluation reports must be handed over to the relevant minister etc., cf. section 2(4) and (5), or relevant client, cf. section 3, no later than 14 days before publication.

(2) The Evaluation Institute publishes all evaluation reports and informs the public of its activity. The Institute submits a report on the year's activity at the end of the year.

(3) A request to access documents which have been drawn up as part of an evaluation under this Act cannot be processed until the final report has been published.

Section 9. The Evaluation Institute may, in connection with an evaluation performed under section 2, request all information considered to be of importance for the evaluation from the evaluated educational institution. Information may be collected in electronic form.

Part 2

Evaluation, including quality development, follow-up, etc.

Section 10. The Minister for Education may lay down rules on evaluation and on follow-up to an evaluation performed under section 2(1).

(2) The Minister for Education may furthermore, amongst other things on the basis of an evaluation, lay down rules on quality development, including teacher qualifications etc.

Section 11. The relevant minister or other authority may, on the basis of a completed evaluation under section 2, order the educational institution, the responsible authority and the authority with practical responsibility to follow up the evaluation report.

(2) Orders pursuant to (1) cannot not be issued to educational institutions subject to the Universities Act.

Section 12. If an educational institution which receives state subsidies does not hand over information under section 9 or does not comply with orders under section 11, the relevant minister may withhold the subsidies or allow the subsidies to lapse in full or in part.

Part 2 a

Accreditation reports

Section 12 a. The Evaluation Institute performs the accreditation assessments and prepares the accreditation reports which are necessary for use in the Accreditation Council's accreditations under Part 4 of the Act on Vocational Academy Programmes and Professional Bachelor's Programmes and Part 3 of the Act on Basic Vocational Training and Advanced Vocational Training (the Tertiary Education System) for Adults according to the decisions taken by the Minister for Education. The Evaluation Institute may furthermore, as a revenue generating activity, perform accreditation assessments and prepare accreditation reports for use in the Accreditation

Council's accreditations of local provision for Danish study programmes abroad, cf. Part 4 a of the Act on Vocational Academy Programmes and Professional Bachelor's Programmes and Part 3 b of the Act on Basic Vocational Training and Advanced Vocational Training (the Tertiary Education System) for Adults.

(2) The Minister for Education lays down detailed rules on accreditation assessments and accreditation reports under (1).

(3) The Evaluation Institute performs accreditation assessments and prepares accreditation reports on study programmes under the remit of the Minister for Culture according to the decisions taken by the Minister for Culture. The Minister for Culture may lay down detailed rules on this.

(4) The Evaluation Institute may furthermore perform accreditation assessments and prepare accreditation reports as a revenue generating activity, if requested to do so.

Part 3

Appeals

Section 13. The Evaluation Institute's decisions under this Act or under rules laid down pursuant to this Act may, with regard to appeals on legal issues, be appealed to the Minister for Education, cf. however (2).

(2) The Minister for Education lays down detailed rules on leave to appeal and can make a specific decision that it shall not be possible to bring decisions before the minister.

Part 4

Entry into force etc.

Section 14. This Act shall enter into force on 1 June 1999.

(2) With regard to the area of primary and lower secondary education, evaluations are performed in the period until 31 December 2010 as agreed with the relevant municipal council.

Section 15. (Omitted.)

Section 16. (Omitted.)

Section 17. (Omitted.)

Section 18. This Act does not apply to the Faeroe Islands or Greenland.

Act No 481 of 31 May 2000, if section 13 inserted no 43 in Annex 1 to this Act, contains the following provision on entry into force:

Section 12

This Act shall enter into force on 1 July 2000. (2)
(Omitted.)

Act No 482 of 31 May 2000, if section 11 amended the wording of no 21 in Annex 1 to this Act, contains the following provision on entry into force:

Section 14

This Act shall enter into force on 1 July 2000. (2-4) (Omitted.)

Act No 483 of 31 May 2000, if section 29 amended section 11(2) and no 4 in Annex 1 to this Act, contains the following provision on entry into force:

Section 24

This Act shall enter into force on 1 July 2000.
(2-11) (Omitted.)

Act No 487 of 31 May 2000, if section 28 inserted no 44 in Annex 1 to this Act, contains the following provision on entry into force:

Section 26

This Act shall enter into force on 1 January 2001.

(2-3) (Omitted.)

Act No 488 of 31 May 2000, if section 34 inserted no 45 in Annex 1 to this Act, contains the following provision on entry into force:

Section 33

This Act shall enter into force on 1 January 2001.

Act No 246 of 6 April 2001, if section 13 amended nos 11, 12, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 36, 37, 38, 39, 40, 41 and 42 and inserted a new no 46 in Annex 1 to this Act, contains the following provision on entry into force:

Section 15

This Act shall enter into force on 1 May 2001.

Act No 343 of 16 May 2001, if section 46 amended the wording of no 30 in Annex 1 to this Act, contains the following provision on entry into force:

Section 41

This Act shall enter into force on 1 January 2002.

(2-5) (Omitted.)

Act No 149 of 25 March 2002, if section 4 repealed nos 14 and 36 and amended the wording of no 26 in Annex 1 to this Act, contains the following provision on entry into force:

Section 7

This Act shall enter into force on 1 July 2002, cf. however (2) and (3) and also sections 8-10. Section 3, however, shall not enter into force until 1 January 2003.
(2-4) (Omitted.)

Act No 414 of 6 June 2002, if section 9 repealed section 8(3) of this Act and thereby (4) and (5) became (3) and (4), contains the following provision on entry into force:

Section 6

This Act shall enter into force on 1 July 2003.

(2) (Omitted.)

Act No 418 of 6 June 2002, if section 46 amended the wording of no 24 in Annex 1 to this Act, contains the following provision on entry into force:

Section 39

This Act shall enter into force on 1 July 2002, cf. however section 40.

(2-9) (Omitted.)

Act No 297 of 30 April 2003, if section 7 amended the wording of the first sentence of section 5(2) and section 5(2), nos 1-4, contains the following provision on entry into force:

Section 10

This Act shall enter into force on 1 July 2003.
(2-4) (Omitted.)

Act No 401 of 28 May 2003, if section 5 amended the wording of no 11 and repealed no 31 in Annex 1 to this Act, contains the following provision on entry into force:

Section 7

This Act shall enter into force on 1 July 2003.
(2-4) (Omitted.)

Act No 447 of 10 June 2003, if section 4 inserted a new no 5 in section 5(2) and inserted a new no 46 (editorially amended to a new no 47 in Annex 1 to this Act), contains the following provision on entry into force:

Section 7

This Act shall enter into force on 1 January 2004. Section 1, no 16 and section 4, no 1, however, do not enter into force until 1 July 2003.
(2-4) (Omitted.)

Act No 98 of 18 February 2004, if section 8 amended nos 15, 40 and 41 in Annex 1 to this Act, contains the following provision on entry into force:

Section 10

This Act shall enter into force on 1 August 2005, cf. however (2-4).
(2-4) (Omitted.)

Act No 593 of 24 June 2005, if section 3 amended the wording of the second sentence of section 3(1) and section 6(5), no 1, contains the following provision on entry into force:

Section 11

This Act shall enter into force on 1 January 2007.
(2-5) (Omitted.)

Act No 1597 of 20 December 2006, if section 1 amended the wording of section 1(1) and (2) and section 2(1), inserted a new section 2(2), amended the wording of section 4, section 5(2), nos 1 and 2, inserted a new section 5(2), no 6, amended the wording of section 6(2), (4) and (5), amended the wording of section 6(5), no 4 and section 6(8), inserted a new fourth sentence into section 8(1), amended the wording of the fifth sentence of section 8(1), amended the wording of no 46 in Annex 1 to this Act and also inserted no 48 in Annex 1, contains the following provision on entry into force:

Section 2

This Act shall enter into force on 1 January 2007.

Act No 561 of 6 June 2007, if section 10 repealed nos 6 and 30 in Annex 1 to this Act, contains the following provision on entry into force:

Section 16

- (1) This Act shall enter into force on 1. August 2007, cf. however (2).
(2) (Omitted.)

Act No 209 of 31 March 2008, if section 1 amended the wording of section 1(3), repealed the third sentence of section 2(1), inserted the third and fourth sentences of section 2(1), amended the wording of the first sentence of section 4(1), section 5(2), nos 2, 3, 4 and 5, inserted a new section 5(2), no 6, amended the wording of section 5(2), no 6, section 5(3), section 6(3), the first sentence of section 6(4), section 6(5) and the second sentence of section 6(6), section 8(3), inserted Part 2 a, and also amended the wording of Annex 1 to this Act, contains the following provision on entry into force:

Section 2

- This Act shall enter into force on 1 April 2008, cf. however (2).
(2) (Omitted.)

Act No 346 of 14 May 2008, if section 60 inserted a new no 9 in Annex 1 to this Act, contains the following provision on entry into force:

Section 49

This Act shall enter into force on 15 May 2008.

(2) Agreements on partnerships under section 6 or section 5 a of the Act on University Colleges for Higher Education Study Programmes as worded in this Act's section 57, no 3, may be entered into with effect until 1 January 2015.

(3) (Omitted.)

Act No 1173 of 10 December 2008, if section 4 amended the wording of section 4(1), repealed section 5(2), no 4 and amended the wording of section 5(2), nos 5 and 7, contains the following provision of entry into force:

Section 6

This Act shall enter into force on 1 January 2009.

(2) (Omitted.)

Act No 537 of 12 June 2009, if section 7 amended the wording of section 12 a (1) and inserted a new second sentence in section 12 a (1), contains the following provision on entry into force:

Section 8

This Act shall enter into force on 1 July 2009.

Ministry for Education, 15 September 2010

Tina Nedergaard

/ Jacob Sten Jensen

Annex 1 Acts covered by section 2(1) of the Act on the Danish Evaluation Institution

- 1) Act on Vocational Academy Programmes and Professional Bachelor's Programmes.
- 2) Act on Authorisation of Healthcare Professionals and of Professional Healthcare Activity.
- 3) Act on Training as a Professional Bachelor in Teaching Primary and Lower Secondary School.
- 4) Act on Training as a Professional Bachelor in Pedagogy.
- 5) Act on Training as a Nutritionist and Home Economist.
- 6) Act on Training as a Handicrafts Teacher.
- 7) Act on University Colleges for Higher Education.
- 8) Act on the Danish School of Media and Journalism.
- 9) Act on Vocational Academies for Higher Education.
- 10) Act on Institutions for Vocationally Oriented Education and Training.
- 11) Act on Basic Vocational Training and Advanced Vocational Training (the Tertiary Education System) for Adults.
- 12) Act on Open Education (Vocational Adult Education) etc.
- 13) Act on Labour Market Education Programmes etc.
- 14) Act on Education for the Upper Secondary School Leaving Examination (STX) (the Upper Secondary School Act).
- 15) Act on Education for the Higher Preparatory Examination (the HF Act).
- 16) Act on Institutions for General Upper Secondary Education and General Adult Education etc.
- 17) Act on Education for the Higher Commercial Examination (HHX) and Higher Technical Examination (HTX).
- 18) Act on Vocational Training.
- 19) Act on Basic Vocational Training etc.
- 20) Act on Production Schools.
- 21) Act on Guidance in Relation to Choice of Education, Training and Career.
- 22) Act on Youth Schools.
- 23) Act on General Adult Education.
- 24) Act on Special Education for Adults.
- 25) Act on Folk High Schools, Continuation Schools, Home Economics Schools and Handicraft Schools (Free Boarding Schools).
- 26) Act on Public Support for General Adult Education, Voluntary Participation in General Education and Day High Schools and on Evening Schools (the General Education Act).
- 27) Act on Danish Education for Adult Foreigners etc.
- 28) Act on Primary and Lower Secondary Education, regarding evaluations which do not solely cover primary and lower secondary education.
- 29) Act on Free Schools and Private Primary Schools etc.
- 30) Act on Social Services.

Act on the Accreditation Agency for Higher Education

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby make known that the Danish Parliament has passed and we have given our Royal Assent to the following Act:

Part 1

Object etc.

1. The Minister of Science, Technology and Innovation shall set up the Accreditation Agency for Higher Education as an independent institution within the public administration.

(2) The object of the Accreditation Agency shall be to ensure and document the quality and relevance of higher education study programmes by performing an assessment (accreditation) on the basis of criteria laid down centrally regarding the quality of existing and new study programmes. In addition, the Accreditation Agency shall collect national and international experience of relevance to accreditation.

(3) Accreditation shall also comprise an assessment of study programmes on the basis of relevance criteria laid down centrally, unless otherwise provided in this Act, in rules laid down under this Act or in other legislation.

Part 2

The Accreditation Agency

2. The Accreditation Agency shall consist of the Accreditation Council and two secretariats:

- a) A Council Secretariat, which shall undertake secretarial duties for the Council.
- b) An Academic Secretariat, which shall undertake tasks related to the accreditation of study programmes.

(2) The Minister of Science, Technology and Innovation shall appoint the management of the secretariats following a recommendation from the Council.

3. The Accreditation Council shall lay down the general framework of the Council's activities and make accreditation decisions. In addition, the Council shall make decisions concerning the approval of university study programmes with the effect that the study programmes will be covered by the Danish University Act (*Universitetsloven*) and become eligible for subsidies thereunder.

(2) The Council shall make accreditation decisions on the basis of accreditation reports. The Council shall appoint the operators drafting such reports, unless otherwise provided in this Act, in rules laid down under this Act or in other legislation.

(3) The Council shall lay down rules of procedure.

4. The Accreditation Council shall consist of a chairman and eight members and shall be independent.

(2) The Minister of Science, Technology and Innovation shall appoint the chairman after having consulted with the Minister of Education and the Minister of Culture.

(3) The Minister of Science, Technology and Innovation shall appoint the Council's members as follows:

- 1) three members shall be appointed following a recommendation from the Minister of Education,
- 2) one member shall be appointed following a recommendation from the Minister of Culture,
- 3) one member shall be appointed following a recommendation from the student representatives on the boards of the educational institutions offering higher education under the Minister of Science, Technology and Innovation and the Minister of Education and from the student representatives on the school/conservatory councils of the higher education institutions under the Minister of Culture, and
- 4) three members shall be appointed by the Minister of Science, Technology and Innovation.

(4) The chairman and members of the Council shall possess knowledge and experience on quality assurance, higher education, research and labour market conditions for graduates between them. At least one member shall have international accreditation experience.

(5) The chairman and members of the Council shall be appointed for a period of four years. However, the member appointed pursuant to Subsection 3(3), shall be appointed for a period of one year. Members shall be eligible for reappointment once. In the event that the chairman or a member retires prematurely, a substitute shall be appointed for the remaining period pursuant to Subsections 2 and 3.

Part 3

Universities under the Minister of Science, Technology and Innovation

5. Bachelor programmes (*bacheloruddannelser*) and master's programmes (*candidatus*) (*kandidatuddannelser*) as well as master's programmes (*masteruddannelser*) and other part-time programmes offered in Denmark under the University Act shall be accredited by the Accreditation Council.

(2) To the extent that Danish universities may offer study programmes corresponding to the programmes mentioned in (1) above abroad, such study programmes shall be accredited by the Council or quality assured according to the national quality assurance system in the country in which the programme is offered.

(3) The Council shall be entitled to refuse an accreditation request or discontinue the processing of a request if:

- 1) a request does not contain adequate documentation for the quality and relevance of the study programme,
- 2) a request essentially concerns matters which the Council has considered during the past two years and for which accreditation was refused, or
- 3) a request pursuant to Subsection (1) concerns a study programme which is not eligible for approval pursuant to Section 10(1).

6. When accrediting existing study programmes, the Academic Secretariat shall set up an accreditation panel consisting of relevant experts and international members, cf., however, Section 8.

(2) The panel shall make an accreditation assessment of the quality and relevance of the study programme pursuant to criteria laid down pursuant to Section 11, and on the basis of this assessment the Academic Secretariat shall prepare an accreditation report.

(3) Accreditation may cover several study programmes, where the completion of one programme is an admission requirement for another study programme.

7. The Council shall make the accreditation decision on the basis of the accreditation report. The decision may be positive or conditional positive or a refusal of accreditation.

(2) In the event of positive accreditation, the Council shall stipulate the validity period for such accreditation. Before the expiry of the validity period, the Council may, on its own initiative or following a request from the Minister of Science, Technology and Innovation, check whether the criteria pursuant to Section 11 are still being fulfilled. In the event that the criteria are not fulfilled, the Council shall revoke accreditation. The university shall notify the Council in the event that the criteria are no longer being fulfilled or in case of doubt. If the Council revokes accreditation, it shall immediately inform the Minister of Science, Technology and Innovation.

(3) In the event of conditional positive accreditation, the Council shall state which criteria are not being fulfilled and provide a timetable for follow-up. The Council shall subsequently make an accreditation decision on the basis of a supplementary accreditation report.

(4) When refusing accreditation, the Council shall indicate the reasons for such refusal.

8. The Accreditation Council may decide to use an internationally recognised institution other than the Academic Secretariat for the preparation of accreditation reports due to academic considerations or in order to test the competitiveness of the Academic Secretariat.

(2) The Council may, on its own initiative or following a request from a university, base its accreditation decision fully or partly on an accreditation report from another internationally recognised institution, to the extent that such report is prepared in accordance with the criteria laid down pursuant to Section 11.

9. When accrediting new study programmes, the Academic Secretariat shall assess the quality and relevance of the study programme in accordance with criteria laid down pursuant to Section 11 and prepare an accreditation report. In special cases, the Accreditation Council may demand that the Academic Secretariat set up an accreditation panel, cf. Section 6(1). Accreditation may cover several study programmes, where the completion of one programme is an admission requirement for another study programme.

(2) The Council shall make accreditation decisions on the basis of the accreditation report. The decision may be positive or a refusal of accreditation.

(3) A positive accreditation shall apply for a period corresponding to the prescribed period of study plus two years. In the event that the accreditation decision comprises several study programmes, it shall apply for a period corresponding to the prescribed study period for the total course of education plus two years. Such period shall be rounded up to full calendar years.

(4) Before the expiry of the validity period, the Council may, on its own initiative or following a request from the Minister of Science, Technology and Innovation, check whether the criteria pursuant to Section 11 are still being fulfilled. In the event that the criteria are not fulfilled, the Council shall revoke accreditation. The university shall notify the Council in the event that the criteria are no longer being fulfilled or in case of doubt. If the Council revokes accreditation, it shall immediately inform the Minister of Science, Technology and Innovation.

(5) When refusing accreditation, the Council shall indicate the reasons for such refusal.

10. Bachelor programmes (*bacheloruddannelser*) and master's programmes (*candidatus*) (*kandidatuddannelser*) as well as master's programmes (*masteruddannelser*) and other part-time programmes offered in Denmark under the University Act shall be approved by the Accreditation Council with the effect that they will become eligible for subsidies under the University Act, cf., however, Subsection (3) below. Such approval shall require positive accreditation or conditional positive accreditation pursuant to Section 7(1) or positive accreditation pursuant to Section 9(2) and shall apply for the same period as the accreditation.

(2) Prior to approving study programmes pursuant to Subsection (1) above, the Council shall propose the subsidy rating, title and specific admission requirements for bachelor programmes (*bacheloruddannelser*) as well as the prescribed study period for the study programme to the Minister of Science, Technology and Innovation. In addition, the Council shall propose any intake limits for the study programme.

(3) The Minister of Science, Technology and Innovation may in exceptional cases decide that a study programme cannot be approved pursuant to Subsection (1) above. Such decision shall be made if the study programme does not meet statutory requirements, or if the establishment of the study programme is considered to be inexpedient on socioeconomic grounds. The university in question shall be given the opportunity to comment prior to such decision being made.

(4) The approval shall lapse if accreditation is revoked pursuant to Section 7(2) or Section 9(4).

(5) The Council shall immediately report approvals granted pursuant to Subsection 1 to the Minister of Science, Technology and Innovation.

11. The Minister of Science, Technology and Innovation shall lay down criteria for quality and relevance as well as detailed rules on the accreditation and approval procedures.

Part 4

Educational institutions etc. under other ministries

12. The Accreditation Council shall accredit higher education study programmes within the area of responsibility of the Ministry of Education pursuant to the provisions applicable thereto.

(2) The Council shall accredit higher education study programmes within the area of responsibility of the Minister of Culture. The Minister of Culture shall lay down detailed rules on accreditation as well as quality and relevance criteria.

(3) The Minister of Culture shall decide which internationally recognised accreditation institution will undertake the assessment within the area of responsibility of the Minister of Culture. It shall be a condition that the accreditation report on which the Council's accreditation is based has been prepared in accordance with criteria laid down pursuant to (2) above.

(4) Following an agreement between the Minister of Science, Technology and Innovation and the relevant minister, the Council may accredit study programmes under other ministries as well as private study programmes undertaken with employers in the course of employment. The relevant minister may lay down detailed rules on accreditation as well as quality and relevance criteria.

Part 5

Economy

13. The Minister of Science, Technology and Innovation shall bear the costs incidental to the Accreditation Agency and to the preparation of accreditation reports pursuant to Section 8(1). The Minister of Education and the Minister of Culture shall bear the costs incidental to the preparation of accreditation reports within their respective areas of responsibility.

(2) In so far as the Accreditation Council accredits study programmes under other ministries, cf. Section 12(4), the costs incidental thereto shall be borne by the relevant minister.

(3) Accreditation of study programmes pursuant to Section 5(2) and private study programmes pursuant to Section 12(4) shall be a self-financing activity.

Part 6

Complaints and publication

14. It shall not be possible to refer the decisions of the Accreditation Council to other administrative authorities, cf. however, (2) below.

(2) Complaints concerning legal issues regarding the Council's decisions may be referred to the Danish University and Property Agency by the parties within 14 days of the parties' receipt of notice of such decision.

(3) The Minister of Science, Technology and Innovation may delegate his authority under the Act to the Danish University and Property Agency and may decide that the Danish University and Property Agency's decisions cannot be referred to the Minister.

15. The Accreditation Council shall publish all accreditation reports as well as a list of all accreditation applications and the result thereof as well the study programmes accredited by the Council.

(2) The Council shall publish an annual report on the institution's activities.

Part 7

Commencement and interim provisions

16. The Act shall enter into force on 1 April 2007, cf., however, (2) below.

(2) Section 12 of the Act shall take effect on 1 January 2008.

17. The Accreditation Council shall draft a proposal for a plan for the accreditation of all study programmes being subsidised under the University Act at the time of entry into force of the Act. The accreditation plan and the budget applicable thereto shall be presented to the Minister of Science, Technology and Innovation for approval by the end of December 2007. The university shall be obliged to submit the information required for the preparation of the plan and to follow the approved accreditation plan.

(2) The Council shall notify the Minister of Science, Technology and Innovation if the university does not follow the accreditation plan.

(3) The Minister of Education shall prepare a plan for the accreditation of higher education study programmes within the area of responsibility of the Minister of Education in cooperation with the Council.

(4) The Minister of Culture shall prepare a plan for the accreditation of higher education study programmes within the area of responsibility of the Minister of Culture in cooperation with the Council.

18. The Act shall not apply to the Faroe Islands and Greenland.

Given at Amalienborg Castle, 27 March 2007

Under Our Royal Hand and Seal

Margrethe R.

/Helge Sander

Principles for setting up and using expert panels in connection with accreditation

This memo deals with the principles of the Danish Evaluation Institute (EVA) for setting up and using expert panels in connection with accreditation assessment, including requirements for the competency of experts.

In this context, competency means absence of conflict of interest as well as the presence of necessary competences.

Structure of the memo

The memo is divided into two parts:

- 1 a general part concerning all types of accreditation assessments, and
- 2 a specific part with separate sections for the various types of accreditation assessment.

The general part deals with matters common for all types of accreditation assessment. Here the formal basis for EVA's recruitment and use of experts in all types of assessment is presented. Then EVA's requirements for competency of experts are presented, and finally EVA's procedures to ensure competency.

The specific part deals with the competences required by experts when participating in the various types of accreditation assessment conducted by EVA. Currently these include accreditation assessments of new education programmes and educational offers as well as existing offers under the Danish Ministry of Education, and of new and existing education programmes under the Danish Ministry of Culture.

Competency of experts, general part

The formal basis

The Departmental Order of the Danish Ministry of Education on accreditation and approval of academy profession degree programmes and professional bachelor's degree programmes etc., and the order of the Danish Ministry of Culture on accreditation and approval of further and higher education under the Danish Ministry of Culture ("Kulturministeriets bekendtgørelse om akkreditering og godkendelse af videregående uddannelser under Kulturministeriet") establish the framework for EVA's accreditation activities. The two orders stipulate that EVA must perform its accreditation assignments in accordance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area; the ESG Standards.¹ In addition, EVA has decided to organise its accreditation activities according to the guidelines in the *Code of Good Practice* set up by the *European Consortium for Accreditation, ECA*. Finally the requirements for establishing competency of the experts are based on the regulations on disqualification in the Danish Public Administration Act.

European cooperation

The issue about the competency of experts is included as a key dimension in the European cooperation on quality assurance of education programmes. The ESG Standards deal with recruitment and the use of experts and competency in connection with:

- Standard 2.4: Processes fit for purpose
This standard and its guidelines state that quality assurance agencies must ensure that the experts undertaking the external quality assurance activity have appropriate skills and are competent to perform their task.
- Standard 3.6: Independence
This standard and its guidelines state that a quality assurance agency must demonstrate its independence for example in connection with its procedures for nomination and appointment of external experts.
- Standard 3.7: External quality assurance criteria and processes used by the agencies
This standard and its guidelines state that the processes used by quality assurance agencies will be expected to include an external assessment by a group of experts.
- Standard 3.8: Accountability procedures
This standard and its guidelines state that a quality assurance agency is expected to provide documentation of the use of mechanisms to ensure the competency of external experts.

ECA's *Code of good practice* contains a number of standards based on several years of experience in accreditation in other European countries. Standard 15 is highly relevant in connection with the issue of competency:

- Accreditation procedures must guarantee the independence and competence of the external panels or teams. The procedures are expected to include:
 - published selection criteria ensuring the independence and competence of the external expert panels
 - that the decision about the composition of the expert team is made in a transparent way

¹ You can read more about the ESG Standards at: http://www.enqa.eu/pubs_esg.lasso.

- that the independence of the experts is assured by a written statement.²

Furthermore, both the ESG and the ECA Code of good practice prepare the ground for transparency in quality assurance agencies' work with accreditation, in that processes, criteria and procedures used by quality assurance agencies should be pre-defined and publicly available (ESG standard 3.7 and ECA standard 8). Therefore this also applies to processes, criteria and procedures to ensure competency.

Regulations of the Danish Public Administration Act

EVA has worded the requirements for the competency of experts on the basis of the regulations of the Danish Public Administration Act. According to section 3(1) of the Danish Public Administration Act, a person working for the public administration shall be disqualified relative to a specific case if:

- *“they have a particular personal or financial interest in the outcome of the case or if they have previously represented any person in the same case with such interests*
- *their husband or wife, any person related by blood or marriage in the direct line of ascent or descent or in a collateral branch as close as a first cousin, or any other closely attached person, has a particular personal or financial interest in the outcome of the case or represents any person with such interests*
- *they are involved in the management of or are otherwise closely associated with any company, partnership, association or other private legal entity with a particular interest in the outcome of the case*
- *the case concerns a complaint about or exercise of the control or supervision of another public authority, and the person previously served with that authority and assisted in making the decision or in implementing the measure at issue in the case*
- *there are other grounds for questioning the person's impartiality.”*

According to section 3(2) of the Danish Public Administration Act, no person shall be disqualified if:

- *the nature or strength of his interest, the nature of the case, or his tasks in connection with the handling of the case are such that the decision on the case is unlikely to be affected by extraneous considerations.”*

And according to section 4(1), the provisions of section 3 shall not apply if:

- *“it would be impossible or cause substantial difficulties or misgivings to arrange for another person to act in place of that person in considering case.”*

EVA's requirements for the competency of experts

In accordance with the formal basis above, EVA has worded a number of requirements to the competency experts in connection with its accreditation assessments. The requirements have also been worded on the basis of EVA's experience from previous work with recruitment and use of experts in accreditation.

- 1 Experts must have specific knowledge and experience, which make them competent for the task (see the specific part of the memo on clarification of accreditation type).

² Note that the above is EVA's summary of the ECA Standard.

- 2 Within the past two years, the expert may not have been employed with or have had a similar professional relationship with the institution applying for accreditation of an education programme or an educational offer.
- 3 The expert may not currently be employed in managerial functions, e.g. be a director of education and training at a competing institution.
- 4 The expert may not be closely related to or have other close personal relationships with persons who have a particular interest in the outcome of the case.
- 5 There must be no grounds for questioning the expert's impartiality

Delimitation and elaboration of the requirements:

- *within the past two years* generally means a period of two years from the current deadline for submission of statement and annexes.
- *employed with or in a similar professional relationship* means a relationship where a large fee has been paid or where the person has been enrolled as a student. However, it is permissible to have been an external examiner or a guest lecturer at the relevant institution. In each case, EVA will decide whether the scope of external examiner activities and guest lectures etc. altogether constitute such a close contact with the applicant that the expert is assessed to be disqualified.
- *the institution applying for accreditation* means the entire educational establishment, i.e. all places of study, divisions, faculties and similar which constitute a part of the institution.
- *competing institution* means an institution which is assessed to have a particular interest in the applying institution's ability to offer the relevant education programme.
- *closely related to or have other close personal relationships* means spouse or partner, a child or a child's spouse or partner, siblings or close friends.

If the requirements for the competency of experts make it impossible or very difficult to recruit professionally competent experts, the requirements may be waived on the basis of sections 3(2) and 4(1) of the Danish Public Administration Act. EVA will use this opportunity in cases, where it is impossible or very difficult to recruit professionally competent experts, who live up to the requirements (e.g. within small professional environments).

It is a fundamental principle for EVA's practice that experts are recruited as private individuals on the basis of their knowledge and competences, and that experts in the panel together must represent knowledge that covers a number of identified areas. On the other hand, experts may not represent separate interests. The reason for this is that accreditation is based on a professional assessment of pre-defined criteria which are to be separated from political interests and considerations.

EVA's procedures to ensure the competency of experts

EVA is using the following procedures in its recruitment and use of experts for accreditation:

- In both the research phase and the recruitment phase, EVA investigates, as far as possible, that potential experts meet EVA's requirements for competency.
- EVA sets up an expert panel for each accreditation that meets the requirements above, including the relevant requirements for competences as stated in the specific part of this memo.

- Prior to the accreditation process, EVA informs experts about their role and assignments in connection with the accreditation.
- EVA signs a contract with each expert, in which he or she declares to be competent in relation to EVA's explicit requirements.
- EVA asks the applying institution(s) if they have any objections to the competency of the expert panel.

Competency of experts, specific part

New further and higher education programmes and educational offers under the Danish Ministry of Education

The first part of this memo lists a number of general requirements to the competency of experts. The first requirement sounds: "Experts must have specific knowledge and experience, which make them competent for the task." This second part of the memo elaborates on this requirement through a number of specific requirements for the competency of experts in accreditation of new education programmes and educational offers. The specific requirements stipulate which professional combined competences must exist in the individual expert panel for each application for accreditation of a new further and higher education programme or a new educational offer under the Danish Ministry of Education.

The expert panel will typically consist of three members in connection with new education programmes and two members in connection with educational offers. The expert panel combined must possess the professional competences stated below, as far as possible. A member can thus cover (parts of) several of the areas of knowledge below. The expert(s) covering the special academic and educational/pedagogical areas of knowledge must have the same level of education as the education programme being accredited or a higher level.

EVA may in exceptional cases set up an expert panel consisting of four members for new education programmes and three members for new educational offers, if this contributes significantly to ensuring the necessary professional competences available in the panel. Under certain circumstances, the panel may have two members, provided they possess the necessary knowledge.

The expert panel's overall competences in accreditation of new further and higher education programmes and educational offers under the Danish Ministry of Education

Experience in and knowledge about the labour market needs of the discipline:

- Labour market conditions for the relevant discipline(s)
- General knowledge about analysing labour markets and labour market conditions for new education programmes and educational offers.

Special expert knowledge about and experience within:

- Key disciplines in the relevant field of education

- Educational structure in the relevant education area/level of education
- Overall existing educational offer within the relevant discipline(s)
- International perspectives on the relevant discipline(s).

Educational/pedagogical knowledge about and experience in:

- Relevant pedagogical and didactic problems
- Development and organisation of education programmes
- Quality assurance of education programmes

Existing educational offers of further and higher education programmes under the Danish Ministry of Education

The first part of this memo lists a number of general requirements to the competency of experts. The first requirement sounds: "Experts must have specific knowledge and experience, which make them competent for the task." This second part of the memo elaborates on this requirement through a number of specific requirements to the competency of experts in connection with accreditation of existing educational offers of a further and higher education programme under the Danish Ministry of Education. The specific requirements stipulate which professional combined competences that must exist in the individual expert panel for each accreditation of an existing educational offer.

The expert panel will typically consist of four members, perhaps three, who together possess the professional competences stated below, as far as possible. A member can thus cover (parts of) several of the areas of knowledge below. The expert(s) covering the special academic and educational/pedagogical areas of knowledge must have the same level of education as the educational offer being accredited or higher. The expert covering the student perspective must be a student in an education programme with disciplines relevant to the disciplines of the accredited educational offer.

The expert panel's overall competences in connection with accreditation of existing educational offers of further and higher education programmes under the Danish Ministry of Education

Special expert knowledge about and experience within:

- Key disciplines of the education programme, including new knowledge from experimental and development work as well as relevant research fields
- International perspectives in the relevant discipline(s)

Educational/pedagogical knowledge about and experience in:

- Development, organisation and implementation of an education programme with internship
- Quality assurance of education programmes

- Teaching, including relevant pedagogical and didactic problems

Knowledge about and experience in the education programme from a student perspective

- Knowledge about conditions of study at the relevant level of education
- Experience from boards of studies, student counselling or student organisations.

Knowledge about and experience from the employment area(s) the educational offer is directed towards:

- Current and key trends in the relevant employment area(s).

New further and higher education programmes under the Danish Ministry of Culture

The first part of this memo lists a number of general requirements to the competency of experts. The first requirement sounds: "Experts must have specific knowledge and experience, which make them competent for the task." This second part of the memo elaborates on this requirement through a number of specific requirements to the competency of experts in connection with accreditation of new further and higher education programmes under the Danish Ministry of Culture. The specific requirements stipulate which the total scope of professional competences that must exist in the individual expert panel for each accreditation of a new education programme.

The expert panel will typically consist of three members who together possess the professional competences stated below, as far as possible. A member can thus cover (parts of) several of the areas of knowledge below.

EVA may in exceptional cases set up an expert panel consisting of four members, if this contributes significantly to ensuring the necessary professional competences available in the panel. Under certain circumstances, the panel may have two members, provided they possess the necessary knowledge.

One member of the panel, who covers the special expert knowledge areas, must come from another Nordic country. The expert(s) covering the special academic and educational/pedagogical areas of knowledge must have the same level of education as the education programme being accredited or a higher level.

The expert panel's overall competences in accreditation of new further and higher education programmes under the Danish Ministry of Culture

Special expert knowledge about and experience within:

- Key disciplines of the education programme
- The elements (artistic development activities and/or knowledge from professional practice and/or research) constituting the knowledge base of the education programme

- International perspectives in the relevant discipline(s)
- Educational structure in the relevant education area/level of education
- Total existing educational offer within the relevant education area/level of education.

Educational/pedagogical knowledge about and experience in:

- Teaching, including relevant pedagogical and didactic problems
- Development and organisation of education programmes
- Quality assurance of education programmes

Experience from and knowledge about the relevant labour market competence needs:

- Labour market conditions for the relevant employment area(s)
- General knowledge about analysing labour markets and labour market conditions for new education programmes.

Existing further and higher education programmes under the Danish Ministry of Culture

The first part of this memo lists a number of general requirements to the competency of experts. The first requirement sounds: "Experts must have specific knowledge and experience, which make them competent for the task." This second part of the memo elaborates on this requirement through a number of specific requirements to the competency of experts in connection with accreditation of existing further and higher education programmes under the Danish Ministry of Culture. The specific requirements stipulate which the total scope of professional competences that must exist in the individual expert panel for each accreditation of an existing education programme.

The expert panel will typically consist of four members, perhaps three, who together possess the professional competences stated below, as far as possible. A member can thus cover (parts of) several of the areas of knowledge below.

One member of the panel, who covers the special expert knowledge areas, must come from another Nordic country. The expert(s) covering the special academic and educational/pedagogical areas of knowledge must have the same level of education as the education programme being accredited or a higher level. The expert covering the student perspective must be a student in another artistic further and higher education programme or another relevant education programme.

The expert panel's overall competences in accreditation of existing further and higher education programmes under the Danish Ministry of Culture

Special expert knowledge about and experience within:

- Key disciplines of the education programme
- The elements (artistic development activities and/or knowledge from professional practice and/or research) constituting the knowledge base of the education programme

- International perspectives in the relevant discipline(s)

Educational/pedagogical knowledge about and experience in:

- Development, organisation and implementation of education programmes
- Quality assurance of education programmes
- Teaching, including relevant pedagogical and didactic problems

Knowledge about and experience in the education programme from a student perspective:

- Knowledge about conditions of study at the relevant level of education
- Experience from boards of studies, student counselling or student organisations.

Knowledge about and experience from the employment area(s) the education programme is directed towards:

- Current and key trends in the relevant employment area(s).