

Procedure for the Formation of the Quality Assessment Council for Higher Education and its Appeals Committee

Approved by the Supervisory Board of the Estonian Quality Agency for Higher and Vocational Education on 15.12.2020, amended on 12.05.2021.

Amended by the Supervisory Board of the Estonian Quality Agency for Education on 30.08.2022.

I. General Provisions

1. Pursuant to article 24 paragraph 3 of the Statute of the Education and Youth Board and on the basis of article 37 paragraphs 3-4 of the Higher Education Act, the Supervisory Board of the Estonian Quality Agency for Education (hereinafter *HAKA*) lays down and publishes the procedure for formation of the Quality Assessment Council for Higher Education of the Estonian Quality Agency for Education (hereinafter *Assessment Council*) and of the Appeals Committee.
2. The Supervisory Board of HAKA shall appoint members of the Assessment Council and approve the composition thereof for the duration of three years.
3. The Assessment Council has 13 members. The Assessment Council shall elect the chairman and the deputy chairman from among its members by a simple majority of the members present.
4. Members of the Assessment Council shall be independent in their activities. Members of the Assessment Council shall not represent in the Assessment Council either the interests of the organisation that submitted their candidacy or the interests of their employer. Members of the Assessment Council shall confirm the obligation to maintain the confidentiality of information that has become known to them by way of their membership in the Assessment Council and the lack of conflicts of interests by signing a relevant declaration.

II. Formation of the Assessment Council

5. HAKA shall publish a call for candidates for the posts of members of the Assessment Council. It is possible to submit candidates within three weeks of the date of publishing the call.

6. Universities, professional higher education institutions, research and development institutions, registered professional and trade associations, associations of employers, and associations of Student Bodies can submit candidates for the post of member of the Assessment Council.
7. A submittal letter shall include the justification of the suitability of the candidate for member of the Assessment Council, and the CV of the candidate.
8. The Supervisory Board shall, from among the candidates submitted, select the members by at least a 3/4 majority, taking into consideration that:
 - (1) the Assessment Council shall include at least one expert from each broad group of studies;
 - (2) no more than two members from the same university, professional higher education institution, research and development institution, registered professional or trade association, association of employers or association of Student Bodies may belong to the Assessment Council. If a member of the Council during his/her mandate concludes an employment contract with an institution that is already represented by two members in the Council, he or she shall resign from the Council. A call for candidates shall be organised to fill the vacant position;
 - (3) a member of the Assessment Council cannot be the rector or the vice rector of a higher education institution nor an official of the Ministry of Education and Research or a member of the Supervisory Board of HAKA;
 - (4) no person may be a member of the Council for more than six years.
9. Upon selecting the members of the Assessment Council, a candidate's previous work in promoting Estonian higher education shall be considered and, where possible, the following principles shall be followed:
 - (1) the candidates whose previous activities have been serving the purpose of improving the quality of Estonian higher education as a whole shall be preferred;
 - (2) preference is given to candidates with previous experience in external quality assurance of higher education;
 - (3) as a result of the election of the members of the Council, at least 1/3 of the members of the Council shall be replaced and at least 1/3 of the members shall continue their work in the Council;
 - (4) universities and professional higher education institutions are both represented in the Council;
 - (5) at least one employer and one student member belong to the composition of the Council;
 - (6) gender balance is maintained in the Council.
10. The Supervisory Board shall publish the composition of the Assessment Council on the HAKA website within 10 workdays from the approval of the said composition.



11. The Supervisory Board shall terminate the mandate of a member of the Assessment Council in the following cases:
 - (1) the Council member violates the independence and confidentiality requirements stipulated in point 4;
 - (2) the Council member fails to participate in three consecutive Assessment Council meetings;
 - (3) the Council member resigns from the Assessment Council.
12. HAKA shall publish a call for candidates in order to fill the vacated post on the Assessment Council.

III. Formation and Rules of Procedure of the Appeals Committee of the Quality Assessment Council for Higher Education

13. The task of the Appeals Committee of the Quality Assessment Council for Higher Education (hereinafter *Appeals Committee*) is to provide the Assessment Council with an unbiased opinion regarding the administrative actions taken by the Assessment Council or the validity of the challenges filed upon the administrative decisions taken by the Council.
14. The Appeals Committee is comprised of four members and four alternate members.
15. The Supervisory Board shall form the Appeals Committee, taking into consideration the following principles:
 - (1) the member of the Committee is familiar with the principles and procedures of external quality assurance of higher education, the rules of procedure of the Assessment Council, and the Standards and guidelines for quality assurance in the European Higher Education Area, and has previous experience in external quality evaluation of higher education;
 - (2) one member and one alternate member of the Committee shall be submitted by the Estonian Rectors' Conference;
 - (3) one member and one alternate member of the Committee shall be submitted by the Rectors' Conference of Professional Higher Education Institutions of Estonia;
 - (4) one member and one alternate member (from outside the higher education institutions) of the Committee shall be submitted by the Estonian Employers' Confederation;
 - (5) one member and one alternate member of the Committee shall be submitted by the Federation of Estonian Student Unions;
 - (6) the limitations described in point 8.3 of this regulation also extend to the composition of the Appeals Committee;
 - (7) the Appeals Committee shall include a single member from any body or organisation.



16. The duration of the mandate for the composition of the Appeals Committee is three years. The composition of the committee is published on the HAKA website.
17. The work of the Appeals Committee is organized by HAKA. The Appeals Committee shall be summoned by the Director of HAKA after a challenge has been filed upon administrative decisions or measures taken by the Assessment Council.
18. A session of the Appeals Committee has attained a quorum if at least three members of the Committee are present.
19. If a member of the Appeals Committee is associated with the higher education institution participating in the challenge proceedings, the alternate member shall participate in the Appeals Committee.
20. Members of the Appeals Committee shall adhere to the obligations to maintain the confidentiality of information that has become known to them by way of their membership in the Appeals Committee, and the lack of conflicts of interests. Members of the Appeals Committee are independent and shall not represent in the Committee either the interests of the organisation that submitted their candidacy, the interests of their employer or any other third party.
21. The Appeals Committee shall within five days of the receipt of the challenge provide the Assessment Council with an unbiased opinion regarding the validity of the challenge. The Appeals Committee shall approve its opinion by a simple majority of the members that participated in the processing of the challenge.
22. The Supervisory Board shall terminate the mandate of a member of the Appeals Committee in the following cases:
 - (1) a member or alternate member of the Appeals Committee violates the independence and confidentiality requirements stipulated in point 20;
 - (2) of resignation by the Appeals Committee member or alternate member from the Appeals Committee.
23. HAKA requests the relevant organisation to appoint a new member to the Appeals Committee based on the principles listed in point 15.

