

Decree 17/2023, of 14 February, approving the Statutes of the Agency for Scientific and University Quality of Andalusia (ACCUA).

Article 148.1.1.^a of the Spanish Constitution recognises the possibility of the Autonomous Communities assuming powers in matters of organisation of their institutions of self-government. For its part, the Statute of Autonomy for Andalusia, in articles 46 and 47, attributes to the Autonomous Community of Andalusia the exclusive power over the organisation and structure of its institutions of self-government, and the exclusive power over the structure and regulation of the public administrative bodies of Andalusia and its autonomous bodies, respectively. Likewise, the Statute of Autonomy for Andalusia grants the Autonomous Community of Andalusia competences in the field of Universities and scientific and technical research in its articles 53 and 54, respectively.

Article 1.c) of Law 9/2021, of 23 December, which created the Business Agency for Economic Transformation and Development (TRADE) and the Agency for Scientific and University Quality of Andalusia (ACCUA), created the Agency for Scientific and University Quality of Andalusia, hereinafter the Agency, as one of the administrative agencies provided for in Article 65 of Law 9/2007, of 22 October, of the Administration of the Regional Government of Andalusia, to carry out the competences regarding the evaluation and accreditation of university activities and the evaluation and accreditation of the research, development and innovation activities of the Agents of the Andalusian Knowledge System that until now had been carried out by the Andalusian Knowledge System, by means of its merger through a partial split. Specifically, Article 17.1 of the aforementioned Law 9/2021 of 23 December establishes in general terms the object and purposes of the Agency.

With the approval of this decree and its entry into force, the mandate provided for in Law 9/2021 of 23 December is fulfilled, determining the effective start-up of the Agency.

With regard to its structure, the decree is made up of a single article that approves the Statutes of the Agency; five additional provisions, relating to the regulatory references to the Andalusian Knowledge Agency, to the provision of services by civil servant staff in the Agency, to the transfer of part of the staff of the Andalusian Knowledge Agency to the Agency, to the transfer of part of the staff of the Andalusian Knowledge Agency to the Digital Agency of Andalusia and to the authorisation of the Agency for its participation in national and international evaluation and accreditation bodies; three transitional provisions, relating to the interim regime of the Agency's Directorate, the interim regime of the Agency's technical collaborating staff, and the transitional regime of the compensation for dedication of the Agency's technical collaborating staff; a repealing provision, which expressly repeals Decree 92/2011, of 19 April, approving the Statutes of the Andalusian Knowledge Agency, and Decree 1/2018, of 9 January, amending the Statutes of the Andalusian Knowledge Agency, in all matters relating to the exercise of the functions and competences in matters of evaluation and accreditation attributed to the Agency; and two final provisions, to enable the budgetary and personnel adaptations derived from the entry into operation of the Agency, and to provide for the entry into force of this Decree.

The Agency's Statute consists of 36 articles structured in seven chapters. Chapter 1, comprising articles 1 to 5, establishes general provisions of the Agency, such as its legal regime, its assignment to the competent Regional Ministry for the evaluation and accreditation of university activities and the evaluation and accreditation of the research, development and innovation activities of the Agents of the Andalusian Knowledge System of the Administration of the Regional Government of Andalusia, or the establishment of its institutional headquarters.

Chapter 2, comprising Articles 6 to 8, Chapter 3, comprising Article 9, and Chapter 4, comprising Articles 10 to 13, establish, respectively, the functions and forms of management of the Agency, its inter-administrative relations and its operating principles.

Chapter 5, comprising Articles 14 to 27, regulates the organisation of the Agency, establishing its organisational and administrative structure. The organisational structure is made up of governing bodies, such as the Presidency and the Board of Governors; a management body, the Agency's Directorate; and a technical and advisory body, the Technical Committee. With regard to its administrative structure, under the hierarchical dependence of the Agency's Directorate, a structure of administrative units is foreseen, with a General Secretariat, an Evaluation and Accreditation Area and a Quality and Institutional Relations Area.

Chapter 6, comprising articles 28 to 34, regulates the Agency's evaluation and accreditation activity, with aspects such as the functional areas of evaluation and accreditation, the Agency's technical collaborating personnel for the coordination of the functional areas, the Agency's technical collaborating personnel for evaluation and accreditation, the evaluation and accreditation commissions and the evaluation and accreditation process. It also establishes the compensation regime for the evaluation and accreditation activity carried out by the Agency's technical collaborating staff.

Finally, Chapter 7, comprising articles 35 and 36, establishes the strategic planning instruments for the Agency's activity, through the multi-annual strategic plans and the annual action plans.

The approval of this decree is an action that responds to the general principles of organisation and operation of the Administration of the Regional Government of Andalusia provided for in article 3 of Law 9/2007, of 22 October. In particular, the decree is an action directly linked to the principle of functional decentralisation and rational organisation through the simplification and rationalisation of the organisational structure of the Administration of the Regional Government of Andalusia.

As required by Article 129 of Law 39/2015, of 1 October, on the Common Administrative Procedure of Public Administrations, and Article 7 of Decree 622/2019, of 27 December, on e-administration, simplification of procedures and organisational rationalisation of the Regional Government of Andalusia, this decree complies with the principles of good regulation.

Specifically, the regulation complies with the principles of necessity and effectiveness, insofar as it is in the general interest to provide the Agency, created by Law 9/2021 of 23 December, with its own rules of organisation and operation, and to determine its effective implementation, with the aim of fulfilling the mandate set out in the aforementioned Law 9/2021 of 23 December.

It also complies with the principle of proportionality, since it is limited to establishing the regulation that is essential to achieve the objective pursued, without establishing administrative burdens for citizens or having an impact on their rights and obligations, since it is a predominantly organisational regulation of the Administration of the Regional Government of Andalusia, and is therefore the most appropriate instrument to fulfil the aim and objective pursued, and there are no less restrictive measures or measures that impose fewer obligations.

In accordance with the principle of legal certainty, the regulation is coherent with the rest of the legal system, being integrated into it with the appropriate regulatory range, generating a stable, predictable, integrated, clear and certain legal regime for the Agency's actions in the exercise of the functions and competences attributed to it.

The principle of transparency requires simple, universal and up-to-date access to the regulations in force and to the documents involved in the drafting process, the clear definition of the aims of the regulation and their justification in the preamble or explanatory memorandum, enabling potential beneficiaries and entities to actively participate in its drafting. This principle has been fully respected in the adoption of this decree.

With regard to its processing procedure, the mandatory procedures established in the applicable regulations and those optional procedures that are appropriate to guarantee the correctness and legality of the provision have been complied with. The entities whose purposes are directly related to the object of the regulation, such as the Universities of the Andalusian University System, have been granted a hearing and the draft has been submitted to public information through its publication both in the Official Gazette of the Andalusian Regional Government and in the Transparency Section of the Portal of the Andalusian Regional Government.

In compliance with the principle of efficiency, the approval of this Decree derives from a process of rationalisation of administrative management, with the non-coincidence of the functions of its bodies with those of other existing bodies being accredited, and establishes the organisational and operational measures that are pertinent and appropriate to the resources available for the Agency's actions.

Finally, in accordance with article 5 of Law 12/2007, of 26 November, for the promotion of gender equality in Andalusia, the principle of gender mainstreaming has been complied with, and the gender equality perspective was taken into account in the drafting of this regulation, adapting it to eliminate possible discriminatory effects and promote equal opportunities between women and men.

By virtue thereof, at the proposal of the Regional Minister of University, Research and Innovation and in accordance with the provisions of Article 56.1 of Law 9/2007, of 22 October, and the seventh final provision of Law 9/2021, of 23 December, in agreement with the Andalusian Advisory Council, following deliberation by the Governing Council at its meeting of 14 February 2023,

IT IS HEREBY DECREED

Sole Article. Approval of the Statutes of the Agency for Scientific and University Quality in Andalusia (ACCUA).

The Statutes of the Agency for Scientific and University Quality of Andalusia (ACCUA) are approved, the text of which is inserted below.

First additional provision. References to the Andalusian Knowledge Agency.

All regulatory references to the Andalusian Knowledge Agency in relation to the exercise of competences for the evaluation and accreditation of university activities and the evaluation and accreditation of research, development and innovation activities of the Andalusian Knowledge System Agents shall be understood to refer to the Agency for Scientific and University Quality of Andalusia (ACCUA).

Second additional provision. Provision of services of civil servants assigned to the Andalusian Knowledge Agency in the Agency for Scientific and University Quality of Andalusia (ACCUA).

Civil servant staff in the service of the bodies of the Regional Ministry of University, Research and Innovation, whose jobs are functionally assigned to the Andalusian Knowledge Agency, in

accordance with their respective job descriptions, will continue to provide services under the same circumstances in the Agency for Scientific and University Quality of Andalusia (ACCUA), until their definitive integration into the aforementioned Agency with the approval of its job descriptions and the modification of the affected job descriptions.

Third additional provision. Integration of staff in the Agency for Scientific and University Quality of Andalusia (ACCUA).

1. The Agency for Scientific and University Quality of Andalusia (ACCUA) is made up of the staff working in the service of the Andalusian Knowledge Agency directly linked to the exercise of the functions carried out by the Directorate of Evaluation and Accreditation of the Andalusian Knowledge Agency that exercises functions in the field of evaluation and accreditation, in accordance with the following details:

Spanish National Identity Number (DNI)	Job title	Number of posts
***7125**	Eva. Director Acred	1
***4195**	DEVA Graduate	1
***5944**	DEVA Graduate	1
***8945**	DEVA Graduate	1
***9285**	DEVA Graduate	1
***7131**	DEVA Technician 1 DEVA	1
***2748**	DEVA Technician 1 DEVA	1
***0237**	DEVA Technician 1 DEVA	1
***2685**	DEVA Technician 2 DEVA	1
***1579**	Technician	1
***7048**	DEVA Administrative DEVA	1
***6372**	DEVA Administrative	1
***5758**	DEVA Assistant	1
***9569**	DEVA Assistant	1
***9872**	DEVA Assistant	1
***2197**	Concierge	1

2. The Agency for Scientific and University Quality of Andalusia (ACCUA) absorbs the staff in the service of the Andalusian Knowledge Agency linked to the exercise of staff management functions, budget and expenditure management, contracting management and general administration, registration and filing, communication and documentation functions, in accordance with the following details:

Spanish National Identity Number (DNI)	Job title	Number of posts
***1204**	Technician A3	1
***6003**	Technician A4	1
***8679**	Technician A9	1
***1204**	Technician A9	1
***5154**	Technician A11	1
***5717**	Technician A11	1
***4248**	Technician A11	1
***5458**	Senior Technician	1
***3577**	Assistant Technician	1
***0125**	Technician B1	1

***1256**	Technician B5	1
***2035**	Technician B6	1
***4610**	Technician B6	1
***8461**	Technician B7	1
***1166**	Technician B7	1

3. Personnel joining the Agency for Scientific and University Quality of Andalusia (ACCUA), will maintain the conditions of their original body, in accordance with the provisions for the succession of companies in the labour legislation. The access, where appropriate, of the transferred staff to the status of civil servant or labour staff of the General Administration of the Regional Government of Andalusia may only be made after passing the corresponding selective tests called in execution of the public employment offers in accordance with the provisions of the civil service legislation.

Fourth additional provision. Transfer of staff in the Digital Agency of Andalusia.

1. The Andalusian Digital Agency absorbs staff in the service of the Andalusian Knowledge Agency that mainly perform functions in the field of information and communication technologies linked to the competences and functions of the Agency for Scientific and University Quality of Andalusia (ACCUA), in accordance with the following details:

Spanish National Identity Number (DNI)	Job title	Number of posts
***4605**	Technician A3	1
***7078**	Technician B1	1
***3187**	Technician B5	1
***6969**	DEVA Technician 1 DEVA	1
***7185**	DEVA Technician 1 DEVA	1
***4281**	Specialist technician (On voluntary leave of absence from the Andalusian Knowledge Agency. In accordance with Article 46.5 of the revised text of the Workers' Statute Law, approved by Royal Legislative Decree 2/2015, of 23 October, he/she retains only a preferential right to reinstatement in vacancies of the same or a similar category to his/her own that exist or occur)	1

2. Employees join the Digital Agency of Andalusia, maintaining the conditions of their original body, in accordance with the provisions for the succession of companies in the labour legislation. The access, where appropriate, of these staff to the status of civil servant or labour staff of the General Administration of the Regional Government of Andalusia may only be made after passing the corresponding selective tests called in execution of the public employment offers in accordance with the provisions of the civil service legislation.

3. The management of the work and remuneration of these staff will be carried out by the Agency for Scientific and University Quality of Andalusia (ACCUA) until the affected staff and information management systems of the Digital Agency of Andalusia are adapted and the necessary budgetary modifications are made.

Fifth additional provision. Participation in national and international evaluation and accreditation bodies.

In accordance with the provisions of article 52.4 of Law 9/2007, of 22 October, on the Administration of the Andalusian Regional Government, the Agency for Scientific and University Quality of Andalusia (ACCUA) is authorised to participate in the following national and international entities linked to the exercise of the activity of evaluation and accreditation:

- a) European Association for Quality Assurance in Higher Education, ENQA.
- b) European Quality Assurance Register for Higher Education, EQAR.
- c) International Network for Quality Assurance Agencies in Higher Education, INQAAHE.
- d) Spanish Network of University Quality Agencies, REACU.

First transitional provision. Interim management of the Directorate of the Agency for Scientific and University Quality of Andalusia (ACCUA).

1. Until the effective appointment of the person in charge of the Directorate of the Agency for Scientific and University Quality of Andalusia (ACCUA) in accordance with its Statutes, the current Director of Evaluation and Accreditation of the Andalusian Knowledge Agency will be integrated into the Agency for Scientific and University Quality of Andalusia (ACCUA), performing the functions of the Directorate on an interim basis.

2. For these purposes, the Agency for Scientific and University Quality of Andalusia (ACCUA) will be subrogated to the rights and obligations derived from the senior management employment relationship of the current Director of Evaluation and Accreditation of the Andalusian Knowledge Agency.

Second transitional provision. Interim regime of the technical collaborators of the Agency for Scientific and University Quality of Andalusia (ACCUA).

1. Until the effective designation of the technical collaborating staff of the Agency for Scientific and University Quality of Andalusia (ACCUA) for the coordination of its functional areas, the technical collaborators who coordinate the different areas of activity of the Directorate of Evaluation and Accreditation of the Andalusian Knowledge Agency will continue to carry out their functions.

2. Until the effective designation of the technical collaborating personnel of the Agency for Scientific and University Quality of Andalusia (ACCUA) for evaluation and accreditation, the technical collaborators of the Andalusian Knowledge Agency for the development of its evaluation and accreditation activities will continue to carry out their functions.

Third transitional provision. Amount of the compensation for the service of the technical collaborating staff of the Agency for Scientific and University Quality of Andalusia (ACCUA).

Until the approval of the Order foreseen in article 34.4 of the Statutes of the Agency for Scientific and University Quality of Andalusia (ACCUA), the compensation for service, which correspond to the technical collaborating staff of the Agency for evaluation and accreditation and to the technical collaborating staff of the Agency for the coordination of the functional areas, foreseen in the Statutes of the Agency for Scientific and University Quality of Andalusia (ACCUA), will be paid in the amounts established in the Order of 13 July 2021, of the Regional Ministry of Economic Transformation, Industry, Knowledge and Universities, which approves the amounts of compensation to be paid to the technical collaborators of the Andalusian Knowledge Agency, in accordance with the provisions of article 46 of its Statutes.

Sole repealing provision. Repeal of legislation.

Any provisions of equal or lower rank that oppose the provisions of this decree and, expressly, Decree 92/2011, of 19 April, approving the Statutes of the Andalusian Knowledge Agency and Decree 1/2018, of 9 January, are hereby repealed, amending the Statutes of the Andalusian Knowledge Agency, in all matters relating to the exercise of the functions and competences in matters of evaluation and accreditation, which are attributed to the Agency for Scientific and University Quality of Andalusia (ACCUA).

First final provision. Qualification.

1. Without prejudice to the provisions of the third transitional provision of Law 1/2022, of 27 December, of the Budget of the Autonomous Community of Andalusia for the year 2023, the Regional Council of the Agency for Scientific and University Quality of Andalusia (ACCUA) is empowered, within the existing budgetary availabilities, to enable the necessary credits and make the necessary budgetary modifications for the implementation, operation and exercise of the competences and functions of the Agency for Scientific and University Quality of Andalusia (ACCUA).

2. The competent minister in matters of public administration is empowered to adapt the list of jobs of the Administration of the Regional Government of Andalusia to the provisions of this decree by approving the list of jobs of the Agency for Scientific and University Quality of Andalusia (ACCUA) and the modification of the necessary lists of jobs, including the creation, abolition and modification of such posts necessary for their effective adaptation.

Second final provision. Entry into force.

This Decree shall enter into force on the working day following its publication in the Official Gazette of the Regional Government of Andalusia.

Seville, 14 February 2023

JUAN MANUEL MORENO BONILLA
President of the Regional Government of
Andalusia

JOSÉ CARLOS GÓMEZ VILLAMANDOS
Regional Minister for University, Research and
Innovation

STATUTES OF THE AGENCY FOR SCIENTIFIC AND UNIVERSITY QUALITY OF ANDALUSIA (ACCUA)

CHAPTER 1

General provisions

Article 1. Nature and legal personality.

1. In accordance with the provisions of Article 16 of Law 9/2021 of 23 December, which created the Business Agency for Economic Transformation and Development (TRADE) and the Agency for

Scientific and University Quality of Andalusia (ACCUA), the Agency for Scientific and University Quality of Andalusia (ACCUA), hereinafter the Agency, is configured as one of the administrative agencies provided for in Article 54.2.a) of Law 9/2007, of 22 October, on the Administration of the Andalusian Regional Government, which has as its object and purposes, under a system of management autonomy, those provided for in Article 17 of the aforementioned Law 9/2021, of 23 December, and in these Statutes.

2. The Agency has a separate public legal personality, full legal capacity and capacity to act, as well as autonomy of management for the fulfilment of its purposes, and its own assets and treasury, without prejudice to the principle of cash unit established in article 9.1.e) of the revised text of the General Law of the Public Treasury of the Andalusian Regional Government, approved by Legislative Decree 1/2010 of 2 March.

Article 2. Legal regime.

1. The Agency shall be governed, as regards its organisation and operation, by the provisions of Law 9/2021 of 23 December, by these Statutes and by the other provisions implementing it.

Likewise, Law 9/2007, of 22 October, the revised text of the General Law of the Public Treasury of the Regional Government of Andalusia, Law 4/1986, of 5 May, on the Assets of the Autonomous Community of Andalusia, Law 40/2015, of 1 October, on the Legal Regime of the Public Sector, and other applicable regulations shall also apply.

2. The legal regime of the Agency's assets shall be that provided for in the property legislation of the Autonomous Community of Andalusia.

3. The Agency's contracting regime shall be that established for Public Administrations in the legislation on public sector contracts.

4. The legal budgetary, economic-financial, control and accounting regime of the Agency will be the same as that established for the Administration of the Regional Government of Andalusia.

Article 3. Personnel regime.

1. As established in Article 20 of Law 9/2021, of 23 December, the legal regime of the personnel in the service of the Agency, in accordance with the provisions of Article 67 of Law 9/2007, of 22 October, will be that established for civil servant and labour personnel in the service of the Administration of the Regional Government of Andalusia.

2. The personnel coming from the Andalusian Knowledge Agency that joins the Agency will maintain the conditions of their original entity according to the provisions for the succession of companies in the labour legislation.

3. The provision of services by the Agency's personnel may be carried out under the teleworking modality, within the framework of the general provisions that are established in the Administration of the Regional Government of Andalusia in this matter for its personnel.

4. The compensation payable to the personnel in the service of the Agency for reasons of service shall be governed by the provisions of Decree 54/1989, of 21 March, on compensation for reasons of service of the Regional Government of Andalusia, and other applicable implementing rules.

Article 4. Economic resources and assets.

1. The Agency's financial resources shall consist of:

a) The budgetary allocations assigned to it annually by the Law on Budgets of the Autonomous Community.

b) Any subsidies or budgetary allocations that may correspond to it from the budget of any other public or private body.

c) The income it may receive for the exercise of its activities and for the provision of evaluation or accreditation services, in accordance with the applicable regulations.

d) The proceeds from the disposal of the assets and securities constituting its assets, in accordance with the provisions of the regulations governing assets.

(e) Income from its assets and securities.

f) Voluntary contributions, donations, inheritances, legacies and any other transfer free of charge from private individuals or companies.

g) Any other public or private income that may correspond to it in accordance with the legislation in force.

h) Any other resources that may be attributed to it.

2. In order to achieve its objectives, the Agency shall have its own assets, consisting of all the assets and rights it owns. Initially, the assets of the Andalusian Knowledge Agency linked to the purposes and functions it is to perform are assigned to the Agency, in accordance with the succession of rights and obligations provided for in the first additional provision of Law 9/2021, of 23 December.

Furthermore, the Agency's net worth will be made up of the assets and rights that the Agency acquires in the course of its management, as well as those that are assigned to it in accordance with the legislation on net worth of the Autonomous Community of Andalusia.

Article 5. Membership and headquarters.

1. The Agency is attached to the Regional Ministry responsible for the evaluation and accreditation of university activities and for the evaluation and accreditation of the research, development and innovation activities of the Agents of the Andalusian Knowledge System of the Administration of the Andalusian Regional Government.

2. The Agency has its institutional headquarters in the city of Cordoba, without prejudice to the possibility of establishing specific headquarters for some of its bodies or units.

CHAPTER 2

Functions and forms of management

Article 6. Objectives and powers.

1. The general purpose of the Agency is to promote the quality of the Andalusian Knowledge System, in accordance with international scientific and academic standards, and to provide the Universities, Higher Education Centres, Research Institutions and other Agents of the Andalusian

Knowledge System with the quality criteria and references that allow them to fulfil their social function in the best possible way.

The Agency has the following objectives:

- a) External quality assurance of university institutions and higher education centres in the fields of teaching, research and innovation, without prejudice to university autonomy.
- b) Support for the guarantee and improvement of the scientific and technical research, development and innovation activities of the Andalusian Knowledge System.
- c) The development of methodologies, tools and proposals, in the field of quality, which contribute to the progress and international projection of the Andalusian Knowledge System.
- d) The promotion and coordination of mechanisms for mutual recognition and collaboration with national and international evaluation and accreditation bodies.
- e) The identification and consolidation of best practices in the processes of evaluation and accreditation of scientific and university quality.
- f) The elaboration, analysis and dissemination of information on the functioning and quality of the Andalusian Knowledge System to society, to interested persons and entities and to the Public Administrations.

2. In accordance with the provisions of Article 55 of Law 9/2007, of 22 October, the Agency has, within its sphere of competence, all the administrative powers and prerogatives necessary for the fulfilment of its purposes, except for the power of expropriation, which include the following:

- a) Those of evaluation and accreditation.
- b) The provision and management of public services.
- c) The administrative review of acts and agreements issued in the exercise of its powers.
- d) The adoption of interim measures of protection or reinstatement.
- e) The certification of facts, data and documents forming part of the files processed by the Agency.
- f) Those attributed by the legislation on public sector contracts, such as the award, interpretation, modification and termination of administrative contracts.
- g) The power to impose penalties, in the cases and under the terms established by law.
- h) Disciplinary action in the cases and under the terms established by law.

3. Pursuant to the provisions of article 9.2 of the revised text of the Law of the Basic Statute of the Public Employee, approved by Royal Legislative Decree 5/2015, of 30 October, functions that involve direct or indirect participation in the exercise of public powers or in the safeguarding of general interests, understood as those administrative actions that are mandatory for the persons and entities to which they are addressed and that allow their compliance to be demanded in the event of non-compliance, are reserved for civil servants, and auxiliary functions of an

instrumental nature and administrative support that do not constitute administrative acts of any nature are not to be considered as such.

Article 7. Functions and competencies.

The Agency shall have the following functions and powers:

- a) The establishment of criteria, standards, indicators and methodologies for the evaluation and improvement of the quality of the Andalusian Knowledge System, as well as participation in the establishment of criteria, standards, indicators and methodologies for scientific evaluation and higher education at national, European and international levels.
- b) The exercise of the functions of evaluation and accreditation of university institutions and Higher Education Centres and their teaching staff entrusted to the university quality agencies by state legislation, within the scope of the Autonomous Community of Andalusia.
- c) The evaluation and accreditation functions that correspond to it as a university quality agency in other geographical areas, in accordance with the provisions of the international agreements that regulate the European Higher Education Area and international collaboration agreements, without prejudice to the provisions of state legislation on universities.
- d) The optional and non-binding issuing of reports on projects for the creation and recognition of Universities in the Autonomous Community of Andalusia, at the request of the Regional Ministry responsible for Universities.
- e) The evaluation of teaching centres established in the Autonomous Community of Andalusia that provide education in accordance with foreign higher education systems, without prejudice to what is established for this purpose by State legislation on Universities.
- f) The evaluation of official higher education programmes with regard to their verification, modification, monitoring and renewal of accreditation, in accordance with the provisions of state and autonomous community regulations on quality assurance.
- g) The certification of the internal quality assurance systems of Universities and Higher Education Institutions, both in the case of systems that assure the quality of official courses and of their own courses, including lifelong learning courses.
- h) The evaluation of the teaching, research and management activities of civil servant and contracted staff of the Universities for the assignment of salary complements linked to individual merits, established in the scope of the Autonomous Community of Andalusia.
- i) The evaluation and accreditation of the activities of scientific and technical research, development, innovation, promotion and dissemination of knowledge of the Agents of the Andalusian Knowledge System and their research personnel. In particular, the evaluation of the activity of the Agents of the Andalusian Knowledge System and of the personnel who carry out research functions within the framework of the incentives to be granted by the competent Regional Ministry for the promotion of scientific and technical research in the Andalusian Knowledge System.
- j) The evaluation and monitoring of the scientific and technical research programmes promoted by the Regional Government of Andalusia.

k) The evaluation and accreditation of scientific and technical research activities in other geographical areas, when so authorised by the Regional Ministry responsible for scientific and technical research.

l) The issuing of mandatory and binding reports for the creation of University Research Institutes. Every five years the Agency will evaluate its research activity in accordance with the provisions of article 65.4 of the revised text of the Andalusian Law on Universities, approved by Legislative Decree 1/2013 of 8 January.

m) The issuing of mandatory and non-binding reports for the creation, modification and dissolution of academies of the Autonomous Community of Andalusia, as well as for the approval and modification of their statutes.

n) The prospective and retrospective analysis of scientific and university activity in Andalusia, its application to quality assurance in these fields and its social dissemination.

o) Any other activities related to evaluation and accreditation that may be entrusted to it by the Regional Ministry responsible for Universities and Research or other Regional Ministries, within the framework of the planning approved by the Governing Council.

p) Those expressly attributed to it by autonomous community and state regulations, as well as any other activity, competence or function specifically attributed to it in relation to its aims.

Article 8. Forms of management.

1. The Agency shall carry out the activities necessary for the fulfilment of its purposes and the exercise of its functions and powers by its own bodies and means or by any other means provided for in the legal system.

2. To carry out these activities, the Agency may use any legally valid instrument and, in particular, may enter into agreements, execution of implementation contracts and tender for contracts with public or private parties.

CHAPTER 3

Inter-administrative relations

Article 9. Collaboration with other administrations.

1. In order to facilitate the performance of its functions and the exercise of its competences, the Agency may participate in collegiate bodies, as well as in the special administrative units, under the name of committees or other similar bodies, referred to in article 88.1 of Law 9/2007, of 22 October, including working groups and any other instruments of participation and collaboration, created by the Administration of the Regional Government of Andalusia or other Public Administrations. Any formula for non-regulated participation in entities by the Agency other than those provided for in sectoral legislation or in the aforementioned law shall require the authorisation of the Governing Council, in accordance with the provisions of article 52.4 of Law 9/2007, of 22 October.

2. The Agency may enter into collaboration agreements with other Public Administrations and entities and agree to the creation of bodies and working groups for their monitoring and, in general, for cooperation and coordination within the scope of their respective competences.

CHAPTER 4

The Agency's operating principles

Article 10. General operating principles.

The Agency shall carry out its tasks objectively, professionally, lawfully and independently. The following general operating principles shall govern the Agency's activities:

a) Autonomy, impartiality and independence in the exercise of its evaluation and accreditation functions.

b) Scientific and technical competence and professional ethics, in accordance with academic and social standards. The Agency will promote the participation of technical collaborating staff with the highest level of experience and professionalism.

c) Internal and external quality assurance, following international quality assurance guidelines. The Agency will ensure a balance between qualitative and quantitative criteria in quality assessment processes, and will encourage the participation of students, teaching and research staff in quality assurance processes.

d) Methodological innovation and continuous improvement of processes in order to maximise their efficiency and effectiveness.

e) Cooperation with all the Agents of the Andalusian Knowledge System and with other Public Administrations, as well as with other quality agencies with similar aims.

f) European approach in the actions for the integration of Universities in the European Higher Education Area.

g) Readiness to meet social demands related to scientific and university quality.

h) Transparency in all administrative activities, understood as public access to complete, accurate and clear information on the Agency's activity.

Efficiency in the allocation and use of public resources.

(i) Gender equality and non-discrimination.

Article 11. Quality assurance system.

1. The Agency shall implement a system of internal and external quality assurance, following international practices and standards, for the performance of its functions and the exercise of its competences.

2. The Agency shall apply international practices and standards in the performance of its functions and the exercise of its competences, in particular those relating to evaluation and accreditation functions.

Article 12. Code of Ethical Conduct.

The Agency's Directorate shall adopt a Code of Ethical Conduct for the Agency linked to a Code of Best Practice, which guarantees an impartial and independent evaluation and accreditation activity, free of any conflict of interest or incompatibility.

Article 13. Dissemination of information.

1. The Agency shall ensure the objectivity of the information it uses for the exercise of its functions and of the information it makes available through any medium of dissemination.
2. Without prejudice to compliance with the obligations of active publicity provided for in the applicable regulations, the Agency shall facilitate public access to information of general interest to citizens and to facilitate their ability to participate and make choices.
3. The Agency's Annual Activity Report shall be made public for general information.

CHAPTER 5

Organisation of the Agency

Article 14. Organisational structure.

The Agency is structured into the following bodies:

- a) Governing bodies: The Presidency and the Board of Governors.
- b) Governing body: The Directorate.
- (c) Technical and advisory body: The Technical Committee.

Section 1. Governing bodies

Article 15. The President.

1. The Presidency of the Agency shall be held by the head of the Department to which the Agency is attached.
2. The following functions are vested in the Presidency of the Agency:
 - a) To hold the highest institutional and legal representation of the Agency and to ensure the fulfilment of its objectives, purposes and functions.
 - b) To chair the Agency's Board of Governors, to agree on the convening of its sessions, setting the agenda and indicating the place, day and time of the meeting.
 - c) To direct the deliberations of the Board of Governors and, if necessary, to resolve any ties with his or her casting vote.
 - d) To endorse the minutes and certifications of the resolutions of the Board of Governors.
 - e) The other powers and functions attributed to it in these Statutes, those determined in other applicable provisions, as well as those delegated to it.

3. The Presidency of the Agency may delegate its powers in accordance with the provisions of article 9 of Law 40/2015, of 1 October, and article 101 of Law 9/2007, of 22 October.

4. In the event of vacancy, absence, illness or any other legal cause, the person holding the Presidency of the Agency shall be substituted by the person holding the General Secretariat responsible for universities in the Regional Ministry to which the Agency is attached.

5. The acts and decisions of the President of the Agency shall be final.

Article 16. The Board of Governors.

1. The Board of Governors is the highest collegiate governing body of the Agency, and establishes the Agency's multi-annual strategic planning, without prejudice to the competence of the Regional Ministry of assignment over its strategic management and evaluation and the control of the results of its activity under the terms provided for in article 63 of Law 9/2007, of 22 October.

2. The composition of the Board of Governors shall be guided by the principle of balanced representation, in accordance with article 19 of Law 9/2007, of 22 October, as well as the provisions of article 11 of Law 12/2007, of 26 November, for the promotion of gender equality in Andalusia.

Article 17. Composition of the Board of Governors.

1. The Board of Governors has the following composition:

a) The person holding the Presidency of the Agency, who chairs it.

b) The head of the Agency's Directorate.

c) The person in charge of the General Secretariat responsible for universities of the Regional Ministry to which the Agency is attached.

d) The person in charge of the General Secretariat responsible for scientific and technical research of the Regional Ministry to which the Agency is attached.

e) The head of the Directorate General responsible for educational planning and evaluation of the Regional Ministry of Education.

f) Twelve members appointed by order of the person in charge of the Council to which the Agency is attached, according to the following distribution:

1.º Two representatives of the Rectors of the Andalusian universities, at the discretion of the Andalusian Council of Universities.

2.º Two representatives of the Presidents of the Social Councils of Andalusian Universities, at the discretion of the Andalusian Council of Universities.

3.º Four persons of recognised prestige in the field of scientific research or professional activity, with proven experience in scientific or university quality assessment.

4.º Two representatives of the Administration of the Regional Government of Andalusia, with at least the rank of Directorate General, belonging to regional ministries with sectoral competences in scientific or technological research.

5.º Two representatives of the Andalusian University Student Advisory Council, at its discretion.

2. The members of the Governing Council, except for persons who hold the post by virtue of their position in the Administration of the Regional Government of Andalusia, shall be appointed for a period of four years, and may be re-elected for one more term of the same duration. At the end of the term of office of the member, and until the re-election or appointment of a new member, they shall remain in office.

3. The secretariat of the Board of Governors shall be provided, with the right to speak but not to vote, by the person holding the position of Secretary General of the Agency. The replacement of the secretariat of the Board of Governors shall be appointed by the Chair, from among officials in the service of the Agency with a minimum level of 28, preferably with a degree in law or equivalent qualifications.

4. The meetings of the Board of Governors may be attended, with the right to speak but not to vote, by persons who are not members of the Board of Governors to report on any matter to be considered by the Board of Governors, subject to prior notification by the Chairman.

5. Persons outside the Administration of the Regional Government of Andalusia and its administrative agencies who are members of the Board of Governors may be compensated by the Agency for the expenses incurred on the occasion of their physical attendance at its meetings, when remote communication networks are not used, under the terms provided for in the sixth additional provision of Decree 54/1989, of 21 March, on compensation for reasons of service of the Regional Government of Andalusia. The other members of the Board of Governors shall not receive any attendance fees and shall not be compensated by the Agency for expenses incurred in connection with their physical attendance at meetings.

Article 18. Functioning of the Governing Council.

1. The Board of Governors shall meet in ordinary session at least once every six months and in extraordinary session whenever its Chairmanship or at least half of its members so agree.

Sessions may be held both in person and remotely. In meetings held remotely, the members may be in different locations, provided that the identity of the members, the content of their statements, the time of their statements, the interactivity and intercommunication between them in real time and the availability of the media during the meeting are ensured by electronic means. Valid electronic means shall include, inter alia, email, audio-conferences and video-conference.

2. The Governing Council shall be validly constituted when the person holding the Presidency, or whoever substitutes him/her, and the person performing the functions of secretary are present, requiring the presence of at least half plus one of its members at the first call and one third of its members at the second call.

3. The members of the Board of Governors provided for in article 17.1.f) shall be subject to the grounds for abstention established in the regulations in force and must maintain confidentiality

with regard to the matters of which they are aware and the documentation to which they have access in any format or which they are given by reason of their membership of the body, and must faithfully safeguard such documentation, with the express prohibition of disclosing results or information on its content, without prejudice to compliance with the legal obligations that require such information to be communicated.

4. All matters not provided for in these Articles of Association with regard to the rules of operation of the Governing Council shall, in all cases, be in accordance with the provisions of Section 1 of Chapter II of Title IV of Law 9/2007, of 22 October, as well as with the provisions of articles 15 to 18 of Law 40/2015, of 1 October. In accordance with the provisions of article 94.1.f) of Law 9/2007, of 22 October, the members of the Board of Governors, individually or collectively, may submit to the presidency a proposal for the inclusion of matters on the agenda of the corresponding meeting by any valid means at least three days in advance.

Article 19. Competencies of the Governing Council.

1. The Board of Governors shall have the following competencies:

a) Approve the Agency's multiannual strategic plans and, where appropriate, their modifications on a proposal from the Directorate in accordance with the provisions of Article 35.

b) Approve the Agency's annual activity report.

c) Approve the proposed list of job posts of the Agency.

d) Approve the proposal for the Agency's public employment offer, which will be included in the Public Employment Offer of the Regional Government of Andalusia.

e) Propose the training plans for staff in the service of the Agency.

f) Be informed of the agreements concluded by the Agency.

g) Approve the Employment Equality Plan.

h) Adopt its own internal rules of operation.

i) The other powers and functions attributed to it in these Statutes, those determined in other applicable provisions, as well as those delegated to it.

2. The acts and decisions of the Agency's Board of Governors terminate administrative proceedings.

3. The members of the Board of Governors may not carry out any evaluation, accreditation or certification activity in the Agency, except as provided for in these Statutes for the head of the Directorate and, where appropriate, for the person holding the position of Secretary of the Board of Governors.

Section 2. Governing Bodies

Article 20. Management.

1. The head of the Agency's Directorate shall be appointed by the Governing Council, at the proposal of the head of the Department to which the Agency is attached, from among persons of recognised academic and scientific value and who are career civil servants.

To this end, a public call for applications will be arranged based on the principles of equality, merit and capacity, in accordance with the terms and conditions approved by the Regional Ministry of assignment of the Agency, at the proposal of the Board of Governors.

2. The Directorate is the highest executive body of the Agency. It will have the rank of Directorate General and will be subject to the rules against disqualifications or conflicts of interest of the senior officials of the Administration of the Andalusian Regional Government.

3. In the event of vacancy, absence, illness or any other legal cause, the substitution of the person in charge of the Directorate shall correspond to the person in charge of the General Secretariat responsible for universities of the Regional Ministry to which the Agency is attached, except for the actual academic, evaluation and accreditation functions, for which the substitution shall be exercised by the person in charge of the Area of Evaluation and Accreditation of the Agency, and failing this, by the Agency's technical collaborator for the coordination of the functional areas with the greatest seniority in the performance of their functions.

4. The acts and decisions of the Agency's Directorate put an end to administrative proceedings.

Article 21. Executive functions.

As the highest executive body of the Agency, the Directorate, without prejudice to the powers of the Presidency, is responsible for the ordinary legal representation of the Agency and the adoption of the measures necessary for the execution of the agreements of the Board of Governors, as well as:

a) Formulating and submitting to the Governing Council the proposal for the multi-annual strategic plan.

b) Formulating and submitting to the Governing Council the proposal for the annual activity report corresponding to the immediately preceding year.

c) Managing the financial resources of the Agency. And in particular in relation to the economic and budgetary management of the Agency:

1.º Formulating the Agency's preliminary draft annual statement of expenditure.

2.º Executing the Agency's budget, in particular, to authorise expenditure, make provisions, incur obligations and order payments, in accordance with the applicable regulations and except in those cases reserved by law to the competence of the Governing Council or the Regional Government Department to which it is attached.

d) Administering and managing the Agency's assets and act as the Agency's contracting body, without prejudice to the authorisations that, in accordance with the general regulations on assets and contracting, may be applicable, entering into contracts, agreements and orders for execution on behalf of the Agency relating to the Agency's own affairs.

e) In relation to the management of matters concerning the internal rules and staff in the service of the Agency:

- 1.º Exercising the powers attributed to the heads of the Departments and Vice-counsellors' offices with respect to personnel.
 - 2.º Guiding, coordinating, planning, promoting and inspecting the activity of the agency's administrative units and its staff.
 - 3.º Exercising the powers attributed to employers by labour legislation insofar as they do not correspond to the bodies of the Administration of the Regional Government of Andalusia competent in personnel matters due to the Agency's nature as an administrative agency.
 - 4.º Maintaining and updating the inventory of jobs for the employment personnel not included in the 6th Collective Agreement for the employment personnel of the Administration of the Regional Government of Andalusia.
 - 5.º Ruling on disciplinary proceedings brought against staff in the service of the Agency, except for the imposition of the sanction of dismissal from the service.
 - 6.º Formulating and submitting to the Board of Governors the proposal for the Agency's list of posts.
 - 7.º Formulating and submitting to the Board of Governors the Employment Equality Plan stipulated in Article 32 of Law 12/2007, of 26 November.
- f) Resolving the proceedings on the patrimonial responsibility of the Agency and its authorities and other personnel in its service.
- g) Agreeing the referral of files and proceedings to the Administration of Justice, to the Administrative Court of Contractual Appeals of the Andalusian Regional Government, to the Council for Transparency and Data Protection of Andalusia and to any other bodies and organisations that may correspond in accordance with the applicable regulations.
- h) Responding to the suggestions and complaints made by citizens in the Book of Suggestions and Complaints of the Regional Government of Andalusia regarding the services provided by the Agency.
- i) Complying with the obligations of active publicity and respond to requests for access to public information made by citizens regarding the Agency's own matters.
- j) Appointing the Agency's data protection officer.
- k) Appointing representatives of the Agency in organisations in which the Agency may be integrated.
- (l) Producing statistics and reports.
- m) Others referred to in these Statutes, those determined in other applicable provisions, as well as those delegated to it.

Article 22. Evaluation and accreditation functions.

1. As the competent body for evaluation and accreditation, the Directorate of the Agency shall perform its duties with autonomy, independence and objectivity, and shall not receive any

express instructions from any authority with regard to its academic, evaluation or accreditation decisions.

In this area, the following functions correspond to the Directorate, in application of the criteria and standards of evaluation of national and international reference within the framework of the European Higher Education Area:

- a) The exercise of all the powers and functions of evaluation and accreditation that correspond to the Agency in accordance with Article 7, by issuing the corresponding acts, resolutions or reports of evaluation and accreditation in accordance with the provisions of these Statutes.
- b) The proposal of assessment and accreditation criteria, guidelines and protocols for approval by the Technical Committee.
- c) The designation of the technical collaborating personnel of the Agency for the development of the evaluation and accreditation activity.
- d) The designation of the Agency's technical collaborating personnel for the coordination of the functional areas.
- e) The appointment of the members of the evaluation and accreditation commissions, assigning the functions of chair and secretary to them.
- f) The other functions of scientific and higher education evaluation and accreditation within the competence of the Agency that are attributed to it by the laws, the present Statutes and other regulations in force.

2. The Agency's Directorate shall exercise its evaluation and accreditation powers on the basis of the evaluation and accreditation reports issued by the Agency's technical collaborating staff individually or on commission, issuing the corresponding evaluation and accreditation acts or resolutions, as the case may be.

Article 23. Internal quality functions and institutional collaboration.

1. The Directorate shall promote and supervise the Agency's internal and external quality assurance policy, ensure its recognition by the European Quality Assurance Register for Higher Education (EQAR) and may issue any instructions, circulars or service orders it deems necessary to ensure the best possible functioning of the Agency and the fulfilment of its functions in accordance with international standards.

2. The Directorate will promote the Agency's collaboration with Universities, Higher Education Centres, Research Institutions and Centres and other Agents of the Andalusian Knowledge System, as well as with other quality agencies that have a similar purpose and with the networks and associations that group them together on a national and international level.

Section 3.^a Technical and Advisory Body

Article 24. The Technical Committee.

1. The Technical Committee is the technical, consultative and advisory collegiate body for the Directorate in the exercise of its evaluation and accreditation functions, and shall be composed of the following members:

- a) The person in charge of the Directorate, who shall chair it.
 - b) The heads of the Evaluation and Accreditation and Quality and Institutional Relations Areas.
 - c) The persons who, as technical collaborating personnel of the Agency, coordinate each of the functional areas of evaluation and accreditation into which the activity of the Agency is structured.
 - d) Fourteen persons of international academic prestige and experience in scientific, academic or professional evaluation appointed by the Head of the Directorate, after listening to the Agency's Board of Governors, for a period of four years, renewable for a single period of the same duration. At the end of the period of appointment, and until the renewal or appointment of a new member, they shall remain in office.
 - e) Two university students with experience in academic evaluation, appointed by the Head of the Directorate or by the Agency's Board of Governors, for a period of four years. At the end of the period of appointment, and until the renewal or appointment of a new member, they shall remain in office.
2. The secretariat of the Technical Committee shall be provided, in an advisory capacity, by the person acting as Secretary General of the Agency. The replacement of the secretariat of the Technical Committee shall be appointed by the Chairperson of the Technical Committee from among officials in the service of the Agency with a minimum level of 28, preferably with a degree in law or equivalent qualification.
3. The composition of the Technical Committee shall be guided by the principle of balanced representation in accordance with article 19 of Law 9/2007, of 22 October, as well as the provisions of article 11 of Law 12/2007, of 26 November.
4. Persons outside the Administration of the Regional Government of Andalusia and its administrative agencies who are members of the Technical Committee may be compensated by the Agency for the expenses incurred for the effective attendance at its meetings, when remote communication networks are not used, under the terms provided for in the sixth additional provision of Decree 54/1989, of 21 March, on compensation for reasons of service of the Regional Government of Andalusia. For these purposes, the Agency's technical collaborating personnel for the coordination of the Agency's functional areas of evaluation and accreditation are considered to be persons outside the Administration of the Regional Government of Andalusia and its administrative agencies. The other members of the Technical Committee shall not receive any attendance fees and shall not be compensated by the Agency for expenses incurred in connection with their actual attendance at meetings.

Article 25. Powers of the Technical Committee.

The Technical Committee shall have, among other functions that may be attributed to it, the following competencies:

- a) Approve the Agency's evaluation and accreditation plans and programmes.
- b) Approve the evaluation and accreditation criteria as proposed by the Directorate.
- c) Approve assessment and accreditation guidelines and protocols.

- d) Supervise the compliance of the Agency's organisational structure with the accreditation plans and programmes.
- e) Approve, if necessary, the measures required for the proper functioning of the evaluation and accreditation committees.
- f) Prepare reports and studies on matters within its competence.
- g) Be aware of and assess reports on the outcome of evaluation and accreditation plans and programmes.
- h) To be aware of the procedures for the selection and appointment of the Agency's technical collaborating personnel for the development of the activity of evaluation and accreditation.
- i) To inform and advise the Agency's Directorate on all those questions and matters submitted to it by the Agency.
- j) In general, all those duties that are related to the performance of its function and those that may be delegated to it by other bodies of the Agency, in matters of evaluation and accreditation.

Article 26. Functioning of the Technical Committee.

1. The functioning of the Technical Committee shall be in accordance with the provisions of these Statutes and, in any case, with the regulations governing collegiate bodies in accordance with the rules established in Section 1 of Chapter II of Title IV of Law 9/2007, of 22 October, as well as with the provisions of articles 15 to 18 of Law 40/2015, of 1 October. In accordance with the provisions of article 94.1.f) of Law 9/2007, of 22 October, the members of the Technical Committee, individually or collectively, may submit to the chair a proposal for the inclusion of matters on the agenda of the corresponding session by any valid means at least three days in advance.

2. As established in article 91.3 of Law 9/2007, of 22 October, the Technical Committee sessions may be held by means of the attendance of its members using remote communication networks, and the appropriate measures must be established to guarantee the identity of the communicating persons and the authenticity of the information transmitted between them. The provisions of article 17.1 of Law 40/2015, of 1 October, shall also apply.

3. Likewise, the members of the Technical Committee envisaged in article 24.1 paragraphs c), d) and e) shall be subject to the grounds for abstention envisaged in the regulations in force and must maintain secrecy with regard to the matters of which they are aware and the documentation to which they have access in any format or which they are given by reason of their membership of the body, as well as faithfully safeguarding said documentation, with the express prohibition of disclosing results or information on its content, without prejudice to compliance with the legal obligations that require such information to be communicated.

Section 4. Administrative structure

Article 27. Administrative structure.

Under the hierarchical dependence of the Directorate, the administrative structure of the Agency is completed by the General Secretariat, the Evaluation and Accreditation Area and the Quality and Institutional Relations Area, which are organised by means of the administrative units determined in the Agency's list of posts.

The Secretariat-General shall assist the Directorate in the exercise of the executive functions conferred on it by Article 21.

The Evaluation and Accreditation Area shall assist the Directorate in the exercise of the evaluation and accreditation functions attributed to it in Article 22.

The Quality and Institutional Relations Area shall assist the Directorate in the exercise of the internal quality and institutional collaboration functions attributed to it in article 23.

In view of the functions attributed to them, the posts of head or coordinator of the Area of Evaluation and Accreditation and the Area of Quality and Institutional Relations may be held by civil servant staff belonging to the bodies of University Lecturers or University Professors, in accordance with the regulations applicable to the filling of posts, and in the terms permitted by the list of job posts of the Agency.

CHAPTER 6

Exercise of the evaluation and accreditation activity

Article 28. Functional areas of evaluation and accreditation.

1. In the exercise of its evaluation and accreditation functions, the Agency is structured in functional areas of evaluation and accreditation, which will be approved by the Board of Governors on the proposal of the Directorate.

The number and names of the functional areas of evaluation and accreditation into which the Agency is structured shall be published on the Agency's website and, failing that, on its Internet portal.

2. Each functional area of assessment and accreditation may be organised by scientific fields or areas of knowledge.

Article 29. Technical collaborating staff of the Agency for the coordination of the functional areas.

1. Each of the functional areas of evaluation and accreditation into which the Agency is structured shall be coordinated by an expert and independent person, who shall have the status of technical collaborator of the Agency for the coordination of the respective functional area of evaluation and accreditation.

2. The Agency's technical collaborating staff for the coordination of the functional areas of evaluation and accreditation will continuously carry out tasks of coordination and monitoring of the evaluation and accreditation programmes and actions developed by the Agency. The Agency's technical collaborating staff for the coordination of the functional areas of evaluation and accreditation may not issue evaluation and accreditation reports, nor be members of the evaluation and accreditation commissions.

3. The Agency's technical collaborating staff for the coordination of the functional areas of evaluation and accreditation shall be appointed by the Agency's Directorate, on the basis of their specialisation and experience, in accordance with the principles of publicity, equality, objectivity and suitability, in accordance with the requirements of the legislation applicable to each evaluation or accreditation procedure and international standards.

4. They shall be appointed for a period of four years, renewable for one further period of the same duration, and shall perform their duties on a non-exclusive basis, remaining in active service at the university or research institution to which they are assigned.

5. The appointments of the Agency's technical collaborating staff for the coordination of the functional areas of evaluation and accreditation shall be published on the Agency's website and, failing that, on its Internet portal.

6. The status of technical collaborator of the Agency for the coordination of a functional area of evaluation and accreditation shall in no case confer the status of staff in the service of the Agency, in the terms foreseen in article 67.2 of Law 9/2007, of 22 October.

Article 30. Technical collaborating staff of the Agency for evaluation and accreditation.

1. The evaluation and accreditation activity of the Agency shall be carried out by independent experts who shall have the status of technical collaborating staff of the Agency for evaluation and accreditation.

The Agency's technical collaborating staff for evaluation and accreditation, in addition to issuing independent evaluation and accreditation reports in accordance with the provisions of these Statutes, shall carry out collaborative functions with the Directorate in the development of evaluation and accreditation criteria, guidelines and protocols. To this end, the Agency's technical collaborating staff for evaluation and accreditation may develop presentations or internal training activities linked to the development of evaluation and accreditation criteria, guidelines and protocols.

2. The Directorate shall appoint the Agency's technical collaborating staff for evaluation and accreditation in accordance with criteria of objectivity, suitability, territorial diversity, independence, absence of conflict of interest and availability, and the requirements of the regulations applicable to each evaluation or accreditation procedure and international standards, from among external experts from the academic, research or professional sphere registered in the Agency's Bank of technical collaborating staff for evaluation and accreditation, in accordance with the selection procedure approved by the Agency's Board of Governors. In the appointment of the Agency's technical collaborating staff for evaluation and accreditation, the principle of balanced representation provided for in Law 12/2007, of 26 November, shall be complied with.

For this purpose, the Agency shall maintain on the Agency's website and, failing that, on its Internet portal, a permanent access link for registration in the Agency's Bank of technical collaborating staff for evaluation and accreditation. Registration in the Bank of Technical Collaborators of the Agency for Evaluation and Accreditation does not in any case imply the status of a technical collaborator of the Agency for Evaluation and Accreditation, but merely the willingness to become one.

3. The procedure for the selection of the Agency's technical staff for evaluation and accreditation shall be approved by the Agency's Board of Governors, acting on a proposal from the Directorate and after hearing the Technical Committee. This selection procedure shall be published on the Agency's website and, failing that, on its Internet portal.

4. The status of technical collaborator of the Agency for evaluation and accreditation shall be maintained exclusively for the time and for the functions laid down in the Directorate's designation. This status shall in no case confer the status of staff in the service of the Agency under the terms provided for in Article 67.2 of Law 9/2007, of 22 October.

Article 31. Evaluation and accreditation process.

1. The evaluation and accreditation activity is carried out by the Agency's technical collaborating staff for evaluation and accreditation through the application of the evaluation and accreditation criteria, guides and protocols approved by the Technical Committee and the issuing of independent evaluation and accreditation reports, either individually or in a commission appointed for this purpose.

The Agency's Directorate shall determine whether the evaluation or accreditation is carried out on an individual basis or on a commission basis, in accordance with the requirements of the regulations applicable to each evaluation and accreditation process and international standards.

2. The evaluation and accreditation process ends with the corresponding acts or resolutions issued by the Agency's Directorate in the exercise of its functions on the basis of the independent evaluation and accreditation reports.

Article 32. Evaluation and accreditation commissions.

1. The evaluation and accreditation commissions are working groups made up of the Agency's technical collaborating staff for evaluation and accreditation, through which the evaluation and accreditation activity is carried out, when this is carried out jointly, in accordance with the provisions of Article 31.

The Agency's Directorate is responsible for setting up the Agency and determining its members. The determination of the members of each evaluation and accreditation committee shall be based on their specialisation and experience, and in accordance with criteria of objectivity, suitability, territorial diversity, independence, absence of conflict of interest and availability, and in accordance with the requirements of the regulations applicable to each evaluation or accreditation procedure and international standards. In determining the composition of each evaluation and accreditation committee, the principle of balanced representation provided for in Law 12/2007 of 26 November 2007 shall be complied with. The chair and secretariat of the evaluation and accreditation committees shall be assigned by the Agency's Directorate.

The composition of each evaluation and accreditation committee shall be published on the Agency's website and, failing that, on its Internet portal.

2. The sessions of the evaluation and accreditation commissions may be held either in person or remotely.

For the holding of remote sessions, the identity of the members or persons replacing them, the content of their statements, the time at which they take place, as well as the interactivity and intercommunication between them in real time and the availability of the media during the session must be ensured by electronic means. Valid electronic means shall include, inter alia, email, audio-conferences and video-conference.

3. Minutes shall be taken of each meeting of the evaluation and accreditation commissions, recording the holding of the meeting, attendance, the matters discussed and, where appropriate, the issuing of the corresponding evaluation and accreditation reports.

Article 33. Evaluation and accreditation by other bodies.

In the exercise of its evaluation and accreditation functions, the Agency may consider evaluations and accreditations carried out by other evaluation and accreditation agencies or bodies that meet applicable national and international standards.

Article 34. Compensation for daily allowances, travel expenses and dedication of the Agency's technical collaborators.

1. The Agency's technical collaborating personnel for evaluation and accreditation and the Agency's technical collaborating personnel for the coordination of functional areas shall be entitled to receive compensation for the concepts of food and travel expenses and for the amounts established in Decree 54/1989, of 21 March, for the expenses incurred in the exercise of the functions of evaluation and accreditation or coordination of functional areas attributed to them by the Statutes.

2. Without prejudice to the provisions of paragraph 1, the technical staff of the Agency for evaluation and accreditation shall be entitled to receive compensation for dedication for the exercise of their evaluation and accreditation functions for the Agency as follows:

a) For participation in the sessions of the evaluation and accreditation commissions, either in person or remotely.

b) For collaboration with the Directorate in the preparation of assessment and accreditation criteria, guidelines and protocols, including the development of papers or internal training activities related to their preparation.

c) For the preparation of evaluation and accreditation reports related to university teaching staff.

d) For the preparation of evaluation and accreditation reports linked to Universities, centres and official higher education courses.

e) For the preparation of evaluation and accreditation reports on scientific and technical research activities, programmes and research personnel.

These allowances shall be justified by means of a certificate issued by the Agency's Directorate.

3. Without prejudice to the provisions of paragraph 1, the technical collaborating staff of the Agency for the coordination of the functional areas shall be entitled to receive compensation for the exercise of their functions of coordination of the functional areas of evaluation and accreditation of the Agency.

These allowances shall be justified by means of a certificate issued by the Agency's Directorate.

4. By means of an order of the Regional Ministry of assignment of the Agency, at the proposal of the Board of Governors and after a favourable report from the competent Regional Ministries in matters of finance and public administration, the amounts of the compensation for dedication to be received by both the technical collaborating personnel of the Agency for the evaluation and accreditation foreseen in section two, and by the technical collaborating personnel of the Agency for the coordination of the functional areas foreseen in section 3, shall be established.

The same procedure shall be followed for the updating of any amounts due.

The aforementioned order will guarantee that the receipt of the allowances for the planned dedication will be based on criteria of rationalisation, effectiveness, efficiency and economy of

public expenditure, and will be published in the Official Gazette of the Regional Government of Andalusia.

CHAPTER 7

Action planning

Article 35. Multiannual strategic plan.

1. The Agency's Board of Governors shall approve a multi-annual strategic plan, which shall include the objectives to be achieved by the Agency in each of its areas of action and the human, financial and material resources required for its operation.

2. The multiannual strategic plan shall be approved before the end of the term of the initial action plan or of the previous multiannual strategic plan.

If the multiannual strategic plan has not been approved by the end of the period of validity of the initial action plan or of the previous multiannual strategic plan, the latter shall be automatically extended for the time necessary until the new one is approved.

3. The time period of the multiannual strategic plan shall be four years, and a different time period may be established if so specified in the approval agreement.

4. At the end of its term, the person in charge of the Agency's Directorate shall report to the Board of Governors and to the Regional Ministry of assignment on its execution and results.

Article 36. Annual Action Plan.

1. Within the framework of the Agency's initial action plan or the corresponding multiannual strategic plan, the Directorate shall adopt an annual action plan for the Agency, setting out the objectives to be achieved and the necessary staff, material and budgetary resources.

The annual action plan shall be accompanied by a report explaining its content.

2. The annual action plan for each financial year and the annual report shall be approved before the end of the immediately preceding financial year.

3. The approval of the annual action plan for the first year of the initial action plan shall be conditional on the approval of the initial action plan. In any case, it shall be subject to the Agency's budgetary allocations

4. The Directorate shall adapt the annual action plan to any changes in the Agency's initial action plan or in the corresponding multiannual strategic plan.