



Republika e Kosovës
Republika Kosova - Republic of Kosovo



Agjencia e Kosovës për Akreditim
Agencija Kosova za Akreditaciju
Kosovo Accreditation Agency

Part V of KAA Accreditation Manual

Kosovo Accreditation Agency (KAA) Code of Ethics

Section I – Background

The present Code provides a minimal set of principles, values, and rules of conduct which must be regarded as referential for the activities of self-evaluation and external quality assurance activities. The Code is aimed at:

- members of the State Quality Council, as well as other Advisory Boards associated with KAA;
- KAA permanent staff and consultants;
- KAA experts and external collaborators;
- higher education institutions, researchers, students, as well as academic and administrative staff at the institutions of higher education involved in quality assurance activities.

The Code is based on the principles representing the reference framework for the activities of KAA, also included in the *KAA Accreditation Manual*, as follows:

- a. Public accountability
- b. European reference
- c. Institutional responsibility
- d. Improving quality
- e. Fitness for purpose
- f. Institutional diversity
- g. Transparency
- h. Focus on results
- i. Stakeholder engagement
- j. Institutional identity
- k. Quality enhancement.

On the basis of these principles, **the Code** aims to promote ethics and moral values in higher education, as well as the quality culture that contributes to the sense of accountability, public responsibility and development of quality higher education.

The objectives of the Code are to:



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- Offer ethical guidance to all stakeholders involved in the quality assurance of higher education;
- Assure transparency in the relationship between the agency and the institutions under evaluation;
- Support the development and implementation of self-evaluation policies across higher education institutions;
- Promote trust in the implementation of external quality assurance across higher education institutions.

The enforcement of **the Code** does not replace other codes of ethics established by higher education institutions or by the the Ministry of Education, Science and Technology (MEST). **The Code** must be permanently improved and updated according to national and international challenges, trends and practices in the quality assurance of higher education, ethics and moral values.

Section 2 – Values and principles of the Code

The categories of beneficiaries addressed by the Code will honour the following general values and principles:

1. Legality
2. Independence
3. Objectivity
4. Impartiality
5. Transparency
6. Personal responsibility
7. Professionalism
8. Openness to novelty
9. Dialogue and consensus
10. Confidentiality

The commitment to this set of values implies that each person involved in external quality assurance processes:

1. Knows, understands and fully respects the laws, regulations, and procedures applicable to the quality assurance of higher education, as well as general laws of Republic of Kosovo. They consistently use the standards and performance indicators defined in the *KAA Accreditation Manual*.



2. Is **independent** in their activity, is not influenced by political, religious, economic, or any other kind of pressure, and it is only guided by legal, scientific and ethical criteria. They make statements that are independent from any kind of institutional or personal commitment and distance themselves from any kind of personal relationship.

3. Adopts an **objective** attitude in the external quality assurance activities. They offer correct information, make statements and express opinions based solely on evidence, beyond any individual emotional involvement that might be based on preconceived ideas, impressions or assumptions. They make recommendations and decisions based exclusively on precise and thoroughly proved facts, data and information.

4. Makes statements and expresses their opinions **honestly, neutrally and impartially**. They apply the quality assurance standards in a consistent manner and do not take sides for or against a higher education institution, another education provider or a person involved. In the process of quality assurance they do not discriminate based on gender, ethnic, age, religion, sexual orientation, political views or any other criteria.

5. Makes efforts towards increasing **transparency** regarding the professional rules, procedures, requirements, evaluation principles applied in quality assurance activities. They give arguments based on consistent and correct information, they do not hide and alter evidence, they justify their opinions and decisions.

6. Takes **personal responsibility** for their opinions and decisions and can prove the coherence between those and the applicable regulations, standards and performance indicators and the factual data. Both KAA staff and collaborators, as well as higher education institutions representatives accept to be held accountable for their activities, opinions, conclusions and potential failures.

7. Maintains a high level of **professional competence**. They ground their activity on clear and relevant standards, they have a high degree of exigency and professional solidarity. They accept the moral obligation to work for quality enhancement. Being part of KAA Council and expert teams, higher education institutions gives individuals a professional prestige which they must not use for power purposes. Professional competence implies **responsible and professional behavior**. Therefore, those involved in quality assurance activities will treat others with respect and will take into account the needs and expectations of evaluators and those under evaluation. Experts must act in a professional and ethical manner, protecting the rights of the higher education institutions, organizations and persons involved and in so doing



must strive to be objective, fair, honest, constructive and diligent. The higher education institutions must represent themselves honestly and accurately to internal and external constituencies as well as to the general public. Self-evaluation documentation should always be truthful, provide correct, reliable and complete information, and avoid any actual or implied misrepresentations, exaggerated claims, false declarations or forgery.

8. Is open to new initiatives, responds to local and regional social change and to the needs of the beneficiaries. They facilitate and encourage professional, managerial and ethical competition among the institutions and programs subject to internal or external evaluation. Their entire activity is based on an open attitude and participation.

9. Promotes dialogue, adequately evaluates the different points of view of those involved and tries to harmonize them by promoting personal dedication and team spirit.

10. Is loyal to the principle of confidentiality and non-disclosure when they supply, complete, use and ensure access to information, according to the accepted rules and procedures.

Section 3 – Rules of conduct

In the spirit of the values and principles listed above, the individuals this **Code** is addressing, are expected to follow these rules of conduct in their activity:

1. Conflicts of interests:

The cases of conflicts of interests result from the incompatibilities of the members of KAA Council, experts and external collaborators of KAA and members of higher education institutions involved in institutional self-evaluation. They are incompatible when, as members of the expert team:

- Have teaching assignments or other assignments at the institution under evaluation within the past three years;
- Have an ongoing appointment procedure or application at the institution under evaluation;
- Have current or former function or involvement within the board of the institution under evaluation or other bodies linked to the institution under evaluation within the past five years;
- Have an intensive research cooperation with the institution under evaluation;
- Have passed an exam or achieved a degree at the institution under evaluation during



the last five years;

- Are an author or co-author of the documents, programs and other academic or managerial products of the institution under evaluation;
- Have participated directly or indirectly in the decision-making on the evaluation of the academic and managerial performances at the institution under evaluation;
- Have carried out educational consultancy, advisory work, or related activities for the institution under evaluation for the past three years;
- Are part of an institution which is about to be evaluated or is directly or indirectly involved in the evaluation activity;
- Are related to individuals in the management of the institution or is directly involved in the evaluated programs;
- Are related to members of the Expert team or are part of a personal conflict with one or more of its members;
- Have been involved in a dispute with the institution under evaluation or have, on previous occasions, taken sides, used double standards and proven they have preconceived ideas in their activity of evaluation;
- Have benefited from any kind of advantage from the institution under evaluation for themselves, their family, friends or their home institution;
- Have any contractual agreements with the institution under evaluation.

Taking into consideration these rules, the individuals engaged in internal and external quality assurance activities must disclose in advance any information that could potentially limit the capacity to make objective, professional judgments. Those involved in a conflict of interests will avoid engaging with the process of external quality assurance procedures and will abstain from expressing their opinions.

2. Gains and advantages:

Under no circumstance are the persons involved in external quality assurance to use their position in order to gain personal or institutional advantages. They must vigorously reject such offers. The experts should not accept gifts, gratuities, or benefits beyond modest hospitality, except when to do so would be offensive or embarrassing. The higher education institutions will make no pressure of any kind upon the Expert teams; they will promote an ethical climate during the external quality assurance activities.

3. Team spirit and intellectual freedom:



Individuals involved in quality assurance activities will enjoy and encourage freedom of speech and will not influence the opinions of their colleagues other than by reasonable arguments. The decisions must be democratic, based on cooperation, extensive participation and consensus. The higher education institutions under evaluation will have the opportunity to freely express their opinions on the external standards, decisions and recommendations made during the external quality assurance procedures.

Collaboration, team spirit, consensus and intellectual freedom are considered as part of the principle of academic autonomy.

4. Intellectual property, confidentiality and non-disclosure:

During self-evaluation and external quality assurance procedures the confidentiality of the individuals who offer information and documents must be permanently respected. The self-evaluation reports, documents, requests and applications are the exclusive intellectual property of the applicant. KAA Council members and its experts act discreetly and protect personal data and data on intellectual property in the activities of external evaluation.

The exception to this rule of conduct is represented by any data used to confirm the compliance of education providers with nationally regulated provisions. A reasonable distinction between confidentiality and transparency, which is one of the purposes of quality assurance, must be borne in mind by all those involved. Therefore, KAA is entitled to publish any data used to confirm the compliance of education providers with nationally regulated provisions, as well as general data related to thematic analysis across the higher education sector (according to ESG 3.4).

5. Continuous professional development:

The individuals involved in quality assurance must permanently improve their professional, managerial and ethical competencies linked to the responsibilities they have in the activities of quality assurance. They must be updated on the national and international developments in the respective field and it is recommended for them to share their knowledge and experience with their colleagues. They must contribute to increasing the awareness and acceptance of quality standards in the society and must support all the activities and events which promote a quality and ethical culture in higher education.

6. Quality work:

The individuals involved in quality assurance activities will strive towards excellence in their work. They will give special attention and contribute to assuring:

- Exhaustiveness;
- Intellectual honesty and correctness;



- Trustworthy and fair assessment;
- Efficiency in the work of the quality assurance agency, committee, commission or expert team they are part of or which evaluates them;
- Well-grounded statements and explanations;
- Observance by all of the specific deadlines stipulated in the regulations and procedures.

7. Quality communication:

The individuals involved in quality assurance activities will contribute to assuring permanent and efficient communication among each other and with other institutions or persons (private companies, mass media). Successful communication is reflected by good operation of communication channels both vertically and horizontally, correct, concise, constructive and complete use of clear messages, information that is understood and accepted by all interested parties, transmitted in due time and observed by all participants. The well-argued informational essence of communication will bridge the gaps of subjectivity and will bring trust, credibility and mutual respect. The results of quality evaluations will have a constructive impact and will suggest guidelines to be followed for future quality enhancement.

The dialogue between the parties will be based on mutual understanding, seeking convergence of opinions, harmony and consensus, with the final goal of improving the quality of education. Therefore, this code strictly condemns any form of pressure, manipulation, blackmail, threats and any form of communication that is disrespectful towards higher education institutions, KAA experts or civil servants and which is against common sense, mutual respect, dialogue, ethics and moral values.

8. Mutual trust and respect:

The entire process of self-evaluation and external quality assurance must be built on systematically developed mutual trust and respect. Observing and supervising the above-mentioned values, principles and rules of conduct can contribute to strengthening this trust.

9. Respect of regulations, norms and law enforcement:

The individuals involved in quality assurance activities will know, understand and fully respect the laws, regulations, and procedures applicable to the quality assurance of higher education, as well as general laws of Republic of Kosovo, the standards and performance indicators defined in the *KAA Accreditation Manual*, as well as general ethics norms and moral values, such as honesty and respect.

The higher education institutions are expected to represent themselves honestly and accurately to internal and external constituencies as well as to the general public. Self-evaluation documentation should always be truthful, provide correct, reliable and complete information,



and avoid any actual or implied misrepresentations, exaggerated claims, false declarations or forgery.

Section 4 – Failures in ethics compliance

The following acts and attitudes will be considered infringements of ethics and professional conduct enforced by the present Code:

1. Failure to report a conflict of interests, expression of an opinion in case of conflict of interests, any kind of involvement or participation in procedures implying a conflict of interests;
2. Using a position with the purpose of gaining personal or institutional advantages;
3. Disclosure of information from a certain case of quality assurance before the public adoption of an official position by the respective institution or by the agency, as well as disclosure at any time of confidential content from an institutional self-evaluation, from the Expert team discussions, or from the External Review Reports;
4. Violation of intellectual property rights;
5. Intimidation or any kind of visible pressure (bribe, threats) or less visible pressure (blackmail, nepotism) in relation to the Expert teams, members of KAA Council or civil servants, with the purpose of influencing any stage of the self-evaluation or external quality assurance for an education provider;
6. Actual or implied misrepresentations, exaggerated claims, false declarations or forgery in any stage of the external quality assurance process;
7. Any breach in the Rules of conduct, as reflected under Section 3 of the present Code.

Section 5 – Measures of enforcement

General provisions

In case there is a failure in ethics compliance as reflected in Section 4, a formal request can be initiated by any individual: member of the KAA Council or staff, expert or external collaborator of KAA, representative of a higher education institution, student, member of the academic community, public at large (hereafter "the petitioner") that has knowledge of, and can demonstrate an infringement in the provisions included in the present Code. The structure responsible for the analysis of such complaints is the KAA State Quality Council (SQC).

In promoting sound ethical and moral values, the SQC has the following tasks:

- To monitor the application and enforcement of the Code;
- To receive, investigate and solve the cases of infringement of ethics;



- To mediate the litigations between KAA and the institutions subject to external evaluation;
- To cooperate efficiently and consistently with the Ethics committees at the level of higher education institutions and other similar relevant structures at national level so that to deal with issues specific to the ethical behaviour in the field of higher education and quality assurance.

Procedure for analysis and decision

Mechanisms of analysis and decision will be established for the following situations:

a. In the case of infringements of ethics within KAA, the following steps apply:

1. Upon suspicion of infringement of ethics (bribe or attempted bribe, favouritism, nepotism, subjectivism, conflict of interests, etc.), the petitioner will file a written request to the attention of the KAA Director;
2. The KAA Director judges on the eligibility of the written request (to the extent that it refers to aspects regulated by the present Code) and decides on whether the analysis procedure can be triggered;
3. The petitioner will be informed in writing by the KAA Director, within the next 8 days, on the initiation of the procedure;
4. The complaint is being discussed in the upcoming SQC Meeting. Individuals directly involved or against whom the respective incompatibility case has been opened, as well as individuals in a conflict of interests for that particular case will leave the room while the Council proceeds with discussing the respective complaint;
5. The SQC can hear any person who can provide information necessary for the analysis of the case. The person suspected of infringement of ethics (subject of the request for analysis) has the right to express their opinions in front of the Council, and must be announced at least eight days in advance about the SQC meeting. Discussions during the hearings will be friendly and confidential, and their minutes will be recorded.
6. The decision of the SQC will be made on the basis of the documents available, impressions made during the hearings and based on the SQC members' opinions. The proposed resolution will be voted upon by the members.
7. Council can adopt the following resolutions:
 - A sanction for infringement of ethics;
 - Termination of the procedure if there is evidence that no violation has been committed or if the agency is not competent to decide in the matter.



The sanctions can be:

- Verbal warning;
 - Written warning;
 - Dismissal from the position of member/expert/collaborator.
8. The persons involved may not vote and not attend the voting procedure. The petitioner will be announced in writing about the resolution of KAA Council, within three days from its adoption. The notification will include the main supporting arguments.
 9. If the petitioner disagrees with the resolution of the KAA Council, they can reach to the relevant instances, according to the Law on Civil Servants of the Republic of Kosovo no. 03/L-149, Chapter VIII. The final resolution is made public on the website of the agency.

b. In the case of infringements of ethics between KAA and the higher education institutions, the following steps apply:

1. During an external quality assurance process, a higher education institution can dispute the results of the external quality assurance procedure (according to the Law on Administration Procedure and the *Procedure for complaints and appeals*) or signal incompatibilities, conflicts of interests and breaches in the rules of conduct, as reflected under Section 3 of the present Code.
2. All administrative steps to handle each complaint (submission, notification, case analysis) will follow the same steps as in letter "a" above.
3. When reaching the resolutions, the SQC can adopt the following resolutions:

i) A justified petition, in which case the Council decides:

- to conduct a new analysis of the existing external quality assurance file by a new Expert team;
- to overrule the previous SQC decision and organise a new evaluation process. Depending on the ethics breach found, the council will:
 - Discuss the professional and ethical misconduct of those involved in the case;
 - Sanction verbally or in writing the persons involved in the case;
 - Terminate the collaboration of KAA with the persons involved in the case.

ii) An unjustified petition, in which case the petitioner will be informed in writing on the reasons why the request has not been taken into consideration.



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4. The petitioner will be announced in writing about the resolution of KAA Council, within three days from its adoption. The notification will include the main supporting arguments.
5. Appeals will follow the same steps as in letter "a" above.
6. The result will be made public on KAA website.

If there is evidence that the higher education institutions and/or their legal representatives have made false declarations or committed forgery in any stage of the external quality assurance process, this can lead to the nullification of the accreditation decision and KAA is entitled to notify the relevant legal authorities, according to the Criminal Code of Republic of Kosovo, article 392.

In case of any form of pressure, manipulation, blackmail, threats and any form of communication that is endangering or disrespecting KAA experts or staff, the respective person is entitled to make an official complaint to relevant authorities in its individual capacity.



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Annex 1 – Expert declaration

Kosovo Accreditation Agency (KAA) is responsible to the education providers and other constituencies for ensuring the professional and ethical conduct of its Council members, staff, experts, and others working on behalf of the agency.

All persons assuming work on behalf of KAA must read and agree with the provisions of the *Code of Ethics* and complete, sign and return to KAA the present declaration before having any contact with the education provider and its associated documentation.

By signing this declaration, you assume the responsibility that, during the period of appointment by KAA, you will act in a professional and ethical manner, according to the provisions in the *Code of Ethics*, especially in protecting the rights of the education providers under review, disclosing conflicts of interest, safeguarding intellectual property, and avoiding disclosure of confidential information.

This agreement is applicable for the term of appointment for the re/accreditation process of *(insert name of the higher education institution and/or study program)*.

Signature _____

Print Name _____

Date _____