

## **REGULATION ON APPEALS AND COMPLAINTS**

In the context of the accreditation process, this regulation applies in case an appeal or complaint is submitted on behalf of the Institution concerned.

### Article 1 – Creation and Composition of the Appeals and Complaints Committee

- (1) The Appeals and Complaints Committee is established by decision of the Evaluation and Accreditation Council (EAC), and is composed of three (3) members and two (2) alternate members. No member of the Committee can, at the same time, be member of the EAC or the Supreme Council of the HAHE, but at least one member of the Committee should be a former member of the HAHE EAC, or of the Council of the former HQA.
- (2) In appointing members to the Appeals and Complaints Committee, the EAC shall consider whether the candidate has:
  - Experience in external evaluation and accreditation, gained by having served in relevant bodies or panels.
  - International experience gained by being involved in international activities related to quality assurance in Higher Education.

### Article 2 – Remit of the Committee

- (1) The Committee shall hear appeals against accreditation decisions issued by the EAC.
- (2) The Committee shall hear complaints related to the integrity of the review process implemented by the External Evaluation and Accreditation Panel (EEAP) prior to the drafting of the Final Accreditation Report.

### Article 3 – Mandate

Members of the Committee are appointed by the EAC for a four-year term, renewable once.

### Article 4 – Operation

- (1) The Chair of the Committee shall be selected by the Committee.
- (2) The Committee shall take decisions with a simple majority.
- (3) No member of the Committee shall have had previous involvement with the appellant/complainant.
- (4) In cases of conflicts of interest involving one of the members of the Committee, the alternate member shall be asked to replace the member affected by the conflict of interest. Subsequently, the submitted appeal or complaint is considered and the pertinent decision is made.

### Article 5 – Procedure of submission of Appeals and Complaints against the accreditation decision

- (1) The HAHE has in place and applies a specific appeals and complaints procedure for those HEIs that submit an accreditation proposal.
  - 1.1 Through an appeal, an HEI can question the official outcome (the decision) on granting accreditation, made by the EAC.
  - 1.2 The submission of a complaint, allows an HEI to request the examination of evidence substantiating the infringement of the review procedure, right after its completion.

- (2) An appeal or complaint will be deemed official only if it is adequately substantiated and supported by the relevant evidence, references and examples. The appeal/complaint shall explain explicitly and concisely the reasons of its submission, making reference to specific principles of the Standards, or the Code of Ethics, or certain sections of the Guidelines for Accreditation. The HAHE will not consider appeals or complaints that address generic legalities, refer to comparisons with relevant Accreditation Reports of other study programmes or Institutions, or to judgements about the EEAP (either regarding the EEAP composition, on which opinion or objection can be stated upon their appointment, or regarding the judgement of the EEAP members).
- (3) If an HEI intends to submit an appeal, the HEI shall inform the HAHE secretariat accordingly through e-mail, within seven days after notification of the accreditation decision issued by the EAC. The appeal against an accreditation decision shall be submitted to the HAHE secretariat in writing, through electronic or conventional mail within one (1) month of notification of the accreditation decision to the HEI.
- (4) In case of a complaint, the HEI concerned shall submit the complaint to the HAHE secretariat in writing, through e-mail, within fifteen (15) days of the end of the review week.
- (5) The HAHE secretariat shall acknowledge the receipt of appeals complaints within seven days.
- (6) The evidence supplied to support the complaint or appeal must be in pdf format and shall be directly relevant and proportionate to the concerns raised.
- (7) On receipt, an appeal or complaint shall be initially reviewed by the competent service of the HAHE, to determine whether eligible grounds and supporting evidence have been presented. Where this is not the case, a request for further information or evidence may be addressed to the HEI.
- (8) The competent HAHE service shall forward the appeal/complaint for the consideration of the EAC. The EAC shall distribute the documentation of the appeal/complaint to the Appeals and Complaints Committee. The Committee shall be requested to submit a report within one (1) month of the receipt of the appeal or complaint and the relevant evidence.
- (9) The Committee shall examine the appeal/complaint and undertake any further investigations that it considers necessary, as soon as reasonably practicable. This may involve obtaining additional documents or data from the HAHE.
- (10) After considering the evidence, the Committee may:
  - In case of an appeal, to uphold the appeal and recommend the EAC to reconsider its decision
  - Recommend to the EAC to dismiss the appeal/complaint.
- (11) The EAC's decision on the appeal/complaint shall be taken in the light of the Committee's report and shall be final and non-appealable.
- (12) Appellants/complainants shall be notified in writing of the EAC's decision within ten working days of the date of the decision.
- (13) The EAC reserves the right to discontinue an appeal/complaint if the appeal/complaint is pursued in an abusive, offensive, defamatory, aggressive, or intimidating manner.