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Zagreb, 3 January 2024

Pursuant to the provisions of Article 24, Paragraph 9 of the Act on Quality Assurance in Higher Education and Science (Official Gazette, 151/22) and the provisions of Article 32, Paragraph 1, Item 11 of the Statute of the Agency for Science and Higher Education (CLASS: 003-05/13-01/0001; FILE NUMBER: 355-01-23-29), and at the proposal of the Director of the Agency for Science and Higher Education, Assoc. Prof. Danijela Horvatek Tomić, PhD, at its 8th session held on 14 December 2023, the Accreditation Council adopted the following

ORDINANCE ON CONDUCTING THE PROCEDURE OF RE-ACCREDITATION OF RESEARCH INSTITUTES

I. GENERAL PROVISIONS

Article 1

- (1) This Ordinance on Conducting the Procedure of Re-accreditation of Research Institutes (hereinafter referred to as the Ordinance) shall regulate the conducting of the procedure of re-accreditation of research institutes.
- (2) The procedure of re-accreditation of a research institute shall be carried out every five years.
- (3) In the procedure of re-accreditation of research institutes, the **Quality Standards in the Procedure of Re-accreditation of Research Institutes** (hereinafter referred to as the Quality Standards) shall apply. The Quality Standards shall be adopted by the Accreditation Council and published on the Agency website.
- (4) In the procedure of re-accreditation of research institutes, the evaluation of research projects shall also be conducted pursuant to the provisions of Article 14 of the Act.
- (5) Croatian and English shall be used in the procedure of re-accreditation of research institutes.

Article 2

Gendered terms used in this Ordinance are used neutrally.

II. THE PROCEDURE OF RE-ACCREDITATION OF RESEARCH INSTITUTES

1. Annual research institute re-accreditation plan

Article 3

- (1) The Agency shall carry out the re-accreditation of research institutes pursuant to an annual re-accreditation plan.
- (2) The Agency shall adopt the annual research institute re-accreditation plan at the proposal of the Accreditation Council.
- (3) The Agency may include a research institute in the annual re-accreditation plan *ex officio*, at the proposal of the minister responsible for the area of higher education and science (hereinafter: the minister) or at the request of a research institute.
- (4) The annual re-accreditation plan shall be published on the Agency website and all research institutes included in the plan shall be notified of this.

Article 4

A research institute which has been included in the annual plan may request that the re-accreditation procedure be postponed until the following year, which shall be decided upon by the Accreditation Council.

2. Self-evaluation report

Article 5

- (1) The research institute shall produce a self-evaluation report in Croatian and in English for the purpose of the re-accreditation procedure, and shall submit the necessary information.
- (2) The self-evaluation report for the purpose of conducting the procedure of re-accreditation of the research institute shall be produced using the standardised form in **Annex 1**.
- (3) In the self-evaluation report, the research institute shall provide evidence of fulfilment of each quality standard so that the expert panel may have sufficient information to formulate an opinion, i.e. the research institute shall provide evidence of compliance with each quality standard and shall submit evidence to that effect along with the self-evaluation report.

Article 6

- (1) The Agency shall notify each research institute of the date by which the research institute is obliged to submit the self-evaluation report to the Agency, which shall be no later than 30 days before the date of the site visit.
- (2) The self-evaluation shall, with the prior opinion of the scientific council, be adopted by the research institute's management and signed by the head of the research institute. The head of

the research institute guarantees that the information contained in the self-evaluation report is true and accurate by signing it.

3. Composition of the expert panel and conditions for the election of expert panel members

Article 7

- (1) In the procedure of re-accreditation of research institutes, the Accreditation Council shall appoint an expert panel composed of **at least five members**.
- (2) In the course of the procedure of re-accreditation of research institutes, the members of the expert panel shall be appointed from among Croatian and foreign researchers holding a research position.
- (3) The expert panel shall not be composed of members who are Croatian researchers employed at a research institute who are active in the same scientific area or field.
- (4) The expert panel members shall draw lots to choose the president of the expert panel.
- (5) Conditions for the selection of expert panel members:
 - research excellence and international visibility;
 - experience in quality assurance in science.
- (6) All expert panel members must:
 - have a good command of the English language, both oral and written;
 - have good oral and written communication skills;
 - be able to work in a team.

4. Conflict of interest and confidentiality of information

Article 8

- (1) The expert panel members shall not have a conflict of interest.
- (2) A conflict of interest exists if:
 1. they have signed an employment or other cooperation contract with the research institute, or have had an employment or other cooperation contract with the research institute in the last three years;
 2. they have participated in publications with employees of the research institute and/or in projects which this research institute is participating in or carrying out, or if they have participated in publications and/or such projects in the last three years;
 3. they are participating in governing, expert or advisory bodies of the research institute or have participated in these bodies in the last three years;
 4. they have a personal connection to the head of the research institute or persons performing management duties at the research institute;
 5. they are part of a court proceedings against the research institute.

(3) A conflict of interest also exists if the above-mentioned relations refer to a panel member's immediate family (legal spouse or partner, first-degree relative, siblings, adoptive parent or adopted child).

(4) The expert panel members shall safeguard the confidentiality of information they have learned and/or obtained when conducting the procedure of re-accreditation of the research institute.

(5) All expert panel members shall sign a confidentiality and non-conflict of interest statement.

5. Election and appointment of expert panel members

Article 9

(1) The expert panel shall be elected and appointed by the Accreditation Council.

(2) When electing potential candidates for expert panel members, the Accreditation Council shall use:

- the internal database of reviewers maintained by the Agency;
- proposals of candidates who have answered a public call;
- recommendations of other agencies responsible for quality assurance in higher education and science;
- direct invitations addressed to potential candidates.

(3) The Agency shall inform the research institute about the date of the site visit by the expert panel no less than three months before the site visit.

(4) In addition to the information about the date of the site visit, the Agency shall submit to the research institute the decision to appoint the expert panel.

6. Request for the exclusion of expert panel members

Article 10

(1) The research institute may submit to the Accreditation Council a request for excluding an expert panel member within 30 days from the day of submission of the decision to appoint an expert panel.

(2) The Accreditation Council shall consider the request for exclusion and shall, if it considers the request justified, appoint another expert panel member.

Article 11

(1) Prior to the site visit, the Agency shall organise training for expert panel members during which it will acquaint the expert panel members with the specifics of the procedure, their roles and obligations in the procedure, and deadlines.

(2) Members of the expert panel shall be entitled to remuneration for their work, in accordance with a general act of the Agency.

(3) Support to the expert panel shall be provided by a staff member of the Agency in the role of coordinator, as well as an interpreter and/or a translator if necessary.

7. Site visit of the expert panel

Article 12

(1) The re-accreditation procedure shall begin on the first day of the site visit to the research institute by the expert panel.

(2) The site visit to the research institute shall be conducted on site.

(3) The expert panel shall, in agreement with the research institute, visit one or more sites where the research institute performs its scientific/artistic or one or more sites where it performs other activities.

(4) The site visit shall take place in accordance with a planned protocol which shall be submitted to the research institute prior to the site visit. The obligatory part of every site visit protocol shall be meetings with representatives of the research institute (the management, representatives of research staff, etc.), a tour of the facilities (laboratories, library, premises for conducting scientific research and other premises), a meeting with representatives of the business sector and partner institutions and, if necessary, a meeting with the representatives of professional services. If necessary, representatives of civil society and/or professional associations may be invited to a meeting with the expert panel.

(5) During the site visit, the research institute shall ensure adequate premises for all the meetings planned in the protocol, wireless internet access and a separate room where the expert panel may have their internal meetings, breaks and may lock away any personal belongings.

(6) The research institute shall provide the expert panel with access to documents governing its activities (such as rules of procedure, agreements, copies of employment contracts for their employees and their registration for health and pension insurance, copies of employment contracts for external associates, etc.).

(7) The expert panel members are independent in their work and do not represent their home institutions. In the re-accreditation of research institutes, the expert panel members shall adhere to principles of impartiality and objectivity.

(8) In the procedure of re-accreditation of research institutes, the expert panel members may not give nor accept gifts from the research institute or any of the research or professional staff or external associates of the research institute.

(9) The site visit of the expert panel shall conclude with a meeting with the management of the research institute, where the expert panel shall inform the management of their observations. This meeting shall not include time for discussion regarding these observations nor stating an opinion on the outcome of the conducted evaluation procedure.

8. Report

Article 13

- (1) After the site visit, the expert panel shall draw up a report.
- (2) The expert panel shall submit the report using the standardised form in **Annex 2** of this Ordinance, which forms an integral part thereof.
- (3) The report shall be submitted to the Agency within 30 days of the concluding day of the site visit.
- (4) The report shall include the relevant evidence, analyses and conclusions with a view to the Quality Standards, as well as quality grades, recommendations for improvement and/or further development, and a final recommendation on the outcome of the conducted procedure.

9. The manner of passing a grade in accordance with Quality Standards and final recommendations of the expert panel

Article 14

- (1) Taking into account the description of individual standards, the expert panel shall grade each standard on the basis of examination of the gathered evidence and available indicators. Grades that indicate the level of standard fulfilment are as follows:

- The standard is not fulfilled;
- **Minimal fulfilment of the standard;**
- Satisfactory fulfilment of the standard;
- The standard is completely fulfilled.

- (2) The grade *the standard is completely fulfilled* implies that the research institute fully complies with the standard, and that its implementation has been successful. The grade *satisfactory fulfilment of the standard* implies that the research institute complies with the standard for the most part and that its principles and spirit are observed in practice. The grade *minimal fulfilment of the standard* implies that some elements of the standard have been implemented, while others have not, and that the manner of its implementation is lacking in efficiency. The grade *the standard is not fulfilled* implies that the research institute does not comply with the standard. A standard shall be deemed *not fulfilled* if one of the criteria laid down by the Act has not been met.

- (3) An assessment area is graded on the basis of grades assigned to standards included in that assessment area. Grades at the level of assessment areas are as follows:

- The assessment area is not fulfilled;
- **Minimal fulfilment of the assessment area;**
- Satisfactory fulfilment of the assessment area;
- The assessment area is completely fulfilled.

- (4) In grading the assessment areas, the expert panel shall adhere to the following rules:

- if any of the standards containing legally prescribed criteria included in the assessment area have been graded as *the standard is not fulfilled*, the grade for the whole area may be no higher than the *minimal fulfilment of the assessment area*.

- if any of the standards containing legally prescribed criteria included in the assessment area have been graded as *minimal fulfilment of the standard*, the grade for the whole area may be no higher than *satisfactory fulfilment of the assessment area*.

- an assessment area may be graded as *the assessment area is completely fulfilled* if most of its standards included in this area have been graded as *the standard is completely fulfilled* and no standard included in this area has been graded as *minimal fulfilment of the standard*.

(5) In adopting the final recommendation on the outcome of the conducted procedure, the expert panel shall adhere to the following rules:

- if any of the assessment areas have been graded as *the assessment area is not fulfilled*, the outcome of the re-accreditation procedure shall be a denial of license or the issuance of a letter of expectation.

- if any of the assessment areas have been graded as *minimal fulfilment of the assessment area*, the outcome of the re-accreditation procedure shall be the issuance of a letter of expectation.

- if all assessment areas have been graded as *satisfactory fulfilment of the assessment area* and *the assessment area is completely fulfilled*, the outcome of the procedure shall be the issuance of a license, with the exception of one or more of the standards containing legally prescribed criteria graded as *minimal fulfilment of the standard* (included in the assessment area graded as *satisfactory fulfilment of the assessment area*), the outcome of the procedure shall be the issuance of a letter of expectation.

(6) The expert panel shall base the grades of all standards and assessment areas on decisions which they have reached by consensus.

(7) If no consensus has been reached, grades of standards and assessment areas shall be brought by a majority vote of expert panel members.

(8) If a member of the expert panel disagrees with the consensus reached over a grade for a given standard or assessment area, or if they disagree with a particular explanation or analysis a standard or the assessment area, they may write a dissenting opinion.

(9) The expert panel member shall justify their dissenting opinion and submit a signed document to the Agency staff member providing support to the work of the expert panel.

(10) The dissenting opinion and the justification thereof shall be submitted along with the final report of the expert panel and shall form an integral part thereof.

10. The research institute's comment on the report of the expert panel

Article 15

(1) The research institute is entitled to comment on the report of the expert panel within 15 days of receipt of said report.

(2) The comment referred to in Paragraph 1 of this Article refers to a request for the correction of obvious factual inaccuracies or obvious errors in writing and/or figures in the report of the expert panel. The comment shall be submitted using the standardised form in **Annex 3** of this Ordinance, which forms an integral part thereof.

(3) The Agency shall submit the research institute's comment to the expert panel, which shall correct the report insofar as it considers the corrections justified, and shall, within 15 days, submit the final report to the Agency. In this case, the final report shall be submitted to the research institute by way of information.

(4) If the research institute does not comment on the report within the prescribed time frame, the report shall be considered final.

11. Proposal of the Accreditation Council

Article 16

(1) The final report of the expert panel in the procedure of re-accreditation of research institutes shall be submitted to the Accreditation Council, which shall adopt a reasoned proposal no later than six months following the concluding day of the site visit of the expert panel.

(2) The Accreditation Council may, in the event that it deems this necessary, require the expert panel to provide necessary clarifications.

(3) A reasoned proposal shall determine that the research institute:

1. Fulfils the criteria for the operation of a research institute;
2. Should take certain measures to fulfil the criteria for the operation of a research institute, or
3. Does not fulfil the criteria for the operation of a research institute.

(4) If the Accreditation Council establishes that a research institute fulfils the criteria for the operation thereof, they shall submit a reasoned proposal to the Agency to issue a licence for a five-year period.

(5) If the Accreditation Council establishes that a research institute should take measures set forth in Paragraph 3, Item 2 of this Article, it shall submit a reasoned proposal to the Agency to issue a letter of expectation with a deadline of up to three years containing the measures the research institute should take in order to obtain a licence.

(6) If the Accreditation Council establishes that a research institute does not fulfil the criteria for the operation of a research institute, it shall submit a reasoned proposal to the Agency to revoke the licence of a research institute for the operation thereof.

(7) A reasoned proposal of the Accreditation Council includes a quality assessment of the research institute and recommendations for quality improvement.

12. Complaint by the research institute against a reasoned proposal of the Accreditation Council

Article 17

- (1) The reasoned proposal of the Accreditation Council shall be submitted to the research institute, which is entitled to lodge a complaint with the Complaints Committee within 30 days of receipt of the reasoned proposal.
- (2) The complaint shall be reasoned and accompanied by relevant evidence.
- (3) The Complaints Committee shall investigate the validity of the complaint and respond to each claim made in the complaint no later than 15 days of receipt of the complaint.
- (4) If the research institute has not lodged a complaint against the reasoned proposal, the reasoned proposal shall be submitted to the Agency.

13. Decision-making and legal protection

Article 18

- (1) The Agency shall take decisions to issue licences.
- (2) On the basis of the reasoned proposal of the Accreditation Council, and the response of the Complaints Committee, if a complaint has been filed, the Agency shall take a decision to issue a letter of expectation i.e. revoke the licence for the operation of the research institute within a maximum of 30 days upon receiving the reasoned proposal or the response of the Complaints Committee.
- (3) The decision to issue a letter of expectation shall define the measures that a research institute should take in order to meet the criteria for the operation of a research institute, as well as the deadline for taking said measures.
- (4) There shall be no possibility of appeal against the decision of the Agency as defined in Paragraph 2 of this Article, but an administrative dispute may be initiated.

14. Follow-up

a) Follow-up in case of issuance of a letter of expectation

Article 19

- (1) In case of issuance of a letter of expectation, the Complaints Committee shall follow up on the work of the research institute for a period of three years.
- (2) A research institute which has received a letter of expectation shall, within a maximum of three months from the day of issuance of the letter of expectation, adopt an action plan defining activities, deadlines and indicators necessary for taking measures defined in the letter of expectation.
- (3) The Accreditation Council shall decide on the justification of the proposed activities, deadlines and indicators within a maximum of 30 days.

(4) If the research institute fails to carry out the activities in accordance with the deadlines set and the indicators defined, the Accreditation Council shall submit a reasoned proposal to the Agency to revoke the licence for the operation of the research institute.

(5) The Agency's decision to revoke a research institute's licence shall be issued in the form of a written decision.

(6) There shall be no possibility of appeal against the decision of the Agency as defined in Paragraph 5 of this Article, but an administrative dispute may be initiated.

b) Follow-up in case of issuing a licence

Article 20

(1) The decision to issue a licence shall also determine the deadline and the follow-up procedure on the operation of the research institute to be carried out by the Follow-up Committee.

(2) During the follow-up procedure, the implementation of the recommendations of the expert panel shall be judged and/or evaluated.

(3) The follow-up procedure shall include the submission of an action plan for the enhancement of the quality of operations of the research institute in accordance with the expert panel's recommendations, as well as annual reporting on the implementation of said action plan.

(4) The Follow-up Committee shall, having reviewed the documentation, submit to the Accreditation Council its opinion on whether to adopt, i.e. not adopt, the action plan, i.e. reports on implementing said action plan.

(5) The opinion shall be considered at a session of the Accreditation Council and, once it has been adopted, shall be sent to the research institute.

15. Public information

Article 21

The final report, the research institute's comments and the Agency decision on the outcome of the conducted re-accreditation procedure shall be public documents, which shall be published on the Agency website.

16. Feedback

Article 22

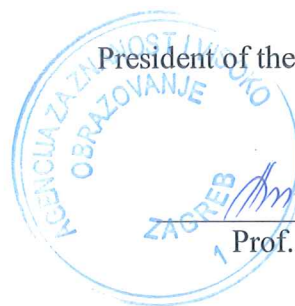
Upon completion of the re-accreditation of a research institute, an Agency employee shall collect feedback from the research institute and the expert panel members by means of a questionnaire. Feedback is collected to improve the work of the Agency.

III. TRANSITIONAL AND FINAL PROVISIONS

Article 23

- (1) The periods from 15 July to 31 August, and from 24 December to 6 January, shall not be counted against the deadlines specified in this Ordinance.
- (2) The Agency shall submit the decision on the outcome of the procedure of re-accreditation of the research institute to the Ministry of Science and Education.
- (3) Upon entry into force of this Ordinance, the Procedure of Re-accreditation of Public Research Institutes – consolidated text (CLASS: 640-02/12-02/0002; FILE NUMBER: 355-01-14-6, of 10 March 2014) shall cease to have effect.
- (4) This Ordinance shall be published on the website of the Agency and shall enter into force on the day of its publication.

President of the Accreditation Council



Prof. Mirjana Hruškar, PhD

ANNEXES:

- ANNEX 1 – SELF-EVALUATION REPORT FORM
- ANNEX 2 – EXPERT PANEL REPORT FORM
- ANNEX 3 – RESEARCH INSTITUTE COMMENT FORM
- ANNEX 4 – ACTION PLAN SUBMISSION FORM
- ANNEX 5 – JUSTIFICATION FOR THE REIMBURSEMENT OF TRAVEL AND ACCOMMODATION EXPENSES

