

PROCEDURE FOR PROCESSING APPEALS

1. Introduction

This document has been prepared to define the procedure that AQUIB follows for the resolution of appeals, complaints and claims that may arise from the Agency's activities.

The European criteria and guidelines for external quality assurance, which govern the European Higher Education Area (ESG), are designed to ensure that the agencies' evaluation activities are carried out with the utmost guarantees for those undergoing evaluation. Within this framework, standard 2.7 stipulates that "Complaints and appeals processes should be clearly defined as part of the design of external quality assurance processes and communicated to the institutions."

Following the international guidelines for external evaluation of the European Association for Quality Assurance in Higher Education (ENQA), AQUIB has instituted the Guarantees Commission. This is a collegiate technical body independent of other Agency's bodies. This Commission is responsible for supervising the proper development of the Agency's procedures, as well as reporting on appeals made against AQUIB's final decisions and managing complaints and claims filed against the Agency.

2. Appeals resolution

As a public entity bound by the principles and rules of Administrative Law, AQUIB acknowledges the entitlement of administered individuals to the rights, interests and powers exercisable against public entities.

Within the Agency, two types of cases can be distinguished: a) those linked to AQUIB's internal procedures which lead to decisions of the Agency, such as resolutions of the Board of Directors; and b) those linked to final decisions of other bodies, grounded on reports issued by one of AQUIB's commissions.

a) Appeals against AQUIB's procedures

The processes initiated by the Agency's conclude with the issuance of resolutions by the Board of Directors, exhausting all available administrative remedies. In response to these resolutions, interested parties can file an administrative appeal for review against the Agency's Board of Directors, within a one-month period, or directly filing a contentious-administrative appeal before the courts, within a two-months period.

Each resolution provides information, in the appeal's footer, regarding the deadlines and specific means of defense available to the interested party, explicitly referencing the applicable regulations. In this scenario, AQUIB reaches resolutions based on reports from the Guarantees Commission, notifying said decisions to the affected individual or institution within a one-month timeframe.

b) Appeals against other bodies' final decisions

Certain evaluation procedures conducted by AQUIB are part of inter-administrative processes, with the final resolution lying within an administrative body other than AQUIB. Consequently, the resolution of any appeal corresponds to said body.

In such instances, the competent body has the authority to seek a review report from the Agency for consideration in resolving the appeal. This report is compiled by the Guarantees Commission, which may seek technical reports from the AQUIB's commission that initially prepared the report used as the foundation for the decision of the convening body.

3. COMPLAINTS

AQUIB has implemented an Internal Quality Management System based on the ISO 9001 standard, certified by AENOR since 2007. This system addresses the management of complaints from users of the Agency's services.

If a user identifies deviations or anomalies in the services provided by the Agency or is dissatisfied with them, they can file a complaint through the form *Complaints and Suggestions*, available on the Agency's website or at AQUIB's headquarters. The Agency will handle the complaint in accordance with the Non-Conformities procedure,

with the objective of rectifying and enhancing the management in response to the raised concerns.

4. CLAIMS

In instances where an individual or an entity has undergone evaluation in any processes where AQUIB is not the convening body and, as a result, cannot file an administrative appeal, they may communicate their disagreement with the actions of the evaluators or the development of the assessment process to the Agency.

In such cases, the Agency will forward the claim to the Guarantees Commission for examination and issuance of a report. Subsequently, AQUIB's management will respond within a maximum period of two months.