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AGENCIFICATION CHALLENGES IN HIGHER EDUCATION QUALITY ASSURANCE

INTRODUCTION

The 1990s were characterized by the rise of quality assurance in higher education (Dill 1995). Over the last two decades, quality assurance systems in Europe have changed and evolved significantly. There is now much variety in how countries regulate academic quality (Dill and Beerkens, 2010; Schwartz and Westerheijden, 2007), but despite of the variety we can see increasing convergence in the organizational structure that countries use for quality assurance. A great majority of European countries rely on semi-independent or formally autonomous quality assurance agencies. A survey of the European Association for Quality Assurance (ENQA) reports that the number of independent higher education quality agencies in Europe is consistently increasing; moreover, their tasks are widening and they use a greater number of different evaluation instruments (ENQA, 2008). This organizational form is also strongly promoted by the European Standards and Guidelines for Quality Assurance (ENQA, 2005). As a result, within only a decade countries with very different starting points and approaches to academic quality assurance have adopted a rather similar model of regulatory agencies.

The model of independent quality assurance agencies is often promoted from a sector-specific rationale in higher education. Quality assurance must be independent from the political control in order to assure its legitimacy in the eyes of universities, and it must be independent from universities to avoid 'regulatory capture' (Dill and Beerkens, 2013). However, the trend towards independent regulatory agencies cannot be seen apart from the same trend in other policy sectors. An 'agencification' fever characterized public sector reforms in many European countries from 1990s onwards (Pollitt et al, 2001). Agencies were expected to increase the level of expertise among regulators, make them more effective by separating them from policy-making, and increase legitimacy of regulation in the eyes of regulatees (see Laegreid and Verhoest, 2010).

Quality assurance agencies have thus become an interesting element in thinking about universities' organizational boundaries. They play an important role in the changing dynamics between state and universities. Universities have become more autonomous from state but as a response to the autonomy they must demonstrate performance and accountability. Quality assurance agencies fill an important mediation function in this relationship. Regulatory agencies are a defining factor of the 'regulatory state', a state where government does not provide services but delegates the tasks to private entities and uses regulation for steering the agencies (Majone, 1997). Regulation takes place in the triangle of the political demand (parliament, government), regulator (agencies) and regulatees (universities). In this relationship,

however, independent regulatory agencies tend to obtain considerable policy-making power and they become an actor with their own interests.

This chapter focuses on potential challenges of ‘agencification’ in the higher education. Accumulating literature from other sectors points to some weaknesses of ‘agencification’, most notably to fragmentation in the system and to a loss of political steering capacity. In this chapter we will first discuss how the changing dynamics between universities and state connects to independent regulatory agencies, i.e. the ‘regulatory state’ model. Thereafter we examine how the quality assurance agencies have evolved in the four countries, to demonstrate the highly varied trajectory to the rather homogenous model. And finally we explore tensions within the systems from the point of view of ‘agencification’ literature.

REGULATION AND AUTONOMY: THE RISE OF AGENCIES

A tension between autonomy and accountability, or deregulation and regulation, is a constant issue in many sectors of public administration. The higher education sector may have some specificity, due to the notion of academic freedom and historical distrust of government intervention, but the autonomy-accountability dilemma is nevertheless highly visible. Influenced by the public sector reform agenda, higher education systems in most European countries have experienced substantial changes in the level of organizational autonomy and the nature of government control.

Autonomy and control

Higher education is an illustrative case about a shift from the ‘positive state’ to the ‘regulatory state’ in Europe (Majone, 1997). Over the 1990s and 2000s the traditional relationship between universities and state are critically revised in many countries. As a general rule, universities have become more autonomous: free from line-itemized budgets, input control, detailed prescriptions on curricula, and staff restrictions (Santiago et al., 2008). Reforms in public sector management show, however, that deregulation goes rarely without some kind of re-regulation. A push towards greater managerial autonomy in the New Public Management (NPM) agenda produces also its ‘mirror image’ in the form of ex-post control and performance evaluation (Hood et al., 1999). Similarly the greater autonomy given to universities is balanced by new accountability mechanisms (Santiago et al., 2008). Detailed rules and line-item budgets ex ante are replaced with accountability post factum, input control is replaced with ex post quality control, and historically derived budgets are replaced by performance-based funding, etc.

Higher education quality assurance was one area that was strongly affected by the NPM agenda in the public sector. Academic quality assurance entered the scene in Europe and Australasia for the most part in the 1980s and 1990s (Dill 1995). From a theoretical perspective, higher education quality requires a government intervention on several reasons (e.g. Blackmur 2008; Dill and Soo 2004). One set of arguments is linked to market failure issues. First, regulation is needed for consumer protection. Since a higher education degree is a considerable expense for students in terms of money, time and opportunity cost, society needs a warranty that the degree meets some basic standards. Higher education is an

experience good: it is impossible to estimate the ‘quality of the product’ before ‘buying’ it, which causes a serious information asymmetry between a ‘consumer’ and a ‘producer’. Secondly, higher education is believed to have important social externality. The role of government regulation is linked to safeguarding the quality of education so that it can fill the societal function, not only respond to the private interest of students or of university staff.

When we turn from a ‘theoretical’ perspective to the historical reality, we can identify three main triggers behind intensified quality control (Dill, 2010; Van Vught and Westerheijden, 1994). First, massification of higher education and related increase in public expenditure drew attention to quality issues in the system. A rapid increase in student numbers led to starting new programs in existing institutions and creating new (also private) providers. This rapid proliferation raised concerns of whether universities have sufficient resources to maintain high quality education and whether the new programs expect equally high academic standards. Since the expansion of the sector meant also a greater burden on public funds, governments became more alert to the efficient functioning of the sector. Secondly, the New Public Management agenda entered also the higher education sector. As a result, greater accountability mechanisms, particularly in the form of ex-post evaluation and output monitoring were introduced. Higher education thus entered the ‘evaluative state’, as famously stated by Neave (1988). Furthermore, explicit attention to quality is one characteristic of the NPM agenda (Pollitt and Bouckaert, 2004). Thirdly, internationalization (and globalization) increased the need for internationally comparable and recognized degrees and a transparent evaluation system is a precondition for such a comparability.

Quality assurance agencies were not an immediate response to the growing attention to quality regulation. Quality assurance tasks were originally filled by a variety of organizations, either affiliated with government or university associations. The rise of independent quality assurance agencies originates from a shift in the dominant model of public sector governance.

Regulatory agencies and ‘agencification’

In the last decade or two we have experienced an explosion of public sector organizations in a variety of sectors (Pollitt and Talbot, 2004). Much of the actual policy implementation, control and regulation has been transferred to autonomous agencies, separated from the core administration. Such single-purpose organizations have disaggregated the traditional core-administration into smaller parts, both vertically and horizontally (Pollitt et al., 2004). While the trend is rather wide-spread, the agencies are far from homogenous. It is well documented that the agencies come in a great variety of form and size (Pollitt et al., 2001). Talbot (2004) defines agencies quite narrowly, as a body that is formally separated from the ministry, carries out public tasks on a permanent basis, is financed mainly by the state budget, is staffed by public servants and subject to public legal procedures.

There are two main rationales for creating autonomous regulatory agencies in the public sector (Majone, 1996). First, they help to separate politics and administration (Lægveid and Verhoest, 2010). Furthermore, regulatory agencies can be perceived as more credible because of their independence from politicians. Secondly, agencies were seen as a mechanism towards greater specialization, which was believed to lead to greater efficiency (Hood, 1991). Enjoying a greater degree of freedom was believed to lead to more efficient management, due to the benefits of specialization, professionalization, flexibility, transparency, and openness to stakeholders (Pollitt et al., 2001).

Using autonomous agencies in the academic quality assurance is widely spread and strongly promoted by several influential international organizations. ‘Standards and Guidelines for Quality Assurance in the European Higher Education Area’, a document prepared by the European Association for Quality Assurance (ENQA) and adopted by the education ministers during their meeting in Bergen in 2005, gives much attention to the independence of quality assurance agencies (ENQA 2005, para 3.6):

“Agencies should be independent to the extent both that they have autonomous responsibility for their operations and that the conclusions and recommendations made in their reports cannot be influenced by third parties such as higher education institutions, ministries or other stakeholders. [...] 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” (para 3.6 and 3.8).

The number of external higher education quality assurance agencies in Europe has grown rapidly since the early 1990s (ENQA 2003). Also their profile and the nature of their work have expanded. In the 2000s such agencies use not only a greater number of quality assurance methods but they are also more likely to advise governments and higher education institutions about quality related issues (ENQA 2003). While the ENQA guidelines specify the need for autonomy, the formal level of autonomy and the distance from the central government varies among quality agencies (ENQA 2008). Some quality assurance agencies are formally more distant from the government, often more closely linked to university associations than to the central government and their staff is not necessarily civil servants.

There is not much discussion or empirical evidence available about the benefit of autonomy in the case of higher education quality assurance agencies delivers. From the Standards and Guidelines cited above it appears that the main concern is the objectivity of the process, which requires independence from politicians as well as from universities (see also Dill and Beerkens, 2013). Ewell (2008) is one of the few that discusses the advantages of autonomous agencies in the quality assurance. In the US context he sees two main reasons why independent agencies are more effective than direct state intervention. States are severely challenged by resource shortfall and therefore could not support extensive quality programs or fund performance based schemes sufficiently. Secondly, in a context of short-term policy agenda and severe partisanship it would be difficult to sustain a long-term consistent policy agenda. While strong state initiatives such as performance-based funding proved to be short-lived and did not make much impact under the top administrative level, pressuring accreditation organizations to pursue governments’ agenda has been more effective. When the federal government gradually increased pressure on accreditation organizations to focus on student learning outcomes and this was indeed reflected increasingly in their reviews, the majority of institutions had by the end of the 1990s developed the kind of assessment infrastructure originally intended, but not accomplished by the state mandates. There thus seems to be a benefit of distancing quality assurance somewhat from the politics, not only for legitimacy, but also for credible commitment.

The agency model also seems to correspond well with the reforms that redefine the relationship between universities and government. As universities became ‘autonomous’ organizations, their regulation was now often seen as a non-political task and therefore not part of the state’s ‘core business’ (Westerheijden, 2008). Outsourcing the task to intermediary bodies (such as quality assurance agencies) was thus a logical step.

‘Agencification’ in the higher education sector goes well beyond the quality regulation sector. Several tasks are often delegated to various single-purpose agencies, such as student support system, distributing public funding to institutions, institutional and student data collection, etc. A review by the Better

Regulation Taskforce in the UK observed in one point that universities have to report to over 100 public agencies and departments, charities and professional bodies for some aspect of their performance (Better Regulation Taskforce, 2000).

Agencification challenges

As observed in the recent public administration literature, ‘agencification’ tends to lead to some problems (Bouckaert et al., 2010). On the one hand, delegating responsibilities to highly specialized (semi-) independent agencies leads to coordination problems, particularly in cases where issues cross the borders of one specific agency. On the other hand, separating implementation from the political center makes the latter incapable for steering processes. In the words of Lægreid and Verhoest (2010: 2), “The narrow task definition of agencies, their focus on organizational performance targets, their drive for autonomy, and the decoupling of implementation from policy design creates centrifugal forces, with central and parent departments perceiving a loss of coordination capacity”. Furthermore, this has created a situation where programs and organizations are much better able to resist coordination efforts (Lægreid and Verhoest, 2010).

As the problems of fragmentation are coming up, the post-NPM agenda returns its attention to control and coordination (Christensen et al 2007). We can see examples of ‘rationalization’ where several agencies have been merged, the control of the center is strengthened via changes in the legal structure, and innovative coordinating mechanisms hope to address the fragmentation issues.

In the next section we will have a closer look at four countries that according to the ENQA 1998 Report (ENQA 1998) were planning significant changes in their quality framework in the nearest future: the Netherlands, the United Kingdom, Norway, and Denmark. We will analyse their trajectory to an independent quality assurance agency and thereafter examine whether their recent changes and issues can be linked to the known ‘agencification’ problems.

FOUR CASES

In all four cases we first examine the change in the government-university relations because it is a key shift in the ‘regulatory state’ model that explains the spread of independent agencies. Then we examine how the regulatory agency has evolved from the 2000s onwards and whether the changes and issues can enlighten us about potential ‘agencification’ problems.

The Netherlands

The Netherlands was among the forerunners in giving greater autonomy to higher education institutions. In the 1980s, the Netherlands introduced a new steering philosophy that aimed at ‘steering at a distance’ while requiring ex-post accountability from universities (Neave and van Vught, 1991). The reform was triggered first of all by the expansion of the system. It became clear that it is difficult to manage such a massive sector. Furthermore, the 1970s and early 1980s in the Netherlands were characterized by a doubt that the government is able to plan and steer public sector through a detailed oversight (Huisman and Toonen, 2004). There was thus a feeling that higher education environment has become more complex and dynamic and higher education institutions need more freedom and flexibility in order to adapt to the new environment.

Already in 1983 a conditional funding policy introduced a peer review of research activities (Jeliazkova and Westerheijden 2004). The 1985 policy paper *Higher Education: Autonomy and Quality*, extended the idea of quality assurance also to teaching. As a result of negotiations between universities and government, universities' professional associations (*The Association of Universities (VSNU) and The Association of Universities of Applied Sciences (HBO-Raad)*) became the focal point of organizing quality assurance. With this step universities were able to avoid the role of the Ministry's Inspectorate of Education which was known for its highly technical approach and performance indicators at lower levels of education (Huisman, 2003).

Since the end of the 1980s, the core of quality assurance is program evaluation, organized after each 6 years (research universities) or 8 years (universities of applied science), and originally managed by the university umbrella organizations. There were no clear sanctions linked to the assessment results. Enforcement of assessment took place through the Inspectorate for Education under the Ministry of Education, Culture and Science (as currently named), who monitored the evaluation reports and the follow-up activities by universities.

In 2003 a new quality assurance system was established in the Netherlands which introduced both an organizational change and a change in the approach to quality assurance. The old program evaluation was replaced with a program accreditation. A discussion about an accreditation scheme started already in the late 1990s. The previous evaluation system offered a list of comments and recommendations but it did not offer a clear conclusion in the end about the quality of a program. There was a political demand for a stronger accountability instrument. Furthermore, with a transition to the new Bachelor-Master degree structure there was a stronger need to demonstrate the 'proven quality' of Dutch higher education both domestically and abroad (Jeliazkova and Westerheijden 2004). There was also a need for a more explicit reference framework for judging the level of quality, not to rely only on ad hoc comparisons between programs.

The transition to an accreditation scheme brought along a change in the organizational structure. An independent accreditation body was established, NVAO (the Accreditation Organisation of the Netherlands and Flanders), originally NAO without the Flemish component. NVAO was granted the status of an autonomous administrative body with legal rights according to Dutch legislation (*Zelfstandig bestuursorgan*). It does not report to a particular minister or the Committee of Ministers and the latter has no power over NVAO's operations or decision-making. However, the Committee of Ministers appoints the Board that has the supervisory authority over the organization and the Committee approves its budget, the annual report and the annual accounts.

The process of quality assurance, however, did not change as much as might appear from the reform. The previous process of quality evaluation stayed to a large extent in place. NVAO has a responsibility for making accreditation decisions but the decisions are based on evaluation reports done by other bodies. Although VSNU does not organize the evaluation any more as it did before, it created a separate body QANU to continue with the evaluation work. There are also other organizations on the market that provide the evaluation service to universities. NVAO produces a list of quality agencies that satisfy the requirements of expertise and since 2011 it formally certifies evaluation coordinators.

While the procedure is not so different in its operation, the new system is of course a significant change in its approach to quality. Previously to a large extent the system was evaluating itself, even if there was

independent oversight on an ex post basis from the Inspectorate of Education (NVAO Review Report, 2007). In order to strengthen the former system of external review, and to make it internationally more acceptable, the system was revised in several important aspects “by making the system more independent and better aligned with external benchmarks and standards, by having the outcome result in explicit and clear judgements and by strengthening the power of possible sanctions” (NVAO Review Report 2007).

The year 2011 brought additional changes to the existing quality assurance framework. The change aimed at a more focused and substantive assessment on the one hand, and a lighter accreditation with less paperwork on the other hand (NVAO, 2010). In addition to the program accreditation, institutions may request NVAO to conduct a so-called institutional quality assurance assessment. Should such a thorough audit at the institutional level reveal that an institution's internal quality assurance is in a good order, programmes can get accredited via a ‘light’ version of the accreditation procedure. The new system constitutes a compromise as universities wished to attain a self-accrediting status and abolish program accreditations as such.

In the summer 2010 the topic of higher education quality assurance reached the front pages of the national media in the Netherlands. One of the largest universities of applied sciences in the country was accused in examination fraud. The reaction from the Minister of Education, Culture and Science was quick and strong. The Ministry’s Education Inspectorate was ordered to carry out an investigation. Based on the inspection report, the Vice-Minister responsible for higher education concluded that the quality assurance system in the higher education does not work as expected. He states,

There is too much liberty in evaluation and quality assurance ... This liberty must go away. Education institutions have a lot of autonomy, but this autonomy comes with responsibility and accountability. Therefore we need to take serious steps in order to restore the trust in the system (De staatssecretaris ..., 2001).

Next to some specific suggestions for the specific school, the Vice-Minister presented to the Parliament a number of system-wide measures to strengthen control over the sector. The list of suggestions included national examinations in core subjects, external members in examination committees, minimum thresholds for the staff qualifications, etc. Furthermore, the proposal argued that the current evaluation and accreditation system is not sufficient to react effectively on problems and complaints regarding the sector. Regular accreditation by the autonomous Dutch-Flemish accreditation agency (NVAO) should be supplemented by ad hoc inspections by the Ministry’s Education Inspectorate.

The new decade introduced a wide social discussion on the future of the Dutch higher education and in 2009 the Minister set up a committee (known as Veerman committee) to review the sustainability of the Dutch higher education. This report, together with the aftermath of the quality scandal, puts another set of proposals on the table. A recently published strategy document “Quality in diversity” (Ministerie ..., 2011) proposes among other a reduction of the student-staff ratio, national standardized tests and external examiners. It proposed a greater role to the Ministry’s Inspectorate of Education next to the NVAO in assuring the quality of Dutch degrees. It proposed additional inspections in between the 6 or 8 year accreditation cycle.

Most recently, the Dutch quality agency changed its procedures so that programs are graded on a scale which allows also giving a so-called ‘yellow card’ without rejecting immediately accreditation. The quality assurance agency earned a high praise from the Parliament for the high number of ‘yellow cards’ given in the area of Humanities, and a Parliamentarian complemented that ‘the agency is doing exactly what it should be doing’ (DUB, 2014).

In sum, external quality assurance developed in the Netherlands on the basis of greater autonomy given to universities and in the context of performance and accountability movement. A shift from a 'collegial' evaluation to a 'formal' accreditation brought along also a change in the organizational structure. A professional organization was not any longer fit to fill the task, which led to creating a strictly autonomous public agency with a clear mandate from the Parliament. The relationship between the ministerial inspectorate and the autonomous quality assurance agency is interesting. In case of problems in the system, the Ministry turns to the inspectorate for intervention. While not a typical case of the weakening political core, it refers to some tensions that the distance between the ministry and the agency creates in certain circumstances. We see also a rise in actions that distance the agency from universities and thereby strengthen their legitimacy as guardians of public interest.

While there have been typical responses to fragmentation problems in other areas of higher education, such as mergers of autonomous service units and consolidation of research evaluation schemes, quality assurance system has remained intact. Despite of the concerns of over-evaluation and multiple quality assurance instruments (inc. recently introduced performance contracts), the fragmentation problems have not come up seriously in the agenda.

United Kingdom (England)

Unlike universities in most continental European countries, British universities have had traditionally a high level of autonomy. At the same time, they have a long tradition of professional self-regulation in the form of an external examiner system (Lewis, 2010). In the end of the 1980s, politicians found the self-regulatory approach insufficient in the new environment of an expanding polytechnic and college sector and government Inspectorates started to monitor the quality of polytechnics and colleges (see Brennan and Williams, 2004). In order to avoid a similar strong government inspection, universities gave to their own umbrella body CVCP (Committee of Vice-Chancellors and Principals) a task to set up a quality assurance instrument. The CVCP established an Academic Audit Unit which started to conduct institutional audits of internal quality assurance procedures, on a voluntary, peer-review basis.

The 1988 Education Reform Act and the 1992 Further and Higher Education Act replaced the binary system of universities and polytechnics with a unified higher education system. The Academic Audit Unit was transformed into a separate organization, HEQC (Higher Education Quality Council), still 'owned' by higher education institutions, which continued carrying out academic audits. In parallel, the government established quality assessment committees within Higher Education Funding Councils. A funding council is a non-departmental body (statutory agency) in each part of Britain (England, Wales, Scotland) that distributes public funds to higher education institutions and which have also a statutory responsibility to assess higher education quality. These committees took over the monitoring function of the inspectorates and they also took over many of their staff and evaluation methods. The committee introduced a system of Subject Assessments, a regular subject level teaching quality assessment. The assessment was based on a peer-review and it graded teaching quality on a five-point scale.

In the middle of the 1990s there were thus two major assessment instruments in place, institutional audits and subject assessments, both including a self-evaluation and a peer visit. In addition, universities were

subject to the Research Assessment Exercise (again including a peer visit), external examiner control and in some cases to professional accreditation. This system was highly unpopular because it was time and resource consuming. The inspection-like Subject Assessment was particularly unpopular among academics. A joint review by the CVCP and the funding councils examined the issue and as a result a new organization, QAA (Quality Assurance Agency in Higher Education) was established in 1997. QAA is a not-for-profit company and a registered charity. It is jointly ‘owned’ by university associations and the higher education funding councils, both of which appoint the board of directors. This non-statutory agency took over the two assessment tools – institutional audits and subject assessments. It was claimed that the consolidation of the two activities in one organization would lead to greater efficiency and particularly reduce the burden for universities (Brennan and Williams, 2004).

Concerns regarding over-regulation of the higher education sector continued in the new millennium. The Better Regulation Taskforce in the Blair’s cabinet mapped all the regulatory relationships affecting higher education institutions and identified over 100 public agencies and departments, charities and professional bodies to whom the universities are answerable for some aspect of their performance on the basis of statute or contracts (Better Regulation Taskforce, 2000). Government continued to support the idea of subject assessments because of its commitment to competition and consumer choice as an effective regulatory approach in the public sector. Producing and providing information to the public was therefore a major policy direction. Vice-Chancellors proposed that higher education institutions themselves could take greater responsibility for making information public, if freed from the subject assessments (Brennan and Williams, 2004). Subject Assessment was abolished in 2001 and instead a revised institutional audit was launched in 2003. Through the institutional audit process, institutions are expected to demonstrate their commitment to strong internal quality assurance procedures. Institutions are expected to conduct internal reviews of departments or programs, usually involving some inputs from external peers. Institutional audits by the QAA also audit whether universities indeed publicize their various quality reports, such as the internal reviews, external examiner reports, student feedback questionnaires and other sources. The new system was expected to be more ‘light touch’.

The quality assurance system in the UK consists of a number of components, such as institutional review audits, Integrated Quality Enhancement and Review (for further education), public information on teaching quality (including National Student Survey), institutions’ own internal quality assurance processes, Academic Infrastructure, external examining arrangements, QAA procedure for investigating concerns about standards and quality, and the HEFCE Policy on unsatisfactory quality (QHEG, 2011). To ensure the coherence of such a system, there is a Quality of Higher Education Group, a standing, not time-limited committee in place since 2011. It is jointly owned by the university associations (UUK and GuildHE), HEFCE and the Department of Employment and Learning (UUK et al, 2011). Furthermore, another committee, Higher Education Better Regulation Group, is in place to observe regulation in the sector more broadly. Most recently, England is experimenting with a risk-based approach to quality assurance in higher education, in order to reduce the regulatory burden on universities and focus the quality assurance activities on this part of the system where the quality risks are the biggest (see HEFCE, 2012).

In sum, the evolution towards a quality assurance regime in England, similarly to the Netherlands, is influenced by negotiations between universities and the government, with universities’ intention to limit the external control. The nature of the regulatory agency in the UK is somewhat different. It is still strongly linked to the universities but again formally moved away from the universities’ umbrella association. Despite of the fact the agency is still close to universities, political steering does not seem to create many problems. Over-burdening of universities with various formats of assessment, however, has

been a problem. Still highly fragmented, the system is now coordinated by a standing committee to ensure the coherence of the system.

Norway

Since the early 1990s, a series of reform initiatives in Norway have given more autonomy to universities and strengthened the role of institutional leadership in higher education institutions (Bleiklie et al., 2000, Langfeldt et al., 2008). Unlike many other countries, Norway did not develop a systematic quality assurance system until the 2000s. Nevertheless, an interest in quality issues started to rise already in the 1990s when government experimented with a large-scale five-year evaluation project which aimed at improving educational quality and which came close to formal evaluation exercises introduced in other countries at the same time (Stensaker, 1997). In 1998, government established the Norway Network Council with a task to advise the Minister about higher education issues and to develop a national system for evaluating higher education. Formally, it was a central agency responsible to the Minister and closely linked to the Ministry. Norway retained its traditional system of quality assurance that stood on two pillars: the Ministry regulated the establishment of new programs, and an external examiner system within universities guarded quality standards of higher education programs.

Driven by concerns over increasing student numbers and other challenges facing the higher education sector, the Minister of Education and Research appointed a National Commission, known as the Mjøs-Commission, to assess the Norwegian higher education and offer recommendations for its improvement. Among several other propositions, the Commission suggested establishing a new organization that would accredit higher education programs. According to the commission, such an accreditation agency must be independent (both from the Ministry and institutions) and its Board members should be appointed by the Minister but based on their academic competencies. This suggestion did not get implemented immediately. The Ministry proposed that its own advisory Norway Network Council should be redefined as a quality development organization and given the appropriate tasks and organization. The parliament was on the side of the Mjøs-Commission and wanted to see an independent quality assurance agency written into the new Higher Education Act.

In 2003, a new independent accreditation body, Norwegian Agency for Quality Assurance in Education (NOKUT) was established. It did grow out of the Norway Network Council, hiring many of the same staff and using institutional audits and an improvement-oriented quality assurance system (Stensaker, 2007). It is, however, a professionally independent government agency by its legal status as specified in the Higher Education Act. It is significantly more autonomous than the former Council, and the Ministry can influence its activities only by legal acts. The agency itself can decide the methods and the frequency of accreditation. An important element of the quality assurance system is institutional accreditation. The new system requires that universities have an internal quality assurance system in place, covering all programs, which is evaluated by NOKUT every 6 year. NOKUT and the Research Council of Norway, which assesses research quality, were ordered to try to co-ordinate their evaluation activities in order to minimize the administrative burden on the institutions (Stensaker, 2007).

While NOKUT organizes and conducts the accreditation process both for institutions and for programs, the accreditation decisions are sent to the Minister for the final approval. The double authority shows the

separation of an expert decision and political decision. It may well be the case that an expert decision and political decision do not coincide in case of certain nationally relevant context (e.g. regional colleges) . Similarly to the Netherlands, the quality assurance agency in Norway also recently strengthened its power and visibility by a tough evaluation round, by rejecting accreditation to a large number of programs (Stensaker, 2011).

In sum, also Norway has created an independent agency but unlike in the UK and in the Netherlands it evolved from a ministerial unit, not from a university association. An interesting element in Norway is the discussion between the Ministry and the Parliament regarding the extent to which an accreditation agency needs to be autonomous from the Ministry. We can see in Norway that adopting a clear accreditation scheme seems to go hand-in-hand with creating a more separate and an autonomous agency. The new agency is not only more autonomous but also more 'single-purpose'. We also see in the Norway that agencies may establish their status in the eyes of the parliament as well as of universities by showing some 'teeth' in their evaluation exercise.

Denmark

With the new Act of Universities of 1993, Denmark replaced its traditional continental university governance model with a new system. The key words of the reform, as stated by the government, were 'deregulation and decentralization, combined with mechanisms to ensure quality' (Thune, 2001). With this act the Ministry of Education transferred a significant authority to higher education institutions and aimed to strengthen the managerial structure of higher education institutions.

The Danish government started to regulate higher education quality quite early compared to its European counterparts. In 1992 it established the Danish Centre for Quality Assurance and Evaluation of Higher Education that was required to evaluate all higher education programs at a regular and systematic basis. The Center grew out of an initiative of the chairmen of the advisory bodies in higher education in the end of the 1980s. The chairmen had initiated a series of pilot evaluations of higher education programs and in the early 1990s they encouraged the Minister of Education to set up an organization to proceed with this work on a more formal basis (Thune, 2001). The new center was formally independent from the Ministry and from universities. It started to evaluate all higher education programs in an interval of seven years, but the evaluations were not part of a formal program recognition.

In 1999 the Quality Assurance and Evaluation Center was transformed into the Danish Evaluation Institute (EVA). The new institute maintained its tasks to systematically evaluate education, carry out specific requests from the relevant Ministries, and function as an expertise center in educational evaluation. As a main change its activities were extended to all levels of education. It is an independent organization under the responsibility of the Ministry of Education. It has its board, which is nominated by the Minister, and a high level of autonomy. It is independent in deciding what and how to evaluate but its annual plan is approved by the Minister. Since its creation, EVA has been experimenting with different evaluation formats. Initially it continued its predecessor's work of regular program evaluations but in 2004 it switched to the format of institutional audits, which emphasizes the role of proper internal quality assurance mechanisms.

In the year 2007 the Parliament passed the Danish Accreditation of Higher Education Act, which introduced a new element in the quality assurance structure. Since then all new and existing university programs need to be regularly evaluated and accredited. The change seems to have a strong international motivation. The accompanying letter to the legal proposal states that "The Danish system for quality assurance of study programs does not fully meet the joint European quality assurance standards" (Explanatory ..., na). It also refers to OECD's country review of 2005 which points out that the quality assurance of Danish university study programs needs to be strengthened. With the new system universities

are expected to be better equipped to document and demonstrate the quality of their programs, both domestically and abroad.

With this act the parliament established also a new accreditation agency – ACE Denmark. This is an independent institution within the public administration, responsible for accrediting all higher education programs. The accreditation decision is based on program evaluations, which are conducted by ACE for Master level degrees (long-cycle programs) and by EVA for lower level studies. Universities may also choose another accreditation agency at their own cost. With this change the Minister's authority to approve study programs was transferred to the accreditation unit and as stated explicitly in the letter to the parliament, "a systematic external element will be introduced in the quality assurance of Danish higher education" (Explanatory ..., na).

In Denmark we can see an interesting transformation of the quality assurance agency. Already in the beginning of the 1990s the task of quality evaluation was given to an independent agency, which had also a somewhat wider task of developing evaluation approaches and evaluation culture. This center was broadened further. After demonstrating its capacity and success in higher education quality evaluation, its repertoire was extended to other educational sectors. A few years ago, however, a separate single-purpose agency was created which is solely responsible for accreditation decisions and evaluating Master level education programs. While the new system is thoroughly justified in a letter to the Parliament, a need for a new agency to carry on the task (as opposed to EVA) is not touched at all.

DISCUSSION

The four countries studied in this paper vary with respect to their higher education system and approach to quality assurance but in all cases a semi-independent agency stands at a central position in the system. Interestingly, the trajectory to the rather similar organizational form has been very different. The quality assurance systems in all the four countries have had some changes in the organizational structure since the 2000s, or at least since the late 1990s, and in all cases these developments strengthen the idea of an autonomous agency as a most effective regulatory structure. The development pattern is also interesting. In all cases the current agency format has been reached through one or more reiterations. In Denmark, the evaluation tasks were originally given to an autonomous agency, which had somewhat broader mission including policy advice. With implementing a formal accreditation scheme, government created a new, single-purpose accreditation agency. In Norway, on the other hand, the movement towards an autonomous agency has been via a council that was part of the central government. Again, with a new accreditation scheme also a new accreditation agency emerged which was both autonomous and 'single-purpose'. In the UK and in the Netherlands the agencies have taken over the tasks from university umbrella organizations.

While the evolution of the quality assurance system has been different in the four countries, there seems to be quite a convergence in the final outcome, perhaps with an exception of the UK. The agencies are commissioned by the Parliament for quality assurance tasks. They are not in a hierarchical structure of the Ministry but they are linked to the Minister via a Board that is nominated by the Minister in charge of higher education. The Minister is also responsible for overseeing the general performance of the agency,

requiring regular external evaluations. There are of course functional differences: some accredit institutions, not programs; some conduct the evaluations themselves while others rely on external partners, etc. Nevertheless, the organizational structure and procedures are surprisingly similar.

There seems to be also a link between introducing a new instrument and revising the existing agency structure. A more hierarchical evaluation system (e.g. accreditation) expectedly requires more autonomy from professional organizations (i.e. regulatees) than a collegial peer-oriented evaluation. While cooperation with professional associations seems to work well in case of ‘softer’ type assessments, harder instruments such as accreditation or formal subject assessments seem to require a greater distance but also a clearer legal mandate.

Does the agency model create problems for higher education quality regulation? We can indeed see some signs that may require awareness and caution in the future. One generic problem of agencification is fragmentation: it is more difficult to coordinate activities of independent agencies. In many countries there are different evaluation instruments in place. Universities have had to accommodate several site visits, provide data to multiple evaluation schemes and organizations, and report to several organizations. The fragmentation issue in the UK is perhaps most visible and it has been explicitly addressed by policy changes. A new quality assurance agency was established to combine two assessment tools, previously under two different organizations. Current fragmentation issues are addressed by a standing committee whose task is to ensure coherence and offer suggestions for improvement if necessary. On the other hand, it is difficult to make a claim that fragmentation problems and evaluation overload originate from the independence of the agencies. Tensions seem to appear often from the fact that universities face different demands from different stakeholder groups: external quality assurance is expected to ensure minimum standards but also work as a transparency tool, it should offer incentives for internal quality improvement but also secure political legitimacy, etc. (Beerrens, 2015). An independent agency may also have a positive role because it allows focussing on one core purpose without blurring responsibilities.

Higher education quality assurance has become a mature regulatory field where autonomous agencies form one corner of the regulatory triangle, together with policy makers (parliament, government) and universities. Complaints about regulatory burden have encouraged many agencies to search for a more ‘light-touch’ quality assurance mechanism. This pressure tends to lead towards institutional audits as a dominant quality assurance approach. On the other hand, there is a political demand for stricter instruments that serve the goals of accountability and political legitimacy. To respond to these demands and secure their own position in the quality assurance system, agencies offer more critical and publicly visible judgments. These reactions are familiar from the point of view of ‘regulatory capture’ (Baldwin et al., 2011). Regulatory capture means that regulation may serve more the interests of the regulatees than the public interest. A simple argumentation would claim that agencies serve the interests of universities because of their very strong links with universities, via expertise, career mobility, common interactions, shared history, etc. A more strategic approach to regulatory capture assumes that regulators soften their rules in order to avoid strong criticism from the side of the regulatees. The criticism is likely to reach politicians through universities’ ‘lobby’ of and thereby threaten the future of the regulatory agencies. On the other hand, when quality issues are high on the political agenda, tough control and regulation is also in the interest of politicians. Balancing the support of the regulatees and maintaining legitimacy in the eyes of the political principals is the every-day reality of regulatory agencies.

The second generic problem of agencification concerns the weakening political core: policy makers cannot steer independent agencies as closely as they can steer their own departments. This may also create accountability problems. Political executives may feel that they lose control since the public holds them responsible for problems but yet they are not supposed to interfere in agencies’ activities (Christensen and

Laegreid, 2006). In the Netherlands, a quality scandal indeed brought up questions about the role of the autonomous agency vs the role of the ministerial inspectorate. Even though the agency was not held accountable for the problems, the actions and the proposals give an impression that the ministry sees a need for a more 'operational' force in the form of its own inspectorate.

The political steering capacity of quality assurance agencies is affected also by the rise of the European dimension in quality assurance. The European association of quality assurance agencies is a strong network that strengthens the independence of the agencies. The 'mimetic' and 'normative' isomorphism (see DiMaggio and Powell, 1983) through shared experiences and professional expertise, as well as 'coercive' isomorphism through the European Standards and Guidelines weaken the influence of the national policy on agencies. The agencification at the European level, furthermore, defines quality assurance primarily as a technical, expertise-based exercise as opposed to a political exercise where public goals and objectives are an important starting point.

In conclusion, higher education quality assurance has become a mature regulatory field. Independent quality assurance agencies in higher education are praised for their legitimacy, expertise and credible commitment. At the same time it is helpful to be aware of the weaknesses the agency model may produce. Under certain circumstances agencification may lead to fragmented, uncoordinated policy instruments, it may lead to technical, expertise-based approach to quality assurance that is cut off from political steering, and it may create accountability challenges in the eyes of the public. Most importantly, agencies have become a core actor in higher education quality regulation, an actor with their own identity and strategic interests.

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