



Annual Report

2023

National
Code of Conduct
Commission for Higher Education

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Introduction

In 2023, a great deal of attention was paid to internationalisation in higher education. The political debate held concerned, among other things, international student enrolment numbers and the sustainability of the Dutch education system. The primary issue was (and continues to be) how international student intake can be managed and how such management might be improved. The answer was sought by the Minister of Education, Culture and Science in the form of the Internationalisation in Balance Bill, to which responses were invited via internet consultation at the end of the year. The Internationalisation in Balance Bill adopts in part the suggestions formulated in the Language and Accessibility Bill, but goes a step further. An opportunity to respond to the Bill via internet consultation was provided at the end of 2023. This opportunity was availed of widely, with the submitted responses including those of the Commission and the International Student Advisory Board (SAB). The definitive Bill is expected to reach completion in 2024.

Meanwhile, the fourth government under Prime Minister Mark Rutte ('Rutte IV') fell in mid-2023. In November 2023, new elections were held. Migration, including that of students, was a widely covered topic in the election campaigns of the various political parties. The election results reflected the critical stance of a significant number among the Dutch population towards the current possibilities for migration. While, at the time of writing, the new government has as yet to be formed, it is expected that it will be less warmly disposed towards the mobility of incoming students.

The Commission understands that due to the housing shortfall in some Dutch cities and the pressure on educational facilities to provide students with good quality education, a shift has emerged in the stance towards international students. This is something which it finds regrettable, seeing as international students play an important role in Dutch higher education.

In this document, the Commission reports in detail on the work that it has carried out, the developments around the Code of Conduct and the register for which the executive agency for education in the Netherlands, Dienst Uitvoering Onderwijs (DUO), is responsible. The Commission met regularly over the course of the last year, making exploratory visits to educational institutions and holding administrative consultations with external parties. It also conducted a number of reviews. The past year has also been devoted in large part to the revision of the text of the Code of Conduct, which led to the publication of a new version of the document on 1 January 2024. In the final section, the Commission will look ahead to the coming year.

National Commission

The National Code of Conduct Commission was established by the higher education sector's umbrella organisations, i.e. the Dutch Council for Training and Education (NRTO), Universities of the Netherlands (UNL) and the Netherlands Association of Universities of Applied Sciences. The Commission's primary task is to monitor the compliance of the institutions of higher education with the provisions of the Code of Conduct. The Commission performs this task by, among other things, charting relevant developments, conducting reviews, handling complaints from international students or stakeholders in relation to the Code of Conduct, and holding consultations with stakeholders and signatories to the Code of Conduct.

On 1 January 2024, a new version of the Code of Conduct entered into effect, in which one of the most notable changes was the revision of the language overview. The Commission has also published at least three reviews in the last year, including a trend report. For this report, the Commission carried out an analysis based on the findings from the last five periodic information provision audit reports. The Commission also repeated its periodic audit of the information being provided via the websites of a selection of educational institutions, examining whether the educational institutions had published the Code of Conduct text (in its latest version) and had provided information in relation to the complaints handling procedure on their websites.

You can read more about the work of the Commission below.

2024 Code of Conduct

On 1 January 2024, a new version of the Code of Conduct for Higher Education took effect. The adoption of a new text after two years is due primarily to one of the recommendations from the 2021-2022 evaluation, advising a thorough revision of the language overview as contained in the Code of Conduct for Higher Education.

The procedure

Over the past year, the policy advisors of the umbrella organisations NRTO, UNL and the Netherlands Association of Universities of Applied Sciences, together with the office of the National Commission prepared a draft text for a new version of the Code of Conduct. Official level preliminary and final discussions on this draft were held, whereby the policy advisors of the umbrella organisations obtained input from their members at various times. The decision-making process was as follows:

- Advisory role for the Ministries of Education, Culture and Science, and Justice and Security, as well as for the Immigration and Naturalisation Service (IND), in connection with related legislation and the interests these parties have in the Code of Conduct.
 - ✓ On 30 November 2023, these parties issued a positive recommendation with regard to the draft text. The policy advisors were also involved at various times in the development of the Standard for Language Tests.
- Agreement of the National Commission.
 - ✓ On 11 October 2023, the National Code of Conduct Commission approved the draft Code of Conduct.
- Decision-making by umbrella organisations NRTO, UNL and the Netherlands Association of Universities of Applied Sciences. Each umbrella organisation acted in accordance with its own internal decision-making procedure here.
 - ✓ Decision-making by the umbrella organisations took place in the period mid-November to mid-December 2023.

Changes

The draft text of the 2024 Code of Conduct for Higher Education contains three major changes and a number of more textual modifications:

1) *the Standard for Language Tests in the language overview of the Code of Conduct for Higher Education* is introduced in section 5. With the introduction of this standard, the table containing language tests is removed from the body of the text of the Code of Conduct and included as an appendix to the Code of Conduct instead.

This change establishes a procedure that enables language test providers to accede to the language overview pertaining to the Code of Conduct. The reason for the introduction of this procedure is that

the umbrella organisations and the National Commission have received multiple requests in recent years from language test providers desiring admission to the language overview included in the Code of Conduct. The National Commission and the umbrella organisations consider it important that this be done in an objective and, more importantly, a conscientious manner. After all, English language proficiency is an indisputably relevant component of the admissibility of prospective students (and in the assessment of such admissibility). For this reason, it is important that educational institutions and students (and in particular, prospective students) can rely on the results of language tests.

The National Commission and the umbrella organisations have entrusted the development of the standard to an independent organisation, Hobéon. The standard includes, among other things, requirements relating to quality that the language test provider and the language test should meet. The process of validation is described in further detail in an accompanying process description. Every year from 1 October until 1 April, language test providers can submit requests to have their language tests included in the language overview. The umbrella organisations have agreed that this new standard and process description should be evaluated after five years.

2) Article 6.2 of the 2022 Code of Conduct for Higher Education had already contained the provision that educational institutions may provide education to international students, whereby the relevant degrees are issued on the basis of foreign statutory provisions. This provision follows from Article 15.7(1)(c) of the Higher Education and Research Act. Up to now, this has been implemented on the basis of a list of foreign accreditation organisations. The revised Code of Conduct seeks to align with the explanation of this provision provided by the Inspectorate of Education. The Inspectorate assesses whether applicable foreign statutory provisions exist. In addition, educational institutions are obliged to inform students (and prospective students in particular) clearly regarding any such foreign statutory provisions, as well as the degree to which the course leads and the consequences of the absence of NVAO accreditation.

It is important that when recruiting prospective students as well as issuing degrees, it is made clear which degree the programme awards and which foreign provisions it is based on. This also means that it should be made clear which foreign accreditation applies to the degree programme and in which country the degree is issued, or which foreign institution issues the degree. The National Commission greatly values good information provision to students regarding the programme they are to follow and the degree they are to receive upon graduation.

The foregoing means that the list of organisations with foreign accreditation has since 1 January 2024 no longer been used.

3) Article 6.6 was amended so educational institutions can excuse students in preparatory education or in the pre-Master's. This amendment follows from Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of [among other things] studies.

This Directive states that "any decision to withdraw or refuse to renew [a residence permit] shall take account of the specific circumstances of the case and respect the principle of proportionality" – Article 21, paragraph 7. The foregoing means that a student may not be deregistered with the IND solely because that student did not complete their preparatory education within one year. The Directive provides that account should be taken of the student's specific situation. Section B3.4 of the Aliens Act Implementation Guidelines has also been amended to align with Directive (EU) 2016/801.

Communication

The new 2024 Code of Conduct for Higher Education and the documents underpinning it have been shared, via a variety of channels, with both the boards and the employees of institutions of higher education and the Code of Conduct stakeholders. The umbrella organisations ensured that the documents were shared with their educational institutions. The Commission sent the 2024 Code of Conduct for Higher Education and its underpinning documents by email to the boards of the educational institutions not represented by any umbrella organisations or the stakeholders (including those from government). It is also worth noting that our newsletter highlights the new version of the Code of Conduct and all documents are published on the website.

Reviews

The Commission monitors the compliance with the Code of Conduct of the educational institutions which have signed the Code of Conduct. This task of the Commission's is fulfilled through, among other things, the performance of reviews. A number of reviews commenced in 2023, of which three have now been completed and published on the website www.internationalstudy.nl.

Provision of information

A key element in the Code of Conduct is the provision of information by educational institutions to students. It is particularly important for international students, who are leaving their home countries and starting a new life elsewhere, to be well aware of what studying in the Netherlands entails. Arrangements regarding the provision of information are set out primarily in provision 2 of the Code of Conduct. Article 2.1 begins as follows:

"By means of its website and otherwise, the educational institution will make reliable and easily accessible information available to international students in a timely manner regarding the education being provided and practical matters relating to settling in the Netherlands, in any case with regard to: (...)"

Periodic information provision audits

In view of the great importance of good information, the National Commission conducts an annual analysis at a number of educational institutions as to whether the information provided via their websites is consistent with the arrangements set out in the Code of Conduct. These 'periodic information provision audits' focus on the educational institutions' websites, since these are the primary channels through which information is provided to current and prospective international students. In 2022, the Commission noted that a number of conclusions and recommendations are revisited in the audits annually. This prompted the decision to draw up a trends report.

Trends Report

The '**Trends Report on periodic information provision auditing - 2018 to 2022**' reveals which themes and topics have led to which findings and recommendations in recent years, and which trends can be detected in them. A welcome trend is that information provision has improved significantly across a wide range of subjects. For instance, an increasing number of educational institutions are making clear in their English name whether they are a *University* or a *University of Applied Sciences*. Combined with a clear explanation of the differences in education provided at universities (WO) and universities of applied sciences (HBO), this enables students to make a more informed choice of programme or institution.

Matters requiring particular attention year on year due to the substandard quality of the information concerning them include accreditation and the titles of study programmes. Information on accreditation status could be greatly improved by clearly indicating which programmes are accredited and what such accreditation entails. It is after all extremely important for students to understand which degree is to be obtained through which programme, and what kind of recognition accompanies it. A student knows the value of the degree obtained from a programme followed in the Netherlands with NVAO accreditation. However, even where a programme is accredited by a foreign authority, it should be clear what the accreditation and the value of the diploma to be obtained are.

The Accreditation Organisation of the Netherlands and Flanders (NVAO) was established by the Dutch and Flemish governments as an independent accreditation body. NVAO operates at both binational and international levels. NVAO's determinations underpin the recognition of higher education programmes and ensure that students receive worthy degrees.

Source: nvaonet.net (May 2023).

The Commission has drawn up the Trends Report primarily for its own members. However, as the tips for improving the provision of information may also be of interest to others, the report has also been published on the Code of Conduct website.

2023 Information Provision Audit

Aside from the Trends Report, a new '**periodic information provision audit**' was published again this year. On the advice of the SAB, the number of institutions included in the audit was increased, from six to eight. The SAB acknowledges the importance of providing good quality information to international students and sets great store by the periodic audit conducted by the Commission. In this year's audit, particular attention was focused on the information provided by educational

institutions concerning study progress and the related requirements, such as the requirement that students obliged to hold residence permits must achieve 50% of the proportional nominal study load for a year or period. Hogeschool Zeeland's website provides a good example of how students can be clearly informed about this.

SUFFICIENT EDUCATIONAL PROGRESS / ATTENDANCE

In order to retain your residence permit, your educational progress must be adequate. As a student, you must attain at least half of the number of study points per study year (*total credits per academic year = 60 ECTS; this means that you will have to attain at least 30 ECTS. February Intake: at least 15 ECTS*). Your educational institution will check this at the end of every study year. If your progress is inadequate, the IND can withdraw your residence permit.

It is also our obligation to inform the IND within one month if you have stopped participating in your study programme and/or if you no longer study at HZ full-time.

Source: *hz.nl - "Brochure Information (...) - Student Office January 25, 2023" (April 2023).*

Information provision about the Code of Conduct and institutions' own complaints handling procedures

Adopted after careful evaluation, the updated version of the Code of Conduct has been in effect since October 2022. In the summer of 2023, the Commission investigated whether the provision of information in relation to the Code of Conduct had also been updated on the websites of the educational institutions. Because the petition procedure referred to in the Code of Conduct relates to the complaints handling procedures of the educational institutions, and because there were indications that those complaints handling procedures were not always easy to find, the audit also considered the presence and findability of the complaints handling procedures. For the audit, the websites of all 80 educational institutions included in the Code of Conduct register were examined.

This audit led to the '**2023 Report on the presence on websites of the Code of Conduct for Higher Education and complaints handling procedures**'. The graphic below provides a significantly summarised picture of the findings.

Aanwezigheid Gedragscode



- Een kleine 20% biedt de Gedragscode 2022 via de website aan.
- Ruim 80% meldt iets over de Gedragscode, van enkele woorden tot een uitgebreide toelichting & filmpjes.
- Op ruim 16% van de websites wordt niets over de Gedragscode gevonden.

Aanwezigheid klachtenprocedure



- Op bijna 50% van de websites is de klachtenprocedure van de onderwijsinstelling aangetroffen.
- Nog eens 20% geeft wel enige informatie over klachten, maar geen 'echte' klachtenprocedure.
- Iets minder dan 30% van de websites vermeldt niets over de klachtenprocedure.

NB: elke graphic dient op zichzelf bekeken te worden, ze tellen niet persé op tot 100%.

No information whatsoever was found about the Code of Conduct on 13 of the 80 websites audited. We contacted these educational institutions in October 2023 and requested that they improve their information provision in this regard. Most of the educational institutions responded swiftly to this request and have added the information to their website, or have indicated that they intend to do so.

The report singles out two educational institutions, due to the clear manner in which they present information about the Code of Conduct and their own complaints handling procedures on their websites. The Commission would recommend that everyone study these 'best practice' sites and potentially also derive inspiration from them in order to improve their own websites. The following illustration shows an example from one of these 'best practice' websites.

WINDESHEIM

Code of Conduct

To protect your interests as a foreign student in the Netherlands, the Dutch universities and other institutions of higher education have drawn up a Code of Conduct International Student Higher Education regulating various aspects of their relations with international students.

Windesheim has signed the [Code of Conduct](#), with which we guarantee to provide international students with accurate information about the various study programmes, their content, quality criteria, the language of instruction and the certificate(s) or degree(s) awarded.

Links and Downloads

- ✓ [Code of Conduct of the National Commission](#)
- ✓ [Complaints procedure of the National Commission](#)
- ✓ [Complaints procedure of Windesheim](#)
- ✓ [Send a complaint by email](#)
- ✓ [Windesheim House Rules](#)

Feedback and improvement

Apart from the publication and distribution via general mailings of the public audits, feedback concerning specific findings has also been provided to the educational institutions concerned. The institutions always respond positively to such feedback and generally address quickly the opportunities for improvement mentioned therein.

Register review

A new provision in the '2022 Code of Conduct' requires the Commission to review all of the institutions in the register once every six years in the light of specific articles. The review concerns Article 1 (definition of educational institution), Article 2.1(h) (information about the Code of Conduct), Article 5.2 (determination and application of minimum language requirements) and Article 6.2 (accreditation requirements for the study programmes offered).

This new provision was first implemented in 2023, in the form of the '**2023 Register Review**'. The review set-up was sensitively aligned to the requirements of various relevant parties, such as the umbrella organisations, the Inspectorate of Education and NVAO. The main purpose of the register review is to determine whether educational institutions continue to comply with the present Code of Conduct in respect of the aspects under review. Ten educational institutions, each of which has been included in the Code of Conduct register since its early years (2006 - 2008), were selected for the initial review. The review is currently ongoing, and is expected to be completed in 2024.

Both the register review and the previously mentioned audit regarding the presence of the Code of Conduct (and information thereover) on the websites of educational institutions have already led to a successful clean-up of the Code of Conduct register. With the consent of the educational institutions in question, and in its role as Register Administrator, DUO has cancelled the registrations of two educational institutions with effect from 1 January 2024, because these institutions neither educate any international students nor have any plans to do so.

Institutional review

In November 2023, the Commission asked one of the educational institutions included in the Code of Conduct register to provide information and documentation regarding a specific programme of study. The reasons for this were persistent signals regarding this course, and concerns about the situation of the students who had pursued or were pursuing it. The governing board of the institution concerned has indicated that it has received the **request for information** and is preparing a response to the Commission.

Newsletters

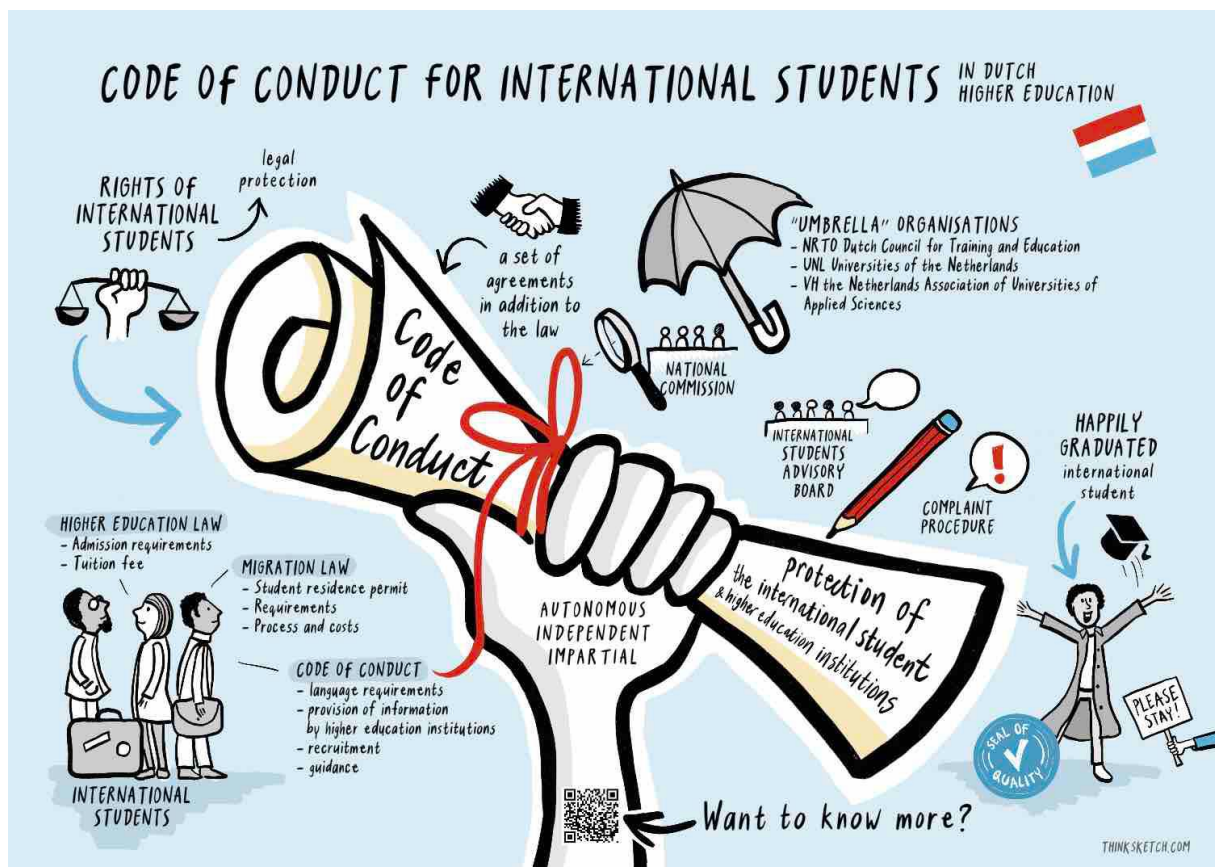
The Commission publishes two digital newsletters each year, in which it writes about its activities and informs readers of developments which concern the Code of Conduct and affect international students. In the last year, the Commission has also repeatedly published items concerning the revision of the Code of Conduct. This information can be accessed on [the website](#). A total of 303 people have now subscribed to the newsletter.

The newsletter is published twice a year. If you wish to receive the newsletter automatically, you can subscribe by contacting us at: info@internationalstudy.nl.



Communication

As a consequence of one of the recommendations from the 2021-2022 evaluation, the Commission had a communication plan drawn up in 2022, aimed at increasing the reach and, more specifically, the awareness of the Code of Conduct among international students and higher educational institution employees. Over the last year, the Commission has followed up on the communication plan through, among other things, participating in the EAIE (European Association for International Education). The EAIE took place in Rotterdam, providing us with the opportunity to present ourselves at a stand. Our participation turned out to be very useful in terms of establishing contacts with various educational institutions and language test providers. The Commission has also held a number of workshops over the last year, aimed at actively informing the educational institutions about the text of the Code of Conduct and current developments. In addition, in collaboration with a delegation from the SAB, it had an infographic developed by the owner of [Denkschets](#). This infographic serves to aid visualisation of the Code of Conduct text.



Composition

National Code of Conduct Commission

The members of the Commission are appointed by the umbrella organisations. The members unanimously appointed Paul Rullmann as chair of the Commission in 2022. Under the Code of Conduct regulations, a maximum of two four-year terms may be served.

Having completed two full terms, the member on behalf of the Netherlands Association of Universities of Applied Sciences Susana Menéndez took leave of the Commission with effect from 1 June 2023. Chair of the Executive Board of The Hague University of Applied Sciences Elisabeth Minnemann took over from Menéndez effective 1 September 2023.

Composition of the National Commission as of 31 December 2023

POSITION	NAME	UMBRELLA ORGANISATION
chairperson	Paul Rullmann	
member	Frans Snijders	UNL
member	Ed Brinksma	UNL
member/acting chairperson	Elisabeth Minnemann ¹	Netherlands Association of Universities of Applied Sciences
member	Rob Verhofstad	Netherlands Association of Universities of Applied Sciences
member	Karen Penninga	NRTO
deputy member	Tom van Veen	UNL
deputy member	Guido van Leerzem	UNL
deputy member	Janco Bonnink	Netherlands Association of Universities of Applied Sciences
deputy member	Erik van den Berg	Netherlands Association of Universities of Applied Sciences
deputy member	Jan van der Heijden	NRTO

Code of Conduct office

The Code of Conduct office, which consists of a secretary and two auditors, is responsible for day-to-day matters concerning the Code of Conduct. Due to the expansion of the Commission's activities, an additional auditor joined the office effective 1 February 2023. The bureau is staffed by DUO employees, whereby the independent position of the staff is guaranteed through a covenant that has been agreed between DUO and the Commission.

International Student Advisory Board

An International Student Advisory Board (SAB) was established following the revision of the Code of Conduct in 2022. This Board may provide the Commission with solicited and unsolicited advice on matters concerning the Code of Conduct. The SAB constitutes a direct line of communication between the Commission and international students. The Commission is confident that this will enable it to better incorporate the perspective of international students into its activities.

The SAB has been at full strength since 1 September 2023. The Commission has appointed three new members. These are: Sarah Kuipers, Ato Essuman Mensah and Miklós Papp. The Commission brought the SAB membership vacancies to the attention of the various participation and other councils at universities and universities of applied sciences and asked them to publicise these vacancies among international students who were already actively participating in one of the aforementioned councils. The SAB has appointed one of its members, Mitchelle Muchuchuti, to act as chairperson.

The Commission appoints its members for a term of office of two years. Members who stay in the Netherlands for a shorter study period may be appointed for one year.

Please refer to the SAB's annual report for information regarding its activities in 2023.

¹ Elisabeth Minnemann was appointed a member of the Commission on behalf of the Netherlands Association of Universities of Applied Sciences with effect from 1 September 2023. She replaces Susana Menéndez in this position.

Composition of the International Student Advisory Board as of 31 December 2023

POSITION	NAME	EDUCATIONAL INSTITUTION
Chairperson	Mitchell Muchuchuti	Saxion University of Applied Sciences
Member/acting chairperson	Liliana Almeida	The Hague University of Applied Sciences
Member	Aysun Hasan	Tilburg University
Member	Patryk Jarmakowicz	Erasmus University
Member	Sumneet Kaur	Tilburg University
Member	Sarah Kuipers ²	The Hague University of Applied Sciences
Member	Rauf Mahmudzada	Saxion University of Applied Sciences
Member	Ato Essuman Mensah ³	HAN University of Applied Sciences
Member	Miklós Papp ⁴	NHL Stenden
Member	Fernando Teruel	Wageningen University

Finances

The chairperson, members and deputy members receive attendance fees at the end of each quarter for activities relating to the Code of Conduct. To this end, and in consultation with the Ministry of Education, Culture and Science, attendance fee regulations have been drawn up, which can be found on the Code of Conduct website. The amount paid out per quarter is stated in the table below.

The Commission met six times in the past year. The deputy members were also invited to the June 2023 meeting. Discussions were held as part of the revision of the Code of Conduct in which a delegation from the Commission took part, and the Commission made two exploratory visits to educational institutions who had signed the Code of Conduct.

Attendance fees (including travel expenses) for 2023 compared to 2022

Term	2022	2023
1st quarter	€5,725.09	€6,932.64
2nd quarter	€5,400.12	€3,912.36
3rd quarter	€3,191.05	€2,188.35
4th quarter	€4,306.99	€4,794.07
Total	€18,623.25	€17,827.42

² Appointed effective 1 September 2023.

³ Appointed effective 1 September 2023.

⁴ Appointed effective 1 September 2023.

Code of Conduct Register

DUO has been designated administrator of the register listing the institutions which have signed up to Code of Conduct; this Code of Conduct register may be consulted via the website www.internationalstudy.nl.

Changes to the register in 2023

In 2023, three educational institutions submitted requests for addition to the register or to be administered differently. It was decided, by mutual agreement, to 'cancel' the registrations of two other educational institutions (i.e. to deregister these). Neither of these institutions provide courses to international students, and nor do they have any plans to do so. There is no real reason for either of them to be included in the register at the present time.

Following the evaluation of the requests, DUO implemented the following changes to the Code of Conduct register:

registrations

- SOMT University of Physiotherapy – registered effective 27 February 2023
- Global School for Entrepreneurship – administrative modification effective 24 October 2023

deregistrations

- Business School Notenboom – deregistered effective 1 January 2024
- Iselinge Hogeschool – deregistered effective 1 January 2024

The processing of one request for inclusion in the register has not yet been concluded due to the complexity of the request.



Outlook for 2024

As has been indicated in the introduction, a new government is expected to be formed in 2024. The Internationalisation in Balance Bill will also be worked out in greater detail by the Minister of Education, Culture and Science. These two important elements may prove influential on the Commission's activities in the coming year. You may ask yourself, 'how, exactly?', but that remains to be seen. The Commission in any case expects to be able to continue with its regular activities in 2024. Its principal priority is to promote compliance with the Code of Conduct among educational institutions by identifying and sharing best practices based on its audits and reviews. The Commission would like to mention a number of themes that are included in its plans for the coming year.

In 2023, the Commission started its first register review, which is expected to be completed in 2024. Ten educational institutions were selected for the review. The Commission hopes to select a further ten educational institutions for review in 2024. In addition, an exploratory study of complaints handling procedures is also planned. It has emerged from previous Commission reviews that students experience difficulty in finding information regarding the complaints handling procedures of the educational institutions themselves and regarding the Commission's own complaints handling procedure. By way of an exploratory study, the Commission wishes to carry out further research into the numbers involved and the nature and handling of complaints (in relation to the Code of Conduct) which educational institutions receive from international students.

In addition, the Commission will ensure that all of the required information regarding the possibility for language test providers to join the Code of Conduct's Language Test Appendix is available on its website by January 2024. The Commission's office merely fulfills a coordinating role in respect of these requests, which means that it will pass requests on to the newly established Assessment Committee which will handle the requests. The Commission will also monitor how the standard and request procedure are presented in practical terms, so that the procedure and accompanying Code of Conduct for Higher Education's Standard for Language Tests' language overview 2024 can be evaluated after five years.



Publication details

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This annual report can be downloaded at www.internationalstudy.nl