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**Quality tellers: The status of knowledge produced by expert
panels assessing educational quality**

Authors:

**Gro Hanne Aas, Berit Askling, Jon Frode Blichfeldt, Wenche Froestad,
Kirsten Hofgaard Lycke and Ole Espen Rakkestad**

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**NOKUT – The Norwegian Agency for Quality Assurance in Education,
P.O. Box 1708 Vika,
N-0121 OSLO, NORWAY**

Expert panel evaluations in a new regime - introduction and background

Quality assessments by external expert panels play a crucial part in state governance of higher education in many countries. In the Norwegian context this has been the case for a while. Our general aim is to reflect on how the status of expert knowledge changes with the implementation of a regime where the evaluations are directly linked to sanctioning and rewarding. (*Note 1*)

The formation of the independent Norwegian Agency for Quality Assurance in Education, NOKUT, in 2003, represented a change in steering model in higher education. The purpose of NOKUT is to oversee the quality of Norwegian higher education by means of evaluation, accreditation and approval of quality systems, institutions and programmes. A basic element in the model is that the institutions of higher education (HEIs) are fully responsible for quality assurance of all aspects of their activities. There is nothing new in this responsibility as such, but the HEIs are now required to demonstrate how responsibility for quality is followed up with actual quality assurance. It is mandatory for all institutions to have a quality assurance system (QA-system) that covers all aspects of the educational provision, and students' evaluations of teaching and learning must be part of such a system. HEIs are granted rights of self-accreditation according to their institutional status. Universities may provide programmes and grant degrees on any academic level without formal approval, specialised universities have the same rights for their academic fields. State university colleges have the same rights up to bachelor level, and may apply for accreditation of provision on a higher level (MA, PhD), as well as for a higher institutional status. Privately owned institutions must submit an application for all new provision, but may apply for institutional accreditation and gain the same rights as state owned institutions.

Compared to former arrangements, three elements stand out as definitely new:

- The general possibility to apply for a change in institutional status through accreditation (*Note 2*)
- NOKUT's right to revise given accreditation of study programmes, HEIs or parts of a HEI
- NOKUT's duty to conduct cyclical audits of the QA-systems, giving approval or not.

Accreditation is the main new rewarding function. Revision of accreditation and evaluation of QA-systems are the main instruments of the sanctioning possibility, as the institutions may lose an existing right.

According to the ideology of the new governance regime a clear border line can be drawn between the political and professional spheres: The political decision making shall be based on 'neutral' professional knowledge, either from evaluations or from research. Accordingly, it is mandatory for NOKUT that evaluations in a broad sense are conducted by panels of external experts.

NOKUT's evaluations of quality assurance systems (audits) provide the backdrop for this paper. The audits are carried out by an external expert panel appointed by NOKUT. An expert panel consists of at least: -one professor, -one member with experience from high level academic leadership, -one member with prior QA- or evaluation expertise, -one foreign expert and a student with experience from governing bodies at a HEI and/or other relevant experience. The students are nominated from the national student organisations. The other experts are suggested by NOKUT's staff on the basis of prior knowledge and informal

references. A pool of experts is appointed annually by the Board of NOKUT. Normally an expert will take part in the pool for 2-4 years. When a specific panel is appointed, the institution has the right to comment upon its composition.

An expert panel performs their task according to regulations to the act of higher education, a set of evaluation criteria and a given mandate, the last two made by NOKUT. The expert panels shall give a clear conclusion as to whether the QA-system under evaluation is satisfactory according to the regulations and the evaluation criteria. However, it is the Board of NOKUT that makes the decision of approval.

NOKUT is responsible for planning and timing evaluations, appointing the experts and having annual seminars with the expert group, holding preparatory meetings with the evaluated HEIs, participating in the site visits and providing secretaries for the audit panels.

This paper is written as a background paper for a Special Slot under track 1: ‘Whose quality?’.

Quality tellers - the role of the external examiners for NOKUT

In this section we would like to present the role of the experts, or external examiners, from the examiners’ point of view. We will focus on

- The nature of the external examiners’ expertise
- The external examiners’ motivation for the task
- The relationship between the mandate, the agency (NOKUT) and the external examiner

The nature of the external examiners’ expertise

Our (in this case the Norwegian) preoccupation with the nature of the knowledge of the external examiner, is in part related to the terminology. For native English speakers, the term ‘external examiner’ tells us something about what a person is to do, i.e. examine, and what the role of the person is to be, i.e. external in relation to those who are party to that which is to be examined. In Norwegian the terminology is different. An external examiner is termed ‘sakkyndig’. This can best be translated as referring to a person who has expert knowledge of a particular field. The term has previously been used for professionals appointed by a court to decide for instance on the mental stability of a suspected criminal and for persons who are appointed to evaluate a persons’ portfolio in relation to a job application. In these and other situations where the term has traditionally been used there is little doubt what kind of expertise the examiner possesses. In this paper, ‘external examiner’ and ‘expert’ are used synonymously.

When we move to consider the expertise of external examiners for NOKUT, the examiner’s expertise is not always so obvious. In programme evaluations the panels will consist of experts from relevant academic field(s). However, in audits the expertise is not so clear cut (see description in part 1), and certainly warrants an ongoing debate. Several aspects of these selection criteria can be debated. For instance the fact that expertise in the discipline(s) of the institution or department that is to be audited is not a prerequisite for the external examiner individually or the examiners as a group, may seem surprising. However, since Norway is a relatively small country, disciplinary expertise would often mean having colleagues or competitors to evaluate each other.

On the other hand, when asked, the examiners themselves do not seem so preoccupied with the type of selection criteria, but rather with their own understanding of the nature of the

mandate and what it takes to meet this mandate. At a recent meeting for the examiners, the discussions indicated that the examiners themselves thought that experience from the HE-sector and communication skills were the most important aspects of the expertise they brought to the task. Also, though every person in the panel is considered an expert, the panels consist of different types of expertise. Hence they will together – as a panel – hold the necessary expert knowledge to perform the audits. Another point raised at the seminar, was that the expert in the audit panel is not really an expert proper, but something between an expert and a layperson.

Whereas accreditations to some extent refer to quality as codified, quantified and predictive (e.g. the percentage of certified teachers on a certain level teaching BA or MA), audits rather refer to ongoing processes. The processes do not seem to be based on disciplinary expertise, but rather on general knowledge about HEIs as systems, as well as certain communicative and deliberative skills. The processes are also to some extent regarded as open-ended and subject to surprise.

Quality in the setting of a QA-system might be regarded as the outline given by the HEI on how standards of education qualitatively and quantitatively are agreed upon in their particular institution, and how experiences and data are defined, collected, distributed, negotiated and made part of strategic work, planning, decision-making and resource allocation.

A further challenge to the panel might be to act as a kind of ‘critical friends’ as much as – and probably more than – ‘quality controllers’. The panel may also through interviews and dialogues bring forward practical examples on quality work, thus trying to encourage the explication (and transparency) as well as use of forums for open discussions on the quality of teaching, as well as the R&D work within the institution. Through its endeavours the panel should be convinced (or not) that such forums in fact do exist and are put to systematic use.

The external examiners’ motivation for the task

Hannan & Silver (2006) have made a survey of the reasons why external examiners are willing to take on and continue this type of work. The findings coincide with many of the experiences of Norwegian examiners. Hannan & Silver at first present the examiners’ ‘... reasons for not becoming an external examiner or for not continuing as such’ – almost as a frame of reference. The greatest hindrance appeared to be lack of time. The examiners usually experienced that the burdens they carried at their own institutions gave little room for such additional work and they found little understanding and appreciation of evaluation work in their own institutions (op cit p. 60). Other difficulties relate to the institution to be evaluated, the processes and the structures. Problems can arise for instance when institutions under evaluation are slow in making important documentation available, if there are different conceptions among the auditors on procedures, or if the structure of the reporting is experienced as limiting the auditors ‘voice’.

The negative aspects of evaluations and audits however appeared to be overshadowed by the satisfaction of being an external examiner and most examiners are committed to the task. Hannan & Silver point to reciprocity, intelligence gathering and professional development as the main reasons for external examiners to participate. From a Norwegian perspective participation may be regarded as a part of their collegial responsibility – much as they will help each other in assessing candidates for an academic position or in reviewing an article for a journal. This attitude is carried over to program evaluations and audits, or as Hannan and Silver puts it: ‘The implication ... is that there is a system, that the system will continue. ... Whether they wished to contribute was here less important than their acceptance of it as a fact of their professional lives’ (op cit p. 62). As in the UK study, it is our experience that Norwegian examiners are also motivated by the opportunity to learn from others – from the program or institution that is scrutinised and from the other members of the audit team. On

the other hand the effect of being an examiner on professional or career development may be a motivator. However, for those examiners selected from institutional leadership and/or professors this will probably not be the case, as they are appointed at a stage that might be characterised as late in their careers.

The relationship between the mandate, the agency and the external examiner

Quality audits in HEIs are relatively recent phenomena in Norway and have only been running for approximately 3 years. It is therefore reasonable to expect that the relationship between the mandate, the agency and the examiner may not be quite settled yet. On a regular basis most examiners and agency representatives find their contact and interactions relaxed, informal and highly productive. The relationships seem less prepared for tensions and differences in perspectives that are bound to arise in this kind of work. This may also be due to different cultures. Most examiners are academics who value their ‘academic freedom’ highly, but this may come in conflict with the more hierarchic bureaucratic structure that the agency represents.

There is no given answer to how responsibility should be shared and divided between the agency and the external examiners. But it is important to be aware of the differences in roles and the potential conflicts that may arise from different understandings of these roles. One of these may be related to the question of expertise that we discussed initially. If expertise is heavily related to expertise in doing evaluations this expertise will over time rest in the agency rather than with the external examiners. The question will then be what kind of knowledge will the examiners then represent – or will the external examiners still have a role to play?

Quality telling – expert knowledge and questions of legitimacy

This part is written from the point of view of officers of the Norwegian QA-agency, Quality Audits Unit. One of our assumptions is that the agency’s legitimacy in the long run rests heavily upon its ability to employ expert panel members that are considered competent and trustworthy. We link this ability to another question of legitimacy; that of the knowledge the panels produce, materialised as audit reports.

The knowledge producers – the experts or/and the agency?

The experts perform the audit on behalf of the agency, and the QA-officer accommodates the evaluation. The officers from NOKUT take the initial contact with the institution, and visit the institution for discussions of more practical character.

In the Norwegian context, the first phase of the evaluation process consists of a document study. The institutions provide documentation of their quality work, including an annual report that counts as a self-evaluation. The officer has the same right as the experts to ask the institution for supplementary documentation. In cooperation with the panel and the institution, the officer prepares the programme for the site visit to the institution. According to their mandate, the panel always meet with leadership, academic staff, administrative staff and students. In addition to these groups, the panel can speak to anyone and visit whatever part of the institution they would like. The officer follows the expert panel through the visit, tapes and takes notes from the interviews, sits with the panel through their meetings and discussions. In the role of secretary, the officer also writes the report on the basis of the panel’s discussions and drafts. The members of the expert panel are the authors of the report and are, of course, responsible for statements made.

Although there have been no serious problems so far, these arrangements are not without possible tensions when it comes to the expert knowledge produced. The reports are public and

the conclusions are often highlighted in the regional media. The evaluation, therefore, may be a matter of prestige to the evaluated HEI. In a few cases, the reports have been disputed by the institution. If one considers it a goal that the report should belong equally to all the panel members, it is important that the secretary organizes the process accordingly. An arrangement where the panel writes the report themselves could be a different solution. However, it can not be presumed that this would automatically strengthen the ownership of the final report for all the panel members, as long as they do not have equal functions in the panel. Tensions may arise between panel members as well as between the agency and the panel. In any case, it is essential that the members of the expert panel can stand behind the report. This is the only way that the knowledge produced through the evaluation process, can hold legitimacy to the panel members themselves.

Defining the limits of the experts' tasks

In an audit, the task of the expert panel is to assess the HEIs' quality assurance systems in accordance with the Ministry's 'Regulations concerning accreditation, evaluation and approval...', and NOKUT's 'Criteria for evaluation of Universities' and University Colleges' Quality Systems for Educational Activities'. In a report on the HEIs' implementation of the quality assurance systems in Norway, the researcher Bjørn Stensaker points out that the mandate and criteria are not very specific (Stensaker 2006b, p. 9-11). However, in the context of the process of coining the criteria, the mandate given through the criteria can be seen as both specific and limited. NOKUT's criteria were 'agreed upon' through a hearing in the HE-sector in the spring of 2003, and thus there are expectations in the HE-sector that the assessments shall be limited to these criteria. The criteria do not specify particular designs or methodologies, but focus on major characteristics of a satisfactory QA-system. In the Norwegian case, the relationship between the sector and the agency is based on trust, and both the criteria for and the content of educational quality can best be understood as negotiated (Stensaker 2006a).

In a few cases, institutions that have been audited have asked publicly if the expert panel has been transgressing on the mandate. When the evaluation reports are presented to the Board of NOKUT, the institution's own comment on the evaluation is also part of the basis for the decision. Pr May 2006 31 institutions have had their quality assurance system approved of by the Board of NOKUT. For 3 of these institutions the Board did not approve of the system in the first round, so they have been audited twice. One institution is to have a second audit, so there are 35 comment documents altogether. The institutions' comments differ in length and style. The 'normal' comment is short, from 3 lines to half a page, and either short and positive (often including that the audit has been a good experience and helpful in the internal quality work) or short and neutral (including that they are satisfied with the recommendations of the expert panel). 16 of the comments fall into this category. Longer comments, up to 2-3 pages, often include an answer to points of criticism in the report, but the tone being mainly positive. Out of the 35 comments only 3 raise a discussion on the principles of the audit, and touch upon questions that can be said to relate to the status of the knowledge produced in the reports.

In their comments on the audit report to the Board of NOKUT, two institutions are explicit on the topic that in evaluating the overall strategy of the institution, the panel has overstepped in their professional role and started operating in the political sphere. One institution stresses that the overseer for the policy part of the institution is the owner, the Ministry, and that this role has not been delegated to NOKUT. A quality audit is not a broad institutional evaluation.

As the audits are part of a national system, an important task for NOKUT is to see to that the evaluations, materialised as audit reports, do not differ too much when it comes to what is being evaluated. If the panels interpret their mandate in very different ways, this could mean that the institutions are being evaluated according to different criteria. A more or less uniform

interpretation of the mandate must be seen as an important part of NOKUT's task as an agency. The interpretation of the mandate and the criteria therefore are topics at the annual meetings for the experts.

In some cases, the agency officer working with the expert panel feels obliged to point out that the panel is overstepping its mandate, as seen from the QA-agency. However, this may be another sort of transgression. It is the experts that do the evaluation and provide the Board of NOKUT with advice on whether the system should be found to be satisfactory or not. In the actual process of evaluation the interpretation of the criteria and mandate is a case for the experts only. A consequence is that the experts must take responsibility for all elements in the reports, including the interpretation of the evaluation criteria. This does not mean, however, that the interpretation cannot be contested *after* the report is published – from the institution and the HE-sector, from the director of the agency preparing the case for the Board, and from the Board of NOKUT. Defining the extent and limits of the expert panel's mandate and evaluation criteria can be seen as an ongoing manoeuvre. Our argument is that keeping a balance between the extent and limits of an audit, is crucial for the legitimacy of the panels' reports towards the institutions and the Board of NOKUT.

The future for external expert panels?

As it is, the experts are the carriers of the legitimacy of the audits. In the Norwegian arrangement, the expert panels can with some modification be said to represent the important competences within a HEI. It is the totality of the panel members' different competences that gives legitimacy to the audit and the report.

Organising the experts in a pool - a group that lasts for some time - has advantages. The members of the panels get experience and that may be a gain regarding equal and fair treatment of the institutions. In seminars for the pool the experts may discuss important topics relating to the processes and the reports, and the understanding of the criteria for the evaluations. The experts also know (about) each other, which may be a positive contribution to the work processes in the panels. However, the existence of such a pool contains some challenges. If some of the experts perform many audits, they may reach a position of power in the HE-sector that is not unproblematic.

A question that has been put on the agenda by professor Berit Askling is whether some of the experts are in the process of becoming a new 'profession'? Although this question relates to the repeated use of particular experts in general, it may also point to problematic aspects of using an expert pool. If the panel members get professionalised to the extent that they can no longer be said to represent a variety of competences, what would that mean for the legitimacy towards stakeholders like the Board of NOKUT, the Ministry and the HE-sector? Could it be that the panels and the leaders of the institutions develop an exclusive set of modes of thought, concepts and terms? What does this imply when it comes to the knowledge produced?

'Will the external examiners still have a role to play?' four of NOKUT's experts ask earlier in this paper. One could turn the question: can there be a future for an agency not using external expert panels? Although there may be tensions today and problems in the future, we would rather concentrate on the necessity for the agency to have external experts conducting the evaluations. However, the specific arrangements do not necessarily have to remain the same – this is what underlies this paper and the project it is a part of. Rounding off, we want to refer a few points from an article by the late Norwegian professor Leif Longum, discussing peer review reports (Longum 1998). He states that the reviewers should be more aware of the fact that the reports they are giving are also acts of power, with consequences for more parts. He asks for more self-reflection and critical awareness in the writing of the reports. Rather than

introducing more specific regulations, such more general themes could be part of the development of quality audits. How this may be done in practice is a matter for further debate.

Topics for discussion

The experts performing QA-systems audits in Norway have to relate both to a number of formal regulations (laws, criteria, mandates) and the expectations of stakeholders such as HEIs, the QA-agency (including the Board of NOKUT), the Ministry, academic colleagues and the media. In other countries, expert panels working with educational quality through audits will have to deal with similar conditions. Taken in a broad sense:

- Which competences would be most crucial to include in such expert panels?
- What will be the key factors when experts decide whether to take part in these panels?
- What are the critical issues to consider in the relationship between the expert panels and the QA-agency (in order to make the expert panels perform well)?

Notes

1: The authors of this paper take part in an internal NOKUT-project on 'sakkyndig kunnskap' – 'expert panels'/external examiners' knowledge'. Four are experts active in educational research, and three are advisers from the staff of NOKUT. The authors are responsible for the views and arguments presented in this paper, which do not necessarily reflect NOKUT's official position.

2: The Board of NOKUT will make a decision of accreditation based on an evaluation by an external expert panel. The application will then be considered by the Ministry and the final approval will be given by the Council of State.

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