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INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI

Evaluation of the Canterbury Work Rights Initiative

October 2014





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INNOVATION & EMPLOYMENT**
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Executive summary

Introduction

The Canterbury Work Rights (CWR) Initiative came into force on 27 August 2012. The initiative trialled the extension of eligibility for part-time work rights for English language and foundation students in Canterbury. The objectives of the CWR initiative were to support the Canterbury International Education Strategy's focus on promoting Christchurch's attractiveness as a study destination and to 'road test' the integration of immigration incentives into the New Zealand Qualifications Authority's (NZQA's) incentives and sanctions system to support quality education provision. In October 2013 Cabinet announced a further extension of work rights to all English language students enrolled for at least 14 weeks at the highest quality education providers across New Zealand.

An evaluation of the CWR initiative was undertaken in 2013, involving analysis of visas issued under the initiative, an online survey of students issued visas under the initiative, interviews with a selection of students who had completed the online survey, and interviews with education providers. The purpose of the evaluation was to assess the extent to which the initiative was meeting its stated aims and to examine the risks and impact of the initiative. It was also intended that the evaluation would assess the long-term feasibility of the initiative; however, the nationwide extension occurred before the evaluation was completed. As a result, the size of the evaluation was reduced and the objectives were redefined to assess how any potential risks of the roll-out could be managed or mitigated.

Do work rights act as an incentive to attract and retain students in Canterbury?

Findings from the evaluation show that the CWR initiative may have worked as an incentive to attract students to Canterbury, particularly for students studying at private training establishments (PTEs). There has been an increase of 15 per cent in visa applications for study at Christchurch PTEs in the year ending August 2013 compared to a decrease of 14 per cent in Auckland and 10 per cent in the rest of New Zealand.

However, the evaluation also shows that work rights act as an incentive for students from some countries more than others. Christchurch has been the only region that has seen an increase in visa applications from Latin American students in the year ending August 2013. In addition, nearly all of this increase in visa applications from Latin American students was for study at PTEs.

Results from the online survey of students also suggest that work was of greater importance for students from Latin America than students from China and other countries. Overall one-third of students said that work was extremely or very important in their decision to study in Christchurch. This compares with about one in ten students from China and the majority of students from Latin America.

These findings are supported by interviews with education providers. Most Christchurch Category 1 providers¹ indicated that they had seen a growth in the Latin American market since the introduction of the CWR initiative. Auckland providers also believed there would be a growth in the

¹ The NZQA introduced the external evaluation and review (EER) system in September 2009, to replace the previous audit cycle. Based on their performance, providers are classed in one of four categories (Highly Confident, Confident, Not Yet Confident and Not Confident). Category 1 providers are deemed highly confident in educational performance, and either confident or highly confident in capability in self-assessment.

Latin American market, as well as the Eastern European market, now that work rights had been introduced for English language students.

The numbers of Latin Americans in the survey and the trend analysis are small, and this needs to be taken into account when considering these findings. However, together they suggest that numbers of students from these countries may increase in the future because of the ability to work while studying English. This may be particularly the case for students from countries that do not have current working holiday schemes with New Zealand.

Does linking immigration incentives to NZQA's incentives and sanctions system act as an incentive to raise the quality of education providers?

The linking of work rights to NZQA's quality assurance system was considered by providers to be a significant incentive to raise the quality of education providers' performance. Those providers that are currently Category 1 would work hard to ensure that they did not lose that status, and Category 2 providers would be motivated to try to obtain a Category 1 status rating.

However, concerns were raised over the potential downstream impact for Category 2 providers of the policy and the negative impact it may have on their business. This view was supported by the analysis of visa applications for study at Category 2 education providers in Christchurch (there were two at the beginning of the CWR initiative) which showed a decrease in visa applications to the year ending August 2013 compared with an overall increase at Christchurch PTEs. A few providers also expressed the view that the linking of immigration and NZQA incentives was unfair and that the external evaluation and review (EER) system was never meant to be a basis for these types of decisions (immigration incentives and sanctions). Category 1 and 2 providers are considered by NZQA and the Ministry of Education to be sound and have good academic performance, and to be distinctly different from Category 3 and 4 providers (Not Yet Confident and Not Confident). These providers were concerned that by limiting work rights only to Category 1 providers, the market is being sent signals about which are good providers and which are not.

Education providers that receive a Category 2 rating are able to seek re-assessment of that rating. As there were only two Category 2 providers in Christchurch at the beginning of the CWR, it is impossible to assess at this stage whether work rights act as an incentive to raise the quality of education providers. However, a few education providers raised concerns that the cost and time required in seeking a re-assessment were considered to be considerable barriers to doing so. It is likely that as work rights are rolled out nationwide, a number of Category 2 education providers will be seeking re-assessment. NZQA has made preparations to ensure it is able to accommodate requests for early EERs, and following Immigration New Zealand's (INZ's) announcements regarding work rights for English language students, NZQA worked with a sector peak body (English New Zealand) to proactively accommodate any requests.

What are the impacts, including unintended consequences, of extending work rights in Canterbury?

Non-compliant employment

Previous research with international students has found that around 10 per cent report being paid less than the minimum wage and a similar proportion report not having an employment agreement (Ministry of Business, Innovation and Employment, 2013). Students from China and those studying English language courses appear to be most vulnerable.

The findings from the evaluation are mixed on the extent of non-compliant employment of international students with work rights. The majority of Christchurch education providers indicated

that no concerns about employment rights or conditions had been raised by students who had worked. However, results from the online survey and interviews with students show at least some concern around students' employment rights and conditions. It was apparent from the 16 face-to-face interviews that the majority did not have a written employment agreement and were unclear of their employment rights and entitlements. Two students also reported being paid less than the minimum wage, and being paid in cash. Only around half had been told about health and safety issues in their workplace. Several of the students have found work either in ethnic businesses or through ethnic networks, primarily restaurants. According to anecdotal evidence from the Labour Inspectorate and INZ, in many cases, those who exploit migrant workers are themselves former migrants.

Attracting students whose primary motive is work

While the motivation for the majority of students is to come and study in New Zealand, with work rights being a 'nice to have', it does appear that the right to work to help offset living costs is more important for some students. As mentioned earlier in the discussion this appears to be more often the case for students from Latin America. These may be students from countries that do not currently have working holiday schemes with New Zealand (for example, Colombia) or older students who have already completed a qualification in their own country. They may also be students from countries with the most to gain economically by working. A report on migrant labour market outcomes (Merwood, 2013) shows that labour market patterns of working holidaymakers from the various schemes differ markedly. On average, working holidaymakers from countries with a lower gross national income per capita than New Zealand spend longer on the working holiday scheme and spend a greater share of their time working than those from other countries. This may also be the case for international students.

Taking jobs from New Zealanders

It was not possible to assess the extent to which international English language or foundation students with work rights displaced New Zealanders. The numbers of students eligible for work rights under the CWR initiative were relatively small and only around a quarter managed to get work. It is also evident that some international students are working in untaxed employment making it very difficult to assess the impact of their employment on New Zealanders using existing data sources. It is uncertain therefore how the extension of work rights will impact on Auckland's labour market.

However, Martin Jenkins (2005) concluded that foreign fee-paying students will create more work via their domestic spending than they take up and at times in the economic cycle can help alleviate skills and labour shortages. They conclude that a limited range of possible jobs for English language students reduces the risk of major negative effects on New Zealand resident job seekers.

Risks of a nationwide roll-out of work rights to English language students and potential measures to manage them

Managing students' expectations

The findings from the online survey show that over half of the students had tried to find work – but that only half of these had succeeded in doing so. Overall, only a quarter of students issued a visa with work rights under the CWR initiative had found work.

In addition, expectations around the type of work that students may be able to obtain need to be managed. The majority of students who had obtained work tended to be working in lower-skilled occupations. This may be a particular issue for older students who come to New Zealand to learn English after completing a qualification in their home country. Fourteen per cent of students issued a

visa with work rights under the CWR initiative were 30 years or older. Education providers indicated that there is a narrow range of jobs available for students with limited English, and these tend to be the lower-skilled jobs, including jobs working in ethnic businesses.

If students are 'sold' the opportunity to work as part of their student visa but are unable to find work, or the type of work they want, this may lead to some degree of dissatisfaction with unmet expectations which may create negative perspectives of New Zealand as a place to study. This may be more so for students/markets where work is important in order to offset the costs associated with studying.

Providers commented on the importance of ensuring that managing expectations about work is part of any marketing activity, including educating agents about work rights to ensure that students are getting accurate information even before they arrive in New Zealand. The current Education Amendment Bill introduced into the house on 10 March 2014 has proposed a new legal framework to revamp the Code of Practice for the Pastoral Care of International Students, which will apply faster and more effective sanctions against providers (including their agents) for breaches of the Code. The Code specifies standards for marketing and promotion, with an aim of ensuring students have full, complete and reliable information for decision-making.

Undermining support for Christchurch

Extending work rights to all English language students studying courses for 14 weeks or longer at the highest quality English language providers New Zealand-wide has the potential to undermine one of the main aims of the CWR initiative, which was to support the promotion of Christchurch as a study destination following a drastic drop in numbers after the earthquakes. Some Canterbury education providers were concerned that rolling out the initiative potentially undermines advantages Canterbury education providers have over the rest of New Zealand. Their perspective was that most students want to study in Auckland and will choose Auckland over Christchurch once work rights are available nationwide. However, findings from the survey and interviews with students indicate that this might not necessarily be the case for the majority of students. Only a quarter of students who were aware of work rights had chosen Christchurch for that reason. Students who were interviewed indicated that they had chosen Christchurch over Auckland because they preferred the option of a smaller city or because of the lower course fees in Christchurch.

A few providers suggested that there may be ways for government to provide extra support to education providers in Christchurch. One suggestion was that Christchurch Category 2 education providers are able to access students with work rights, at least for the near future. Other options of support for Christchurch include financial support with having an EER re-assessment. There may be other options to support Christchurch that could also be considered; for example, varying the level of maintenance funds required of international students in different regions.

Non-compliant employment

Evidence from previous research and from the current evaluation indicates that English language students who work may be at higher risk of working in non-compliant employment than other students. Language difficulties may mean that these students are less likely to be aware of their minimum employment entitlements and less likely to be in a position to seek assistance when their minimum employment rights are not met. It may also mean that some employers perceive them as easier to take advantage of.

Education providers clearly saw it as their responsibility to inform students of their employment rights, though one provider questioned how successful this would be given the language barriers.

However, it was clear from interviews that students were not well informed of their employment rights and obligations and that there was no consistent communication of this information.

There is a risk that the nationwide roll-out of work rights to English language students, while attracting more students to New Zealand, may result in at least some of these students working in non-compliant employment. This also carries a risk to New Zealand's reputation as a place to work, study and do business. On the other hand, non-compliant employment may be more likely to happen in situations where students are working illegally.

The Ministry of Business, Innovation and Employment and the Government are already undertaking action to deal with the exploitation of migrant workers, including international students. The Immigration Amendment Bill (No 2) contains a number of amendments to protect migrant workers from exploitation. The proposals will make it a specific offence to exploit migrants who hold temporary work visas. In addition, the Bill will enable immigration officers to enter and search a workplace, without notice, to determine whether an employer is complying with the Immigration Act and employees are complying with the work-related conditions of their visa. Policy settings will also be introduced that are designed to directly protect the immigration status of those migrants who have experienced exploitation and reported it.

INZ's NZStudyWork website, which can be viewed in English, Chinese and Korean, provides international students with information regarding their work rights while studying and living in New Zealand, and raises awareness of employment rights and responsibilities for both international students and their employers, with the aim of reducing the risk of illegal employment practices for this migrant group. INZ promotes the use of the NZStudyWork website onshore and offshore through targeted welcome emails sent to all new international English language students, at export education fairs and events, and by engaging directly with education providers. INZ is also working on expanding the content of NZReady, an informational planning tool to cater for international students. This will provide individually tailored information, including information on employment rights, to international students based on their specific needs while they are planning for study in New Zealand.

In addition, risks of non-compliant employment could be mitigated by strengthening labour market interventions and support for international students. For example, there could be additional resource for strengthened labour inspection targeting workplaces where international students may concentrate, funded through the Export Education Levy.

Students working more than 20 hours a week or working rather than studying

No students who participated in the online survey reported working more than 20 hours a week and only two education providers raised concerns around the possibility of students not undertaking the study for which they were granted the visa or working more than 20 hours a week. However, it may be a potential risk for those students for whom working to offset living costs is very important. Education providers indicated that they had processes in place to monitor attendance because poor attendance is thought to be a key indicator that students may be working more than 20 hours a week. Peak body English New Zealand already undertakes spot-checks on its members. It was suggested that spot-checks on education providers by INZ to monitor attendance was one way of managing these risks.

Conclusion

The evaluation of the CWR initiative shows that work rights may have been an incentive to attract students to Canterbury, particularly students from Latin America and those studying at PTEs. The extension of work rights nationwide is likely to have a positive impact on the numbers of students

studying English language courses in Auckland. However, Auckland is a significantly different market from Christchurch both in terms of the size of the English language sector and the labour market post-earthquake and it is difficult to make judgements on how the extension of work rights might impact the Auckland English language sector based on the findings of the evaluation of the CWR initiative.

While the nationwide extension of work rights is likely to attract more international students to New Zealand it also carries several risks that need to be managed. These risks include attracting students whose primary motivation is work and who therefore work more than the 20 hours a week allowed. In addition, English language students who work may be at higher risk of experiencing non-compliant employment than other students.

Contents

Executive summary	i
1 Introduction	1
1.1 Background	1
1.2 Canterbury Work Rights Initiative	1
1.3 Defining quality education providers	2
1.4 Objectives of the Canterbury Work Rights Initiative	2
1.5 Extension of work rights	3
1.6 Studying English language in New Zealand	3
1.7 New Zealand research on international students and work	3
1.8 Evaluation objectives	4
1.9 Structure of the report	5
2 Method	6
2.1 Introduction	6
2.2 Analysis of immigration administrative data	6
2.3 Online survey of students	6
2.4 Interviews	7
2.5 Analysis	8
2.6 Ethics	8
2.7 Limitations of the evaluation	10
3 Students issued visas under the Canterbury Work Rights Initiative	11
3.1 Key findings	11
3.2 Introduction	11
3.3 Data errors	11
3.4 Descriptive analysis	12
3.5 Transition onto other visas	14
3.6 Trends in visa applications and enrolments	14
4 Students' issued visas under the Canterbury Work Rights Initiative: online survey and interviews	19
4.1 Key findings	19
4.2 Introduction	19
4.3 Descriptive information	19
4.4 Students and work	23
4.5 Wider experiences in Christchurch	28
4.6 Long-term plans	29
5 Interviews with education providers	30
5.1 Key findings	30

5.2	Introduction	30
5.3	Importance of work rights to the education sector	31
5.4	New markets.....	31
5.5	Students’ work experience	32
5.6	Education providers’ responsibility to students.....	33
5.7	Linking of work rights to Category 1 status providers.....	34
5.8	Risks of the nationwide roll-out of work rights	35
6	Discussion	36
6.1	Do work rights act as an incentive to attract and retain students in Canterbury?	36
6.2	Does linking immigration incentives to NZQA’s incentives and sanctions system act as an incentive to raise the quality of education providers?.....	37
6.3	What are the impacts, including unintended consequences, of extending work rights in Canterbury?	38
6.4	Risks of a nationwide roll-out of work rights to English language students and potential measures to manage them.....	39
6.5	Conclusion	41
	References.....	42
	Appendix A – Information sheets.....	43
	Appendix B – Informed consent sheets.....	45
	Appendix C – Data errors.....	49

1 Introduction

The Canterbury Work Rights (CWR) Initiative came into force on 27 August 2012. The initiative trialled the extension of part-time work rights eligibility for English language and foundation students in Canterbury. In October 2013 Cabinet announced a further extension of work rights to all English language students enrolled for at least 14 weeks at the highest quality education providers across New Zealand.

An evaluation of the CWR initiative was undertaken in 2013, involving analysis of visas issued under the initiative, an online survey of students issued visas under the initiative, interviews with a selection of students who had completed the online survey, and interviews with education providers. The purpose of the evaluation was to assess the extent to which the initiative is meeting its stated aims, and to examine the risks and impact of the initiative. It was also intended that the evaluation would assess the long-term feasibility of the initiative; however, the nationwide extension occurred before the evaluation was completed. As a result, the size of the evaluation was reduced and the objectives were redefined to assess how any potential risks of the roll-out could be managed or mitigated.

1.1 Background

Prior to the earthquakes the export education sector in Christchurch was the second largest in New Zealand (New Zealand Education, 2013). Education providers at all levels were affected by the earthquake and the subsequent loss of confidence of the international market in Christchurch as an education destination. English language schools were hit particularly hard; a number of schools based in the city centre closed due to loss of premises and sharp declines in student enrolments. Remaining schools faced the challenge of overcoming potential students' safety concerns and misgivings about the ability of providers to deliver quality education from temporary facilities.

The education sector considers the ability to work part-time a key marketing tool for attracting students to New Zealand. While many international students could already work part-time during their studies, eligibility was more restrictive for English language students and those on foundation courses at university.

For some time the English language sector had been lobbying for English language student work rights to become more comparable with what is offered in Australia. Successive governments, however, had been reluctant to loosen the requirements to allow more English language students to work because of concerns about labour market displacement of young New Zealanders and increased immigration risk.

In 2011 Cabinet directed officials to investigate linking eligibility to student visas and work rights to the New Zealand Qualifications Authority's (NZQA's) quality assurance process [DOM Min 11/61] as a way of mitigating some of the risks associated with the extension of work rights. The CWR initiative was seen as the first trial of this process.

1.2 Canterbury Work Rights Initiative

Section U7.15.5 (vi) of the Immigration New Zealand (INZ) Operational Manual (2014) outlines eligibility for student work rights under the initiative. Students are eligible to work 20 hours a week if they are:

- vi. undertaking a full-time English language programme of at least 14 weeks duration or a full-time foundation programme of at least one academic year's duration at level four or higher on the New Zealand Qualification Framework where either programme is at an education provider in Canterbury that:
 - o is a university; or
 - o holds Category One status under the New Zealand Qualifications Authority's (NZQA) External Evaluation Review (EER) quality assurance system; or
 - o is on a three year audit cycle.

To be eligible for work rights under (vi), students aged 16 and 17 years must have written permission from their education provider and written parental consent. Students below the age of 16 are not eligible.

1.3 Defining quality education providers

The NZQA introduced the EER system in September 2009, to replace the previous audit cycle. An EER provides for independent external quality assurance of tertiary education organisations in the non-university sector. An EER results in a report that is published on the NZQA website. EER reports contain judgements on two measures: the provider's educational performance and their capability in self-assessment.

Based on their performance against these two measures, providers are classed in one of four categories (Highly Confident, Confident, Not Yet Confident and Not Confident). Category 1 providers are deemed highly confident in educational performance, and either confident or highly confident in capability in self-assessment.

NZQA introduced an incentives and sanctions policy linked to providers' EER results in April 2011. Category 1 providers have streamlined processing of applications for programme approval and accreditation, and are subject to less frequent NZQA checks and financial tests. Providers in the bottom two categories (Categories 3 and 4) are subject to greater scrutiny and more frequent evaluations.

In 2011 Cabinet directed officials to investigate linking eligibility for work rights for English language students and student visas with the NZQA quality assurance system. The CWR initiative was the first time this link was trialled. Only providers in Category 1 would be eligible to provide their students expanded part-time work rights. However, as some providers had not been through the EER process when the CWR initiative came into effect, it was proposed that providers in Canterbury still on a three-year audit cycle also be included in the initiative. A three-year audit cycle indicates a high level of compliance but did not necessarily correspond with being assessed as a Category 1 provider under EER.

1.4 Objectives of the Canterbury Work Rights Initiative

The objectives of the CWR initiative were:

1. to support the Canterbury International Education Strategy's focus on promoting Christchurch's attractiveness as a study destination
2. to 'road test' the integration of immigration incentives into NZQA's incentives and sanctions system to support quality education provision.

1.5 Extension of work rights

In October 2013 the Government announced an extension of work rights to all international English language students effective January 2014. English language students who enrolled for at least 14 weeks at a university or Category 1 education provider would be able to work up to 20 hours a week while studying. Extension of work rights across New Zealand was considered to have the following benefits:

- The marketing potential of students' ability to work during their course, together with limiting eligibility to students enrolled at high quality providers, will make work rights a powerful incentive for education providers to strive for the highest education performance.
- It would improve New Zealand's international competitiveness by bringing New Zealand policies closer to those of Australia (New Zealand's closest competitor for international students) and making them more attractive than the settings in other competitor countries (Canada, England and the United States).
- The ability to work during study may support the growth of the English language international education export sector and the diversification of the international student markets.

1.6 Studying English language in New Zealand

A large number of international students come to New Zealand to study English. There were 20,354 international fee-paying students enrolled to study English in the tertiary sector between 1 January and 31 August 2013 (Education Counts, 2014). They represented 33 per cent of all international fee-paying students enrolled to study in the tertiary sector during this time period.

Three-quarters of international students studying English between January and August 2013 were enrolled to study at private training establishments (PTEs) with the remaining quarter enrolled to study English at universities, institutes of technology and polytechnics (ITPs) or subsidiary providers. Two-thirds of international students enrolled in English language schools were enrolled to study at Auckland education providers.

1.7 New Zealand research on international students and work

New Zealand research on international students and work estimates that between 35 per cent and 55 per cent of students work (Ministry of Business, Innovation and Employment, 2013). This differs by type of education provider with students studying at PTEs and ITPs more likely to work than those studying at university.

However, analysis of the Integrated Data Infrastructure shows that around a quarter of fee-paying students (27.5 per cent) were earning wages or salaries in 2011 (Merwood, 2013). This information is based on taxable earning and is less than that estimated by surveys. Therefore it is likely that a proportion of students are working in untaxed employment.

A small exploratory study examining international students working in the horticulture sector in the Bay of Plenty found that many students experienced exploitative and illegal working conditions (Anderson, Jamieson, & Naidu, 2012). One of the main drivers for working long hours was financial with students needing to repay loans or make money to support their education and living costs. This study was small with a self-selecting sample, so it is not possible to make wider generalisations around exploitation of international students.

However, a survey by the National Research Bureau and Infometrics (Ministry of Business, Innovation and Employment, 2013) also found that some students were vulnerable in the labour market. One in ten students who had worked in the previous 12 months reported being paid less than the minimum wage (taken as \$13.50). One in ten did not have an employment agreement and two out of five reported not being able to take breaks during their working day. Students from China and those studying English language courses appear to be most vulnerable. In addition, one in ten students was working more than 20 hours a week, in conflict with the limits of their student visas.

International students most commonly work in the accommodation and food services industry as well as retail and trade (Merwood, 2013). In March 2011, 70 per cent of international student jobs were in four industries: accommodation and food services (33.6 per cent), retail and trade (13.9 per cent), administration and support services (11.7 per cent) and agriculture, forestry and fishing (10.2 per cent).

A report on the contribution of export education to the New Zealand economy estimates that the contribution to GDP is \$2.6 billion (Infometrics, 2013). University students contribute over 36 per cent of the total gross output of onshore international education followed by English language students at around 14 per cent. Expenditure by international students in New Zealand directly generated just over 13,600 filled jobs. Adding on indirect and induced employment brings the total to 28,170 filled jobs – about half of which are in the education industry.

While the report is a decade old, Martin Jenkins (2005) undertook an analysis of the impact of international student employment on the local labour market and on student performance. Martin Jenkins concluded that foreign fee-paying students will create more work via their domestic spending than they take up and at times in the economic cycle can help alleviate skills and labour shortages. This analysis concludes a limited range of possible jobs for English language students reduces the risk of major negative effects on New Zealand resident job seekers. However, the marketing advantage of work rights may not be sustained if people who want to find work are not able to do so.

1.8 Evaluation objectives

An evaluation of the CWR initiative was agreed to by Cabinet [CAB MIN (12) 23/6]. The purpose of the evaluation was to assess the extent to which the initiative was meeting its stated aims and to examine the long-term feasibility of the visa. The evaluation would also examine the risks and impacts of the initiative. As mentioned earlier these objectives were redefined in order to meet the information needs of the changing policy.

1. To what extent do work rights act as an incentive to attract and retain students in Canterbury?
2. To what extent does linking immigration incentives to NZQA's incentives and sanctions system act as an incentive to raise the quality of education providers?
3. What are the short-term impacts, including unintended consequences, of extending work rights to foundation studies and English language students with a visa to study in New Zealand for 14 weeks?
4. How can the potential risks of a nationwide roll-out of work rights to English language students be managed or mitigated?²

² The original evaluation plan also included the following research questions:

- What are the potential implications and management needs of identified risks if the visa was to be extended beyond the 18 months in Canterbury?
- What are the potential implications and management needs of identified risks if the initiative was to be extended to regions beyond Canterbury?

1.9 Structure of the report

The report is structured into chapters according to the main data source with a final chapter which draws all the data sources together to answer the evaluation questions. Chapter 2 outlines the method for the evaluation and Chapter 3 provides the findings from the analysis of immigration data. Chapter 4 presents the findings from the online survey and interviews with students issued student visas under the CWR initiative. Chapter 5 presents the perspectives of education providers and Chapter 6 the Discussion.

2 Method

2.1 Introduction

The evaluation used a mixed method approach, including analysis of administrative data, an online survey of students issued a student visa with work rights under the CWR initiative, and interviews with students and education providers. Where possible the methods were chosen to allow triangulation of data to meet evaluation objectives.

An advisory group was established to inform the development of the evaluation plan and to advise on other issues arising during the course of the evaluation. The advisory group also had the opportunity to comment on the online survey and interview schedules. The group included the Ministry of Business, Innovation and Employment (MBIE) (Immigration Policy, Operational Policy and Operational Support), the Ministry of Social Development, NZQA and Education New Zealand.

2.2 Analysis of immigration administrative data

Data on students issued a visa under the CWR initiative were extracted from the MBIE's immigration data warehouse. This included demographic information (gender, age, country of origin), institution of study and whether they transitioned onto other visas. Data for this section of the evaluation were generated using SAS (statistical software) to query the variables of interest.

In addition, analysis was undertaken of approved visa applications for years ending 26 August 2009 to 26 August 2013 at each of the three main types of education providers (universities, ITPs and PTEs³) comparing Christchurch, Auckland and the rest of New Zealand. This trend analysis was undertaken to help determine the extent to which changes in the volume of English language and foundation students in Canterbury was due to the introduction of the CWR initiative.

2.3 Online survey of students

All students issued a student visa under the CWR initiative between 27 August 2012 and 30 September 2013 were invited to participate in an online survey. The online survey sought to learn more about students' knowledge of the CWR initiative and their motivations for studying and working in Christchurch, as well as their experience in paid employment, and long-term plans. The survey also gathered descriptive information about these students. The online survey was live for three weeks in each of the months February, May, August and November 2013. The survey was conducted via Survey Monkey and distributed to students by education providers.

2.3.1 Participant selection

Students eligible to take part in the survey were identified through MBIE's immigration database. All new students issued a student visa under the CWR initiative at least two months prior to each survey were invited to participate.

2.3.2 Survey distribution

Initial analysis of the survey population showed that only around half of students issued a visa under the CWR initiative had provided INZ with a personal email address. Education providers indicated that they hold personal email addresses for all students and were willing to forward students a link

³ Includes all PTEs – not just those approved to take students issued work rights under the CWR initiative

to the online survey. Thus, to maximise participation, the survey invitation was sent out via education providers.

Providers received two separate emails. The first contained an attached password-protected encrypted file containing names of students enrolled at their institution who had been issued a visa under the CWR initiative. Passwords were given to education providers over the phone. The second contained an information sheet about the survey in five different languages (simplified Mandarin, Korean, Japanese, Spanish and English; see Appendix A),⁴ an invitation to students to participate in the survey, and the URL link to the survey. Providers then forwarded the survey information and invitation on to the selected individuals.

2.3.3 Survey development

The survey was piloted with a small number of individuals resulting only in minor changes to the survey. As a result, pilot responses are included in the final analysis. All questions were voluntary. For some questions respondents were able to select more than one answer; totals over 100 per cent in the analysis below are evidence of questions where more than one response option was selected.

2.3.4 Response rate

A total of 407 students were invited to participate in the online survey. Education providers indicated that 19 of these students could not be sent an email for a variety of reasons.⁵ Therefore, a total of 388 students received the invitation to participate in the survey.

In total, 138 students responded to the survey. However, 16 participants only completed a couple of questions and were removed from the analysis giving a total of 122 responses. The response rate of those who were eligible and able to be reached was 31 per cent.

2.4 Interviews

2.4.1 Interviews with students

Students who participated in the online survey were asked if they were willing to be contacted again to participate in a follow-up interview and to provide contact details if so. On contact, students were informed that the purpose of the interview was to find out more about their experiences of living, studying and working in Christchurch. Interviews were conducted in May, July and September 2013 and January 2014.

Findings from the online survey were used to select the students to participate in the in-depth interviews and included those who had been successful in finding work as well as a few who had not. Students were selected to represent a cross-section of nationalities, location and course of study, and gender.

Participants were contacted by MBIE staff; where participants had completed the online survey in a language other than English (primarily Chinese) an MBIE staff speaking that language contacted the student. The interviews were conducted by experienced researchers. Participants were invited to

⁴ Just under half (45 per cent) of the respondents chose to answer the survey in Chinese, over a third (38 per cent) answered the survey in English, a tenth answered the Japanese version, and smaller numbers completed the survey in Korean and Spanish.

⁵ Reasons for this included that the students were not enrolled at the provider stated on their visa, that they had left the provider, they didn't qualify for a student visa under the CWR initiative, that the email had bounced, or because they had finished the course.

suggest an interview location and bring a support person with them. Participants were offered the assistance of an interpreter and, in several interviews, a Mandarin interpreter was contracted.

Findings from the online survey were used to inform the development of the interview guides which was semi-structured in format. The majority of questions were the same for each interview with different sections on employment for those who had found work, had not found work but tried to, or had not found work and had not tried to.

Sixteen interviews were conducted.

2.4.2 Interviews with education providers

Five of the education providers who were eligible to take students issued a visa under the CWR initiative were interviewed for the study. In addition, two providers who had initially been on a three-year cycle and had then been given a Category 2 status after their EER (and so were no longer eligible to take students under the CWR initiative) were included in interviews as were two providers with a Category 2 status under the EER process. In total, nine Canterbury education providers were interviewed.

Following the Government's announcement of the nationwide extension of work rights to all English language students studying a 14-week course or longer at a Category 1 provider, it was decided the evaluation would include a few interviews with Auckland providers. Three Auckland education providers and a peak body were interviewed and the information provided has been combined with Canterbury providers.

The aim of these interviews was to understand education providers' perspectives on the CWR initiative and the nationwide roll-out of work rights to English language students, their responsibilities towards students with work rights and any risks of the nationwide roll-out. Providers were also asked their perspectives on the extent to which linking immigration incentives with the NZQA's EER system worked as an incentive to improve education providers' performance.

2.5 Analysis

Data from the online survey was analysed using Microsoft Excel and cross-tabs. Where the number of respondents differs to the total survey respondents, this is because a small number did not answer a particular question and have been removed from the percentages.

A software package for the analysis of qualitative data – NVIVO – was used to analyse responses to open-ended questions. All interviews were undertaken by two researchers, with one taking extensive notes during the interview. Handwritten interview notes were transcribed with audio recordings used to clarify the written notes. Both researchers checked the transcripts for accuracy and met to discuss themes.

2.6 Ethics

The evaluation has been conducted in accordance with the Association of Social Science Researchers Code of Ethics. The evaluation was designed, conducted and reported in a manner that respects the rights, privacy and dignity of those affected by, and contributing to, the evaluation. Researchers have ensured participants are fully informed about the research and have attempted to anticipate and avoid all possible harm to participants. In addition, the evaluation plan was reviewed by MBIE's Ethics Review Panel.

2.6.1 Informed consent

Informed consent was obtained from all participants (See Appendix B for copies of informed consent sheets). Participants were made aware of what information will be sought and about the purpose of the research. It has been made clear that all participation is voluntary and participants are aware they have the right to withdraw their involvement at any time. The informed consent process was conducted in an appropriate style and language. The online survey, interview information sheets and interview consent forms for students were translated into the top five languages of students (English, Chinese, Japanese, Spanish and Korean). Education providers were made aware that approval will be sought where quotes will be used. All interview participants have been offered the chance to receive a summary of findings.

The choice to complete an online survey was taken as informed consent. For the interviews, written consent was obtained, including consent for interview audio to be recorded. Contracted interpreters were fully informed about the requirements of the evaluation.

Students who completed each of the online surveys were offered to go into a draw to win a \$50 supermarket voucher. Participants were asked to provide contact details if they wanted to enter this draw. Students who participated in the interviews received an acknowledgement of participation in the form of a \$30 supermarket voucher. Students were not told about this acknowledgement before the interview so as to not influence participation.

It was possible for students to feel under pressure from education providers to participate in the research. To mitigate this, the consent process reinforced that participation is voluntary and that information provided will not be fed back to anyone including education providers, employers or INZ. Students were assured that participation in the research would not be linked to their current visa status or any future visa applications.

2.6.2 Confidentiality

Emails containing an attached list of CWR student visa recipients who were to receive the survey were sent to education providers for distribution. For privacy and confidentiality reasons, the attachments were password protected. Physical data are held in a secure (locked) cabinet and electronic data are kept in restricted folders on MBIE's Electronic Document and Records Management System (EDRMS). All data are accessible only by the immediate project team and will be destroyed after five years.

Participants were told that no identifying information would be presented in the report. However, education providers were informed that in some cases, their roles are so singular as to make anonymity impossible. If that was the case, participants would be advised that they could be identified and given the opportunity to review their contributions before inclusion in the report.

2.6.3 Safety protocols

Protocols were in place to assist participants should issues arise. For example, students may disclose instances of exploitation by employers. In this case, students were reassured that the information they provide is confidential and a list of appropriate community and support organisations was developed and left with participants who may need to seek support.

Safety protocols focused on ensuring the safety of the people being interviewed, members of the public and the research team (including translators).

2.7 Limitations of the evaluation

One of the tensions of the evaluation is the extent to which Canterbury can be used as a basis for making decisions on the potential impact of work rights to other centres, and in particular, Auckland. Two-thirds of English language students were studying in Auckland compared to 8.5 per cent in Canterbury. In addition, Christchurch is experiencing a unique situation post-earthquake recovery. In most cases a 'normal' site would be ideal for testing a new concept.

There are significant methodological challenges when undertaking research in the area of work and exploitation, including the 'hidden nature' of illegal activity. There may be under-reporting of exploitation due to uncertainty around what will happen to the information or the potential for personal implications. Caution therefore needs to be applied when considering the findings in these reports.

In addition, the small number of students interviewed (16) means that the findings from the interviews cannot be generalised to all English language students as a whole, particularly in terms of determining the extent of non-compliant employment amongst this group. However, they are suggestive of the types of issues that may arise.

3 Students issued visas under the Canterbury Work Rights Initiative

3.1 Key findings

- In total, two-fifths of students issued a visa under the CWR initiative came from China (40 per cent), Japan (12 per cent), South Korea (9 per cent) and Thailand (8 per cent). Thirteen per cent of students issued a visa under the CWR initiative came from Latin America.
- Two out of five applications were for visas to study at PTEs (40 per cent), a third for study at ITPs (32 per cent) and a quarter for study at universities (26 per cent). The majority of students from China were studying at universities. In comparison, the majority of students from South Korea and Latin America were studying at PTEs.
- A third of students transitioned onto another visa following the expiry of their student visa under the CWR initiative. In the majority of cases (80 per cent) this was another student visa. Most Chinese students transition onto another student visa. In comparison, the majority of students from Latin America transition onto a work visa.
- Only 4 per cent of students had transferred from other regions to study in Christchurch.
- There has been an increase of 15 per cent in visa applications for study at Christchurch PTEs in the year ending August 2013 compared to a decrease of 14 per cent in Auckland and 10 per cent in other locations in New Zealand. However, visa applications and enrolments at Christchurch PTEs are still below the levels prior to the earthquakes.

3.2 Introduction

This chapter presents analysis on visas issued under the CWR initiative between 27 August 2012 and 31 November 2013. The analysis shows that 478 students were issued work rights under the CWR initiative with a total of 530 successful applications (45 students (9 per cent) have been issued more than one visa under the initiative).

3.3 Data errors

A contact type 'Canterbury Work Rights' was set up in MBIE's immigration data warehouse to identify those students who were issued a student visa under the initiative. However, early on in the evaluation it was clear that the contact type CWR was not being assigned consistently for students who receive work rights under the CWR initiative. Two data errors were identified in the immigration database with respect to the CWR initiative:

- students who are not eligible for work rights under the CWR initiative but have been given work rights
- students who are eligible under the CWR initiative but have not been given work rights.

Appendix C contains further description and analysis of these errors. This information was fed back into the business in the early stages of the CWR initiative, who took appropriate steps to ensure that these errors were reduced in the future. The data presented in the rest of this chapter relates to students who were correctly issued a visa under the CWR initiative.

3.4 Descriptive analysis

3.4.1 Country of origin

Recipients of student visas under the CWR initiative came from 28 countries. Table 3.1 shows that two out of five students came from China and around one in ten came from Japan, South Korea and Thailand. In total, 69 per cent of students came from one of these four countries.

Table 3.1 Country of origin of students issued a visa with work rights under the Canterbury Work Rights Initiative

Country of origin	N	%
China	190	40
Latin America	60	13
Japan	58	12
South Korea	45	9
Thailand	36	8
Taiwan	17	4
Papua New Guinea	15	3
Vietnam	14	3
Other	43	9
Total	478	100*

* Percentages do not add to 100 due to rounding.

3.4.2 Age group

Table 3.2 shows that the vast majority of students (86 per cent) issued work rights under the CWR initiative were under 30 years of age with over half aged 20–29.

Table 3.2 Age group of students issued a visa under the Canterbury Work Rights Initiative

Age group	N	%
0–19 years	133	28
20–29 years	277	58
30–39 years	55	12
40+ years	13	3
Grand total	478	100*

* Percentages do not add to 100 due to rounding.

Latin American students were older than students from other countries. Only 7 per cent of students from Latin America were aged under 20 compared with 28 per cent overall.

3.4.3 Where were students studying?

Two out of five applications were for visas to study at PTEs (40 per cent), a third for study at ITPs (32 per cent) and around a quarter for study at a university (26 per cent).

Table 3.3 shows that three-quarters of applications were for students studying at three education providers: Christchurch Polytechnic Institute of Technology (32 per cent), Christchurch College of English Limited (25 per cent) and Lincoln University (18 per cent).

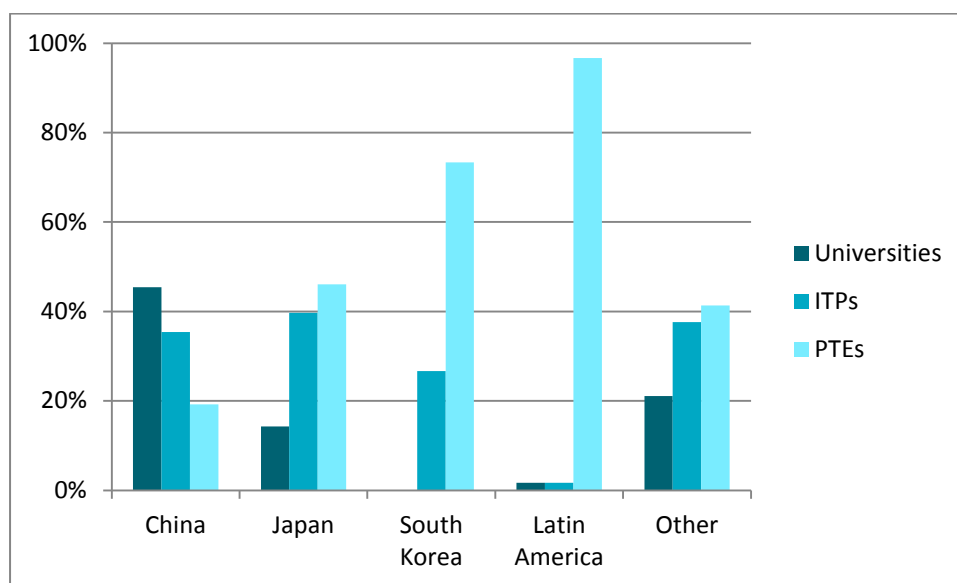
Table 3.3 Institution where students issued a visa under the Canterbury Work Rights Initiative are enrolled

Education provider	N	%
Christchurch Polytechnic Institute of Technology	169	32
Christchurch College of English Limited	130	25
Lincoln University	97	18
University of Canterbury	45	8
Languages International	43	8
Canterbury College	19	4
Linguis International Institute	18	3
Other	9	2
Total	530	100

Note: Analysis relates to successful visa applications (530) rather than number of students issued work rights under the Canterbury Work Rights Initiative (478).

Figure 3.1 shows that the majority of students from China were studying at universities and the majority of students from South Korea and Latin America were studying at PTEs.

Figure 3.1 Nationality of Canterbury Work Rights Initiative students by type of educational institute



Note: Analysis relates to successful visa applications (530) rather than number of students issued work rights under the Canterbury Work Rights Initiative (478).

Only 4 per cent of the students (18 students) transferred from other regions to study in Christchurch.

Around two-thirds of students issued a visa with work rights under the CWR initiative were in New Zealand as at 31 November 2013.

3.5 Transition onto other visas

Following the expiry of their student visa with work rights, a third of students transitioned onto another visa. In the vast majority of these cases (79 per cent) this was another student visa. In 14 per cent of cases this was a work visa and in 7 per cent of cases this was a visitor visa. Only one person had been issued permanent residence following their student visa with work rights under the CWR initiative.

Students from China were most likely to transition on to another visa (54 per cent) compared with 37 per cent of students from Latin America and 19 per cent of students from other countries.

Table 3.4 shows that most Chinese students (93 per cent) and three-quarters of students from other countries transitioned onto another student visa. In contrast, only a quarter of students from Latin America transitioned onto another student visa. Instead, the majority of students from Latin America (59 per cent) transitioned onto a work visa.

Table 3.4 Transition onto other visas by country of origin

	Resident %	Student %	Visitor %	Work %	Total %*	N
China	0	93	5	2	100	103
Latin America	5	23	14	59	100	22
Other	0	75	7	18	100	44

* Percentages do not necessarily add to 100 due to rounding.

Note: Forty-five students had been issued more than one visa under the Canterbury Work Rights Initiative and may be counted more than once in the table.

3.6 Trends in visa applications and enrolments

This section presents trends in visa applications from full-fee-paying students annually by sector and by nationality for the years ending 26 August 2009 to 26 August 2013. Ministry of Education data on enrolments of international fee-paying students studying at universities, ITPs and PTEs shows similar trends to the graphs below.

3.6.1 Trends by sector

Figures 3.2 to 3.4 show approved visa applications for years ending 26 August 2009 to 26 August 2013 at each of the three main types of education providers (universities, ITPs and PTEs) comparing Christchurch, Auckland and the rest of New Zealand. The analysis for PTEs includes all PTEs that had a student enrolled to study English. This represents 94 per cent of PTEs with enrolled students who have approved visa applications.

Overall the number of visa applications for students studying at universities decreased between August 2009 and August 2013 by 9 per cent. Figure 3.2 shows that the decrease was largest for Christchurch universities (38 per cent) but most of this change occurred between August 2010 and August 2012. In the year ending 26 August 2013, there has been an increase of 1 per cent in visa applications for study at Christchurch universities. The number of visa applications for students studying at Auckland universities has increased by 1 per cent in the year ending 26 August 2013.

Figure 3.2 Number of student visa applications for study at universities

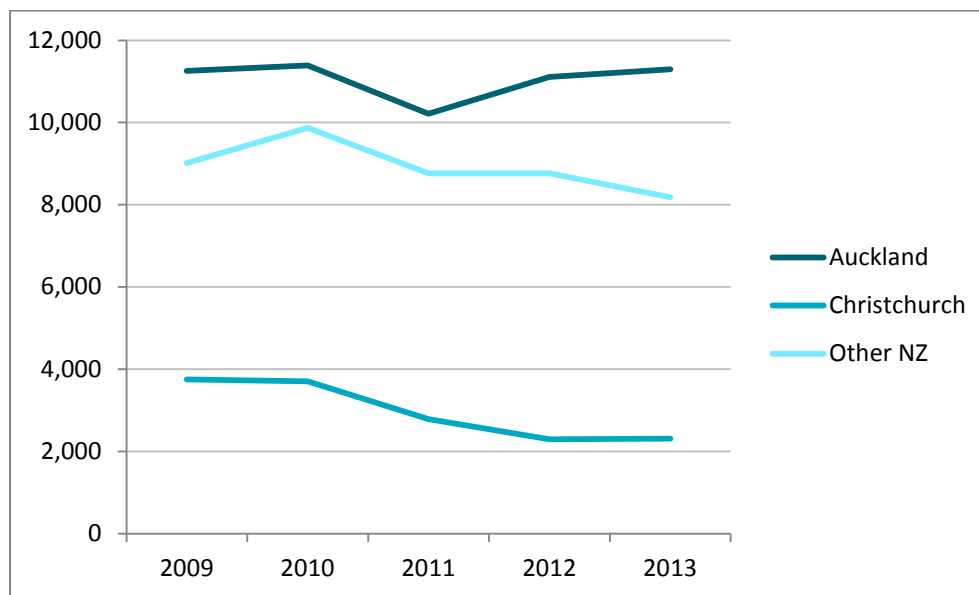


Figure 3.3 shows a substantial decrease in Christchurch in the number of approved visa applications to study at ITPs (35 per cent decrease between August 2009 and August 2013) but the rate of decrease has slowed in the year ending August 2013. While there was a 14 per cent decrease in the number of approved visa applications for study at Auckland ITPs between 2010 and 2011, there was a 6 per cent increase in the year ending August 2013.

Figure 3.3 Number of student visa applications for study at institutes of technology and polytechnics

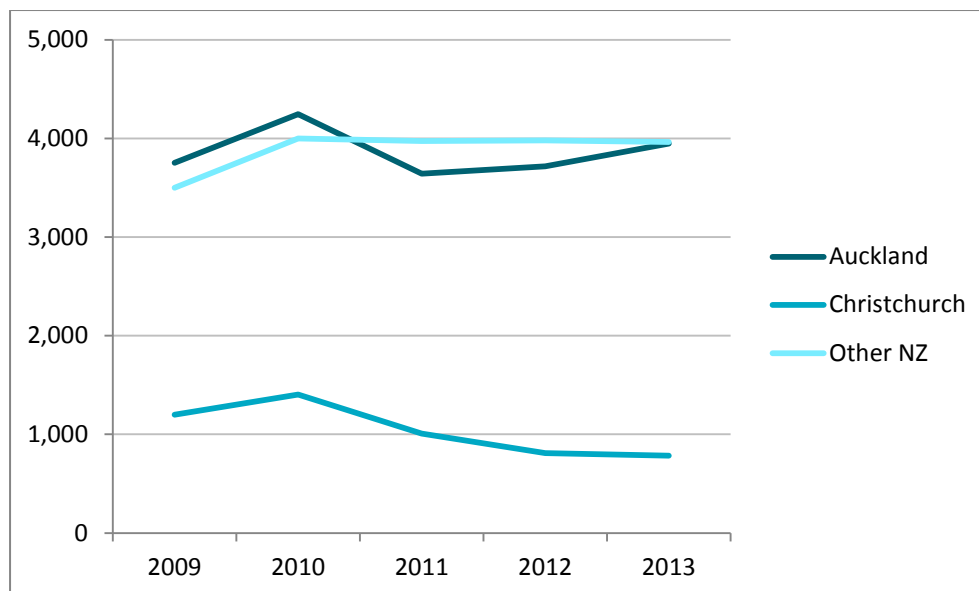
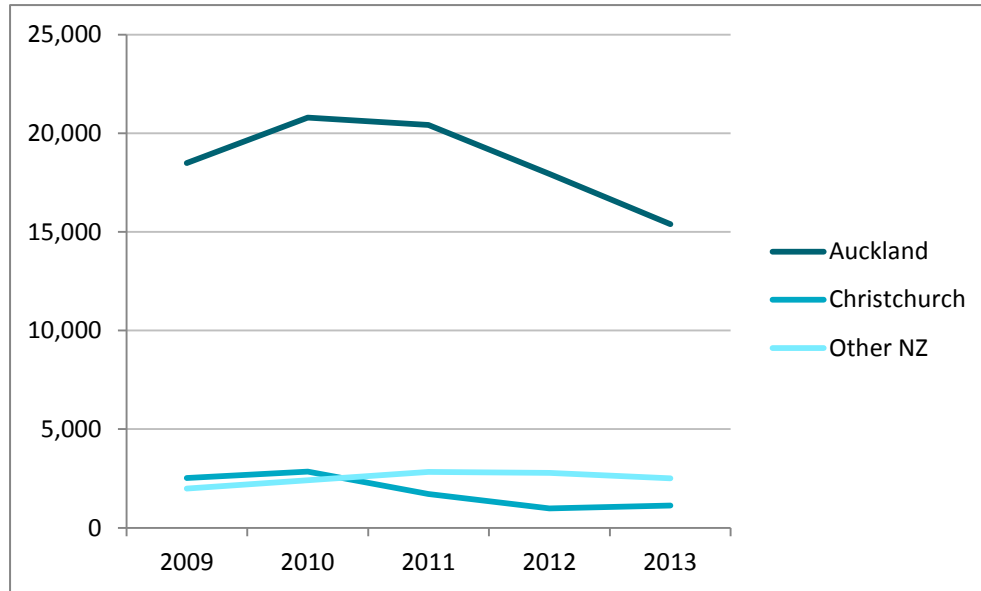


Figure 3.4 shows a substantial decrease in Auckland and Christchurch in the number of approved visa applications to study at PTEs between August 2009 and August 2013. In Christchurch there was a decrease of 40 per cent in the year ending August 2011 followed by a decrease of 43 per cent in the year ending August 2012. However, there was an increase of 15 per cent in visa applications to study in Christchurch in the year ending August 2013, compared to a decrease of 14 per cent in Auckland and 10 per cent in 'Other NZ'. However, Christchurch is not yet up to pre-earthquake levels

in the number of approved visa applications to study at PTEs. Overall there has been a decrease of 55 per cent between 2009 and 2013 in visa applications for study at Christchurch PTEs.

Figure 3.4 Number of student visa applications for study at private training establishments



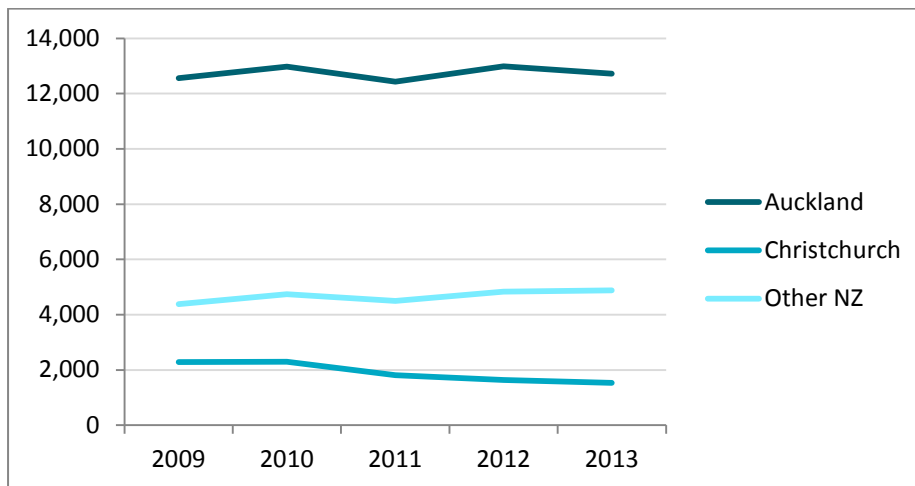
While there has been an increase in visa applications for study at PTEs in Christchurch, this has not been the case for the education providers with an EER rating of Category 2 at the beginning of the evaluation. The data have continued to show a decrease in visa applications for these providers to the year ending August 2013.

3.6.2 Trends by country of origin

Figures 3.5 to 3.7 show approved visa applications for years ending 26 August 2009 to 26 August 2013 for students from China, Japan and South America.

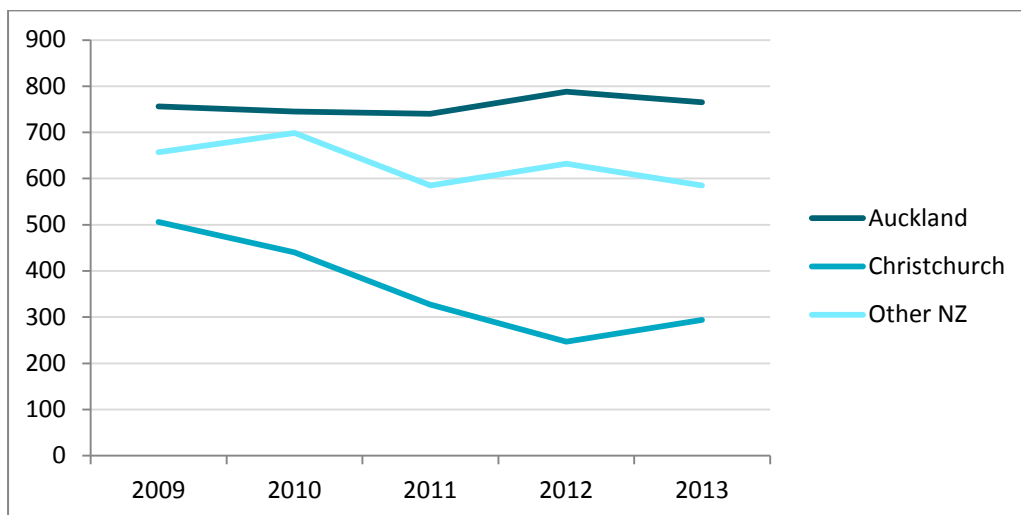
There has been a drop across New Zealand in the number of visa applications for Chinese students between 2010 and 2011. Figure 3.5 shows that this drop was greatest in Christchurch, which experienced a decrease of 21 per cent compared with a decrease of 6 per cent overall. In the year ending August 2013 the rate of decrease has slowed in Christchurch (6 per cent between August 2012 and August 2013).

Figure 3.5 Number of Chinese student visa applications for study at New Zealand education providers



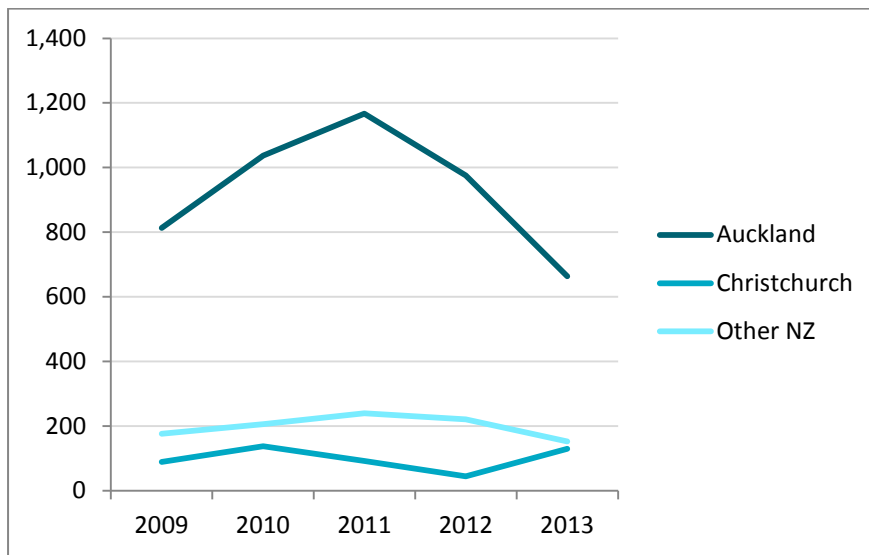
There was a decrease across New Zealand between 2009 and 2013 in visa applications from Japanese students (14 per cent decrease). Figure 3.6 shows that this decrease was greatest in Christchurch (42 per cent), but Christchurch has been the only region where there was an increase in visa applications for the year ending August 2013 (19 per cent).

Figure 3.6 Number of Japanese student visa applications for study at New Zealand education providers



The overall number of visa applications for students from Latin America decreased between August 2009 and August 2013 by 12 per cent. However, Figure 3.7 shows that Christchurch has been the only region where there has been an increase in visa applications from Latin American students (an increase of 46 per cent between August 2009 and August 2013 and an increase of 189 per cent in the year ending August 2013). Nearly all this increase in visa applications from Latin American students was for study at PTEs.

Figure 3.7 Number of Latin American student visa applications for study at New Zealand education providers



4 Students' issued visas under the Canterbury Work Rights Initiative: online survey and interviews

4.1 Key findings

- The main reason students chose Christchurch was because of the education provider's reputation or because of lifestyle reasons, with over half the respondents to the online survey saying each of these factors was 'extremely important' or 'very important'. Only 30 per cent of respondents to the online survey said that the ability to work 20 hours a week was 'extremely important' or 'very important' in their decision to study in Christchurch. However, the ability to work appears to be more important to students from some countries than others, and in particular, students from Latin America.
- Over half of the students (56 per cent) reported that they had wanted to work. However, only a quarter of the students had actually undertaken paid work. There was a high rate of employment in lower-skilled jobs within the accommodation and food services industry.
- Interviews with students showed evidence of poor employment practices and confusion around employment rights in a small number of cases. Issues reported include a lack of knowledge about health and safety and work rights, a lack of written employment agreements, cash wage payments, and wages being less than the minimum wage.
- Two-thirds of students intend on working or studying in New Zealand after their student visa with the CWR initiative ends.

4.2 Introduction

All students issued a student visa under the CWR initiative between 27 August 2012 and 30 September 2013 were invited to participate in an online survey. The online survey sought to learn more about students' knowledge of the CWR initiative and their motivations for studying and working in Christchurch, as well as their experience in paid employment, and long-term plans. The survey also gathered descriptive information about these students.

4.3 Descriptive information

4.3.1 Country of origin

The survey asked respondents for their country of origin. This information, along with the country of origin of the sample respondents and interviewees, is presented in Table 4.1. The top five countries in both the survey sample and respondents were China,⁶ Japan, Latin America,⁷ Korea and Thailand.⁸ China is slightly overrepresented in those who responded to the survey.

Nine out of the sixteen students interviewed were from China; three were from Latin American countries and the remaining four from a range of other countries. While students from Japan were the second biggest group of students, interviews were not conducted with any Japanese students. The evaluation was predominantly concerned with students who had either found work or tried to

⁶ Respondents from Hong Kong and Macau were grouped as 'China'.

⁷ Respondents from the Latin American countries were grouped as 'Latin America'.

⁸ Respondents from 'Korea' and 'South Korea' were grouped as 'Korea'.

find work. Of the seven Japanese respondents who consented to be contacted for an interview, just one reported finding work but an interview could not be arranged. Of the other six who had not found work, none had tried to.

The response rates for the other countries were of a similar distribution to the survey population as shown in Table 4.1.

Table 4.1 Participants by country of origin

Country	Survey population		Survey respondents	
	N	%	N	%
China	167	43	59	49
Japan	52	13	14	12
Latin America	45	12	9	7
Korea	38	10	9	7
Thailand	27	7	9	7
Taiwan	14	4	6	5
Vietnam	10	3	3	2
Saudi Arabia	10	3	3	2
Other	25	6	9	7
Total	388	100*	121	100*

* Percentages do not add to 100 per cent due to rounding.

Note: Other countries include Papua New Guinea, Malaysia, Singapore, Spain, Russia, Nigeria, Indonesia, Germany, Jordan, Egypt, France and India.

4.3.2 Age

The age of survey respondents ranged from 17–62 years of age with the average age being 24 and the median age being 21. Around half of those in all populations were between 20 and 29 years of age. Table 4.2 shows that the vast majority of those in the population and those who responded to the survey were aged under 30 (86 per cent and 84 per cent respectively).

Table 4.2 Respondent age

Age (years)	Survey population		Survey respondents	
	N	%	N	%
0–19	118	30	36	30
20–29	217	56	65	54
30–39	43	11	14	12
40+	10	3	6	5
Total	388	100	121	100*

* Percentages do not add to 100 per cent due to rounding.

4.3.3 Sex

Forty-three per cent of survey respondents were male and 57 per cent were female. Similarly, nine of the interview participants were female and seven were male.

4.3.4 Living arrangements

Half (50 per cent) of those surveyed were living in rental accommodation and a third (36 per cent) were living in a homestay. Fewer students lived in student residence (8 per cent) or with family (5 per cent), and none lived in their own home.

Table 4.3 Living arrangements

Type of accommodation	N	%
In rental accommodation (ie flat)	61	50
In a homestay	44	36
In a student residence	10	8
In a parent or relative's home	6	5
In your own home	0	0
Total	121	100*

* Percentages do not add to 100 per cent due to rounding.

4.3.5 Educational institutions

Administrative data in Table 4.4 show that a third of students in the survey population were studying at Christchurch Polytechnic Institute of Technology. A quarter were studying at Christchurch College of English Limited and one in five (17 per cent) at Lincoln University. In total, three-quarters of students were studying at these three education providers.

Table 4.4 shows a similar distribution for survey respondents with around a third indicating they were studying at Christchurch Polytechnic Institute of Technology. However, only 14 per cent of survey respondents were studying at Christchurch College of English Limited compared to a quarter of the survey population. Two-thirds of students who completed the survey were studying at Christchurch Polytechnic Institute of Technology, Christchurch College of English Limited and Lincoln University (compared to three-quarters in the survey population). Interview participants were studying at a wide range of education providers.

Table 4.4 Students by institution

Education provider	Survey population		Survey respondents	
	N	%	N	%
Christchurch Polytechnic Institute of Technology	125	32	44	36
Christchurch College of English Ltd	103	27	17	14
Lincoln University	66	17	16	13
Languages International	34	9	18	15
University of Canterbury	29	7	12	10
Linguis International Institute	15	4	7	6
Canterbury College	10	3	0	0
Other	6	2	8	7
Total	388	100*	122	100*

* Percentages do not add to 100 per cent due to rounding.

Table 4.5 shows that almost three-quarters of students in the sample and survey populations were enrolled at a PTE or ITP (74 and 75 per cent respectively).

Table 4.5 *Students by type of institution*

Education provider	Survey population		Survey respondents		Interview respondents
	N	%	N	%	N
Private training establishment	162	42	48	39	3
Institute of technology and polytechnics	125	32	44	36	8
University	95	24	28	23	5
Other	6	2	2	2	0
Total	388	100*	122	100	16

* Percentages do not add to 100 per cent due to rounding.

4.3.6 Course of study

The majority (63 per cent) of survey respondents were completing an English language programme followed by foundation studies course (26 per cent), and Certificate of Proficiency (3 per cent). One in ten students (9 per cent) indicated that they were studying an 'Other Course'. Other courses included responses such as 'University' or courses such as PhD or Postgraduate Diploma, which respondents are thought to have commenced after their CWR initiative student visa. Thirteen of the interview participants were studying an English language programme, two were in foundation studies and one was pursuing a Certificate of Proficiency.

4.3.7 Course payment

Students were asked in the online survey to indicate how they were paying for their current course of study (including living expenses). Table 4.6 shows that in three-quarters of cases, parents were funding study and in a third of cases students were paying for their study and expenses living themselves.

Table 4.6 *How students are paying for their course*

Who is paying	N (121)	%*
Parents	91	75
Self-funded	37	31
By other means†	8	7
Other family	8	7
Loan	4	3
Friends	1	1

* Totals more than 100 per cent as it was possible to select more than one response option for this question. Twenty-one respondents selected more than one method of course payment.

† Other means included comments such as 'Government', 'Lincwatok Programme' and 'My own business'.

Nearly all Chinese students (90 per cent) indicated that their study was being funded, at least in part, by their parents, compared with two-thirds of those from other countries.

4.4 Students and work

4.4.1 Knowledge of the Canterbury Work Rights Initiative

The vast majority (85 per cent) of survey respondents knew about the ability to work 20 hours a week when they applied for their student visa.

Students who knew about the ability to work were asked how they found out about the student visa. Table 4.7 shows the three main information sources are education agents, the internet and education providers. Half of the survey respondents found out about the student visa through an education agent.

Table 4.7 How students found out about the student visa

Information source	N (103)	%*
Education agent	49	48
Internet	32	31
Education provider	31	30
Friend	18	17
Family	12	12
Other	3	3

* Totals more than 100 percent as it was possible to select more than one response option for this question. Thirty-one respondents selected more than one student visa information source.

When asked why they chose their education provider, around half of students interviewed said because of the advice provided by their agent about the particular institute. Reasons given by the other half included responses such as because studying at the education provider was a pathway to university, because Canterbury is famous for engineering, and because the course is NZQA approved.

4.4.2 Motivations

Work rights did not appear to be a significant factor in students' decisions to study in Christchurch. Of the 85 per cent of survey respondents who knew about work rights when they applied for their visa, only a quarter (23 per cent) chose Christchurch because of the ability to work, and three-quarters (77 per cent) did not.

However, choosing Christchurch as a study-work destination appears to be more important for students from some countries than others. Though the numbers are small, none of the eight Japanese survey respondents who knew about work rights when they applied for their visa chose Christchurch because of the ability to work 20 hours a week. However, five of the eight Latin American respondents chose Christchurch because of the ability to work. Despite the number of Chinese respondents being much greater (52), just seven chose Christchurch because of the ability to work.

In addition, choosing Christchurch as a study-work destination appeared to be more important for those studying an English language course. About a third of those studying an English language course indicated that they had chosen Christchurch because of the right to work compared with about one in ten students studying another course.

Students were provided with a list of possible reasons why they might have chosen to study in Christchurch and were asked to indicate how important each reason was. As shown in Table 4.8, over half of the respondents ranked the reputation of the education provider and lifestyle as very or extremely important (58 and 56 per cent respectively). The ability to work 20 hours a week and the ease of getting a student visa were the least important with around a third (30 and 33 per cent respectively) ranking these factors as either very or extremely important. A fifth of respondents indicated that the ability to work 20 hours a week was ‘not at all’ important in their decision to choose Christchurch as a place to study.

Table 4.8 Importance of factors when choosing Christchurch as a place to study

	Not at all (%)	A little (%)	Moderately (%)	Very (%)	Extremely (%)	Total (%)*
Recommendation from friend/family or agent	10	15	35	31	10	100
The reputation of the education institute	7	15	20	43	15	100
Ability to work 20 hours a week	21	24	25	21	9	100
Lifestyle	5	12	28	34	22	100
Cost	7	12	37	26	19	100
Easy to get student visa	14	14	39	19	14	100

* Percentages do not necessarily add to 100 per cent due to rounding.

Students from some countries seem to be motivated by work rights more than others. About one in ten students from China said that work was extremely important or very important in the decision to study in Christchurch compared with around half of non-Chinese students. While only a small number of students from Latin America participated in the survey (9), it is interesting to note that the majority said that the ability to work was extremely or very important and only one ranked the ability to work as not at all important.

Christchurch was the first choice of study destination for 14 of the 16 interview participants. The other New Zealand city considered was Auckland. Participants reported choosing Christchurch over Auckland because they preferred the option of a smaller city or because Christchurch had lower course fees than Auckland. Other places considered were the United States, Canada, Australia, England and Napier.

Survey respondents were asked what their main reason was for wanting to work in addition to study, and were provided with a list to choose from. Over half (54 per cent) worked to practise their English and a third (35 per cent) worked to earn money. Smaller numbers worked to make friends or for other reasons. In the interviews, similar themes emerged with participants reporting working to earn discretionary income, to practise their English, to meet new people, and to gain work experience. Paid employment also provides students with a sense of independence:

“I can survive by myself, not rely on my parents’ money. I can support myself because living and studying here is expensive. I can earn some money to pay for food and rent.”

The main drivers for working while studying may vary by country. Only one in five Chinese students (8 out of 39) said the main reason they worked was to earn money, compared with half (17 out of 30) non-Chinese respondents. The main reason Chinese students wanted to work while studying was to practise their English, with two-thirds (26 of 39) of the Chinese students selecting this option.

In the interviews, students were asked how important work is to them. About half of the respondents felt study was more important than work or said work rights were not very important. For one interview participant this was summarised:

“Not very important but it was nice to have. Would be best but if not, oh well.”

The other half said the ability to work was very important, commenting that work rights played an important role in choosing Christchurch over other New Zealand cities, that working provided an alternative experience of New Zealand and study, or that they needed the income to support themselves. Fourteen per cent of students issued a visa under the CWR initiative were aged 30 or above and the interviews suggest that work rights are desirable for older students:

“Because we are adult students the permit to work is quite useful.”

4.4.3 Finding employment

The evaluation sought to know the extent to which students had found or tried to find paid work, and unpaid work. A quarter of online survey respondents (26 per cent) had undertaken paid work while on their student visa⁹ and three-quarters (74 per cent) had not. Of those who had not found paid employment, two-fifths had tried to find paid employment and three-fifths had not. Overall, over half (56 per cent) reported that they had either found paid work or tried to find paid work.

Selection of interview participants prioritised those who had found work. As such, three-quarters of those interviewed had found paid employment. Some interview respondents expressed difficulties finding work and reasons included lack of New Zealand work experience and the student timetable not being conducive to paid employment:

“...is hard to find a part-time job. Even though I have a visa to work 20 hours a week I can’t find a job relevant to my bachelor’s degree and I have worked 8 years but very hard to find work in my field.”

When looking at those who had found paid employment by country of origin, a quarter of those from China and a quarter of those from the ‘Other Countries’ had found work. While, as mentioned earlier, numbers of survey respondents from Latin America were small (9 respondents), it is interesting to note that the majority of this group had found work.

Survey participants were also asked if they had undertaken unpaid or voluntary work with 29 per cent saying they had.

4.4.4 How students looked for work

The online survey asked students to select the methods used to find work (see Table 4.9). It appears students are looking for work in a variety of ways as over half (38 participants) reported using more than one method to find employment. The most commonly used methods were by searching the internet or by asking friends or family. Some responded to job advertisements or contacted employers.

⁹ When interviewing one of these respondents who reported finding work, it was established that they had not found paid work.

Table 4.9 Methods used to find work

Methods used to find work	N (65)	%*
Searching the internet	41	63
Asking friends or family	38	58
Contacting employers	25	38
Responding to job advertisements	24	37
Searching education providers' job boards	8	12
With assistance from teachers/tutors	7	11
By other means	1	2

* Totals more than 100 per cent as more than one answer could be selected.

While interview participants also reported using a wide range of methods to find work, the main way these participants went about finding work was through word of mouth such as through friends.

4.4.5 Occupations and industry

Survey participants who had found work were asked to indicate what type of job they were doing, what their hourly pay was and how many hours in total they were working each week. The vast majority of students who had found work reported only one occupation, and three reported having more than one job.¹⁰ The occupations tended to be lower-skilled with the majority working as wait staff, shop assistants or kitchen hands. Other occupations included administrator and caregiver. One interview participant's perception that English language students can only find lower-skilled work is summarised:

"Language students can only find jobs like cleaners."

Around two-thirds of employers were in the accommodation and food services industry. Interview participants often reported working in businesses such as ethnic restaurants or with employers from the same home country.

4.4.6 Weekly hours worked

Survey participants were asked how many hours they worked each week (see Table 4.10). Twenty-eight students reported on the number of hours they worked per week, which ranged from 4 to 20, with a median of 15.¹¹ Three-fifths (17 respondents) were working 15–20 hours per week. A quarter (7 students) of those who answered this question indicated they were working 20 hours a week. No respondents reported working more than 20 hours a week in either the survey or the interviews. One interview participant suggested that more flexibility with the hours allowed per week could be beneficial, especially for adult students with families to support.

Table 4.10 Hours worked per week

Hours per week	N (28)
Less than 15	11
15–20	17

¹⁰ Two respondents noted more than one employer.

¹¹ Four did not respond to this question. One respondent reported working 20 hours per week; however, on interview, it was established that this person had not worked.

4.4.7 Employment rights and conditions

The evaluation sought to know more about student working conditions including their pay rates, written employment agreements, and whether students knew about health and safety in the work place and employment rights such as the New Zealand minimum wage and break entitlements.

Hourly wages

Students who reported in the online survey that they had worked in paid employment were asked what their hourly pay was. They were not asked if this hourly wage was before or after tax as this was considered a complex question that could be misunderstood in an online survey (particularly by this group of students). Instead students were asked in the interviews if they had paid tax or not and whether they were paid directly into a bank account or were paid in cash.

Twenty-six students reported an hourly wage.¹² Table 4.11 shows that 2 out of 26 students were clearly being paid less than the minimum wage at \$10 an hour.¹³ Five students were being paid between \$11 and \$13 an hour; two of these five respondents stated the figure to be net earnings and the others did not specify if the wage was a gross or net figure, so it's unclear whether the hourly wage they were specifying was below the minimum wage or not.

Table 4.11 Students' Hourly wage

Pay per hour	N (26)
\$10	2
\$11–\$13	5
\$13.50–\$14	12
\$14.01+	7

The interviews found that, in the majority of cases, wages were paid into bank accounts. However, 2 out of 12 interview participants that had found work reported being paid in cash. Participants were also asked if they paid tax on their wages and if so, how the tax was paid. Responses were mixed with some employers deducting tax from wages and paying this directly to the Inland Revenue Department (IRD) while a few students were uncertain about if, and how, they paid tax and whether their hourly wage was before or after tax:

"I'm not sure, my boss just gives me the money in cash."

Employment rights and conditions

Interview participants who had found work (12 in total) were asked if and how they knew about employment rights such as the New Zealand minimum wage and break entitlements after four hours. Two participants did not know about these employment rights. Responses from some of the others suggest a need for clear information as students were most commonly aware of the minimum wage but were not aware of break and sick leave entitlements. One student was unsure if the employment rights were different for part-time workers.

¹² One respondent reported three jobs and three wage rates; for reporting purposes, the average of these was taken. Six did not respond to this question.

¹³ After the evaluation had started, the minimum wage adjusted from \$13.50 to \$13.75 per hour. For the purposes of this report, the minimum wage is taken as \$13.50 as it is not clear if the wages were earned before or after the minimum wage changed. However, if the student was paying tax they would be expected to receive \$10.80 an hour.

Students had found out about their employment rights through a variety of means, most commonly from their employer or education provider. Other methods included hearing about the minimum wage at a lecture and searching online for what their employment rights were. One student was clearly aware that their employer was paying them less than the minimum wage but was willing to accept that.

The majority reported the minimum wage to be between \$13 and \$13.90 per hour. However, participants lacked confidence with their answers making such comments as “around \$13” and “\$13.50 I guess”. One interview participant noted their education provider taught students about employment rights but did not know what the minimum wage was. Two were unsure about holiday pay and if it is paid out when employment ends. Two thought employment rights such as being entitled to sick leave were different for part-time employees than those who work full-time. Some participants did not work shifts long enough to entitle them to breaks or were not worried about taking regular breaks because they felt their jobs required they work when there are customers and thus had a lighter work load when there were no customers.

Students commonly described their employer as kind and patient. The majority said their employer treated them well noting they were treated fairly. However, 2 of the 12 interview participants who had found work reported being promised paid employment after a period of unpaid work and this did not happen. The first verbally agreed to work as a volunteer to later transition to paid employment. When this did not eventuate, the student found paid employment at another organisation. The second found work through a friend as a cleaner and agreed verbally to work three shifts without payment as a trial period because the participant lacked New Zealand work experience. After 14 shifts the employer effectively terminated the employment by telling the participant to expect to be contacted if there is more work. The participant expected to be paid \$10 per hour on presentation of an IRD number but is yet to receive any remuneration and is “going to give up about the payments”. This participant, and the majority of the interview participants asked, did not have a written employment agreement.

Awareness of health and safety in the workplace

About half of the interview respondents had been told about health and safety issues in the work place. Others had either not received information about health and safety or were unsure if they had. Those who were informed about health and safety were informed to varying degrees and through a number of ways including written and verbally in English and at other times in another language. One participant who had worked more than one job captured this variety in saying:

“Yes. Especially in [employer], they are really, really concerned about safety. They give you a long test about all these safety things. I was very aware about health and safety. In the restaurant maybe they were more flexible about things, such as the floor being wet, but they didn’t tell me about those things, it’s more about customer service.”

4.5 Wider experiences in Christchurch

The evaluation also sought to know about what the participants’ experiences had been of living and studying in Christchurch.

4.5.1 Experiences of living in Christchurch

Most of the students interviewed enjoyed living in Christchurch, had good experiences and found the people to be friendly. A very small few noted bad experiences including racism and poor treatment by education providers and officials (customs and immigration). Some noted that the cost

of living is high or that public transport is both expensive and inconvenient. The rebuild is considered by some to be slower than expected.

4.5.2 Experiences of studying in Christchurch

The vast majority of students interviewed have had good experiences noting Christchurch provides a good environment to study in, that the teachers are supportive, and that the courses generally prepare one for further study:

“So far my living experience is good. My landlord is nice, my teachers are supportive, I get on with my class mates but the rebuild around our school makes lots of noise.”

A very small number reported differences in the expectations of students when comparing home countries with New Zealand:

“They have a different system in [home country]; there you don’t have to work hard during your studies, just for tests, but in New Zealand you need to work hard all the time.”

“I am here to improve my English and prepare myself for university and I have found the course arrangements are too relaxed and not quite intensive as I expected. It is not sufficient to prepare me for university.”

4.6 Long-term plans

When asked about their plans after completing their current course of study, two-thirds (63 per cent) planned future studies or work in New Zealand and a quarter (25 per cent) were intending on working or studying in their home country (see Table 4.12).

Table 4.12 Student intentions after current course of study

Intentions after study	N	%
Enrol for further studies at the same New Zealand institution	32	27
Find a job in New Zealand	28	23
Enrol for further studies at another New Zealand institution	16	13
Find a job in home country	13	11
Enrol for further studies in home country	13	11
No plans	6	5
Enrol for further studies in another country overseas	4	3
Continue their job in their home country	4	3
Find a job in another country	2	2
Apply for New Zealand residence	2	2
Total	120	100

Interview participants reported similar future intentions. One felt the English course had been so insufficient for university preparations as to consider returning to China to study English but most felt the English course had prepared them well for their future. Most wished to continue on to higher education at New Zealand institutions in courses such as Business Management at Lincoln University, Postgraduate Engineering at Auckland University, a master’s degree in Environmental Engineering, Civil Engineering, Midwifery or Cookery.

5 Interviews with education providers

5.1 Key findings

- Most Christchurch education providers said that work rights had made a significant positive difference to their business and to the Christchurch export education industry as a whole. All the Auckland education providers interviewed also expect the recent roll-out of work rights to make a big difference to the industry.
- It was thought that work rights would attract students from a wider range of markets and increase the length of enrolment to take advantage of work rights.
- Most Christchurch providers had seen a growth in the South American market since the introduction of work rights and Auckland providers believed that this would be the group, along with students from Eastern Europe, most likely to be incentivised by work rights.
- Education providers raised few concerns around students' employment rights and conditions or the impact of work on attendance and progress. Providers indicated that it was their responsibility to ensure that students are well informed about their rights and obligations and also to provide pastoral care to students where issues arise.
- While education providers said that it was their responsibility to inform students about their obligations of not working beyond the 20 hours a week and to provide pastoral care where work had an impact on their study, the general consensus was that compliance on this matter was not the responsibility of education providers.
- The linking of work rights to NZQA's quality assurance system was considered to be a significant incentive to raise the quality of education providers' performance. However, concerns were raised over the potential downstream impact for Category 2 providers of the policy with a potential negative impact on their business. A few providers also expressed the view that the linking of immigration and NZQA incentives was unfair and that the EER system was never meant to be a basis for these types of decisions (immigration incentives and sanctions).
- The main risk of the nationwide roll-out of work rights was considered to undermine support for Christchurch as most students were expected to study in Auckland if they had a choice. However, other risks included the potential for non-compliant employment.

5.2 Introduction

Only Category 1 education providers were eligible to provide their students expanded part-time work rights as part of the CWR initiative. However, as some providers had not been through the EER process when the CWR initiative came into effect, it was proposed that providers in Canterbury still on a three-year audit cycle also be included in the initiative. A three-year audit cycle indicates a high level of compliance but did not necessarily correspond with being assessed as a Category 1 provider under EER.

At the beginning of the evaluation of the CWR initiative there were 23 accredited English language providers in Christchurch (excluding the two universities). Of these, 14 were eligible to take students issued visas with work rights under the initiative (seven had a Category 1 status and seven were on a three-year audit cycle). At this time there were also two Category 2 providers in Christchurch. Between 2012 and 2013 two English language providers had closed their offices in Christchurch (both had been eligible to take students under the initiative). In addition, two providers on a three-year audit cycle were assessed as being Category 2 and were therefore no longer eligible to take students with work rights. No Category 2 provider improved their performance during the period of

the evaluation to achieve a Category 1 status. At the end of the evaluation there were eight English Language providers in Christchurch eligible to take students with work rights and four Category 2 providers.

5.3 Importance of work rights to the education sector

All Canterbury education providers interviewed were consistent in the message of how difficult the Canterbury earthquakes had been for them. Enrolments at universities, ITPs and PTEs all dropped significantly in the days after the earthquakes. Some providers described the impact as ‘disastrous’ with several English schools closing due to severe drops in enrolments following the earthquakes. In some cases, premises were badly damaged and providers needed to find alternative accommodation. Providers indicated that some markets appear to be more impacted than others – and specifically mentioned were students from Saudi Arabia and Japan. While students from Japan had started to come back to Christchurch, students from Saudi Arabia had not, due primarily to the fact that the Saudi Arabian government was currently not providing scholarships for study in Christchurch.

Most Christchurch education providers said work rights had made a significant positive difference to their business and to the Christchurch export education industry as a whole. The CWR initiative provided them with an ‘edge’ and a marketing advantage, particularly over Auckland. However, one provider said that while the CWR initiative did help them break even financially, it had not been crucial to their survival as it wasn’t introduced until 18 months after the February 2011 earthquake.

As the nationwide extension to work rights for English language students had not come into effect at the time of the evaluation, Auckland providers were asked to consider what work rights might mean for them in the future. All indicated that work rights would have a positive impact for the English language sector in Auckland. It was thought that work rights would attract students from a wider range of markets and increase the length of enrolments to take advantage of work rights. Providers suggested that being able to offer work rights to English language students would put New Zealand on an equal footing with the main competitor countries Canada and Australia.

A few education providers also talked about the wider benefits of the policy for the economy as a whole – by providing jobs and generating downstream tourism revenue. Two providers indicated that the jobs created by the extra students attracted by work rights would be greater than the jobs these students would ‘take away’ from New Zealanders.

5.4 New markets

Most Christchurch Category 1 providers indicated that they had seen a growth in the Latin American market since the introduction of the CWR initiative. The Latin American market tended to be older on the whole than students coming from Asia, and to be more incentivised by the ability to work. One provider indicated that students from countries who are not able to get working holiday visas will be particularly incentivised by work rights (for example, New Zealand does not have a working holiday scheme with Colombia).

Auckland providers also believed there would not only be a growth in the Latin American market but a growth in the Eastern European market as well now that work rights had been introduced for English language students. For these students, work was considered to be part of the overseas experience and a way of improving their English. On the other hand, education providers consider students from Asia to be more academically focused and on a study pathway through to university.

Most providers indicated that they had used work rights for marketing purposes, particularly through informing key agents and putting information on websites. Auckland providers indicated they were using work rights for marketing purposes as soon as the roll-out was announced and that they had seen a significant increase in enquiries, especially from new markets.

5.5 Students' work experience

5.5.1 What do students value about work?

Education providers were unanimous in their view that English language students value the opportunity to work in New Zealand. One of the main benefits for students was that work allowed them to practise their English in a 'real life' situation outside of a structured classroom environment. The ability to work gave students the opportunity to interact with New Zealanders, make friends and integrate more easily.

However, earning money was also a significant reason why students valued the opportunity to work. One education provider mentioned that the cost of living had escalated in Christchurch and that work enabled students to study for longer and meet some of their living expenses. Another provider indicated that while most English language students had their fees and living expenses covered by parents, earning money enabled them to travel and have more spending money for entertainment.

Most providers indicated that students generally have a very positive experience of working in New Zealand. Most students who work report their employers to be fair and note that the pay is reasonable, especially when compared to salary rates in their home countries.

5.5.2 Finding work

Education providers were mixed in their perspectives of how easy it was for students to obtain work. Some said that finding work was very difficult for students and this was particularly linked with the students' lack of English ability. Others said that students who were motivated to find work did find it. However, the type of work they managed to obtain was not necessarily what the students had hoped to do and most ended up working in the types of jobs that did not need much English, such as in ethnic restaurants.

Several providers mentioned the need to manage potential students' expectations of the type of work they would be able to obtain in New Zealand with limited English ability. If students' expectations around work were not managed this could have a negative impact in terms of New Zealand's reputation as a place to study and work.

5.5.3 Employment rights and conditions

The majority of Christchurch education providers indicated that no concerns had been raised by students about their employment rights and conditions. Two providers mentioned minor employment issues in the past, where students had been paid less than the minimum wage. No issues were raised in connection with students that have been granted work rights under the CWR initiative. One education provider indicated that non-compliant employment is more likely to happen when students are working illegally and that there are likely to be fewer problems where work is legalised and controlled.

However, one provider did raise concern around the potential for students working in non-compliant employment where their English level was low. This was firstly due to the difficulties of explaining information on employment rights and secondly because they are likely to get lower-skilled jobs where there may be a higher risk of non-compliant employment.

5.5.4 Impact of work on study

Education providers were asked whether work rights could negatively impact on a student's progress or attendance at classes. Just over half of the providers interviewed were definite in their response that work of 20 hours per week would not impact on students' attendance or progress in their classes. These providers viewed work as beneficial for students studying English language courses because work provides students an opportunity to practise their English outside of the classroom environment. However, the remaining providers indicated there was the potential for work to impact on students' performance and that this needed to be monitored. This was dependent on what students' motivations were to work and on individual students' capability to both work and study. One provider indicated that it is not just those students who work that have issues regarding their attendance or progress. Other out-of-school activities, such as socialising, were thought to have the potential to impact just as much on academic performance.

5.6 Education providers' responsibility to students

Category 1 education providers in Christchurch and Auckland were asked what responsibility education providers should have towards students with work rights.

All providers said that it was their responsibility to ensure that students were informed about their employment rights and the conditions of their student visa (for example, the condition that students can only work for 20 hours a week while they are studying). Some offered seminars to students which covered topics such as minimum wage, employment rights and so forth. Others provided this information by directing students to websites or by handing out information sheets. A few providers indicated that they provided this information as part of their pastoral care of individual students.

One provider also mentioned that part of their responsibility towards ensuring that students are well informed is to educate agents about work rights to make sure students are getting accurate information even before they arrive in New Zealand.

As with provision of information, providers also said that pastoral care of students was their responsibility. Most providers indicated that they already closely monitored students' attendance. If students were absent from class, this was followed up either with a phone call or a letter. Some providers indicated that they took particular care with students who had work rights, ensuring students were well informed of their employment rights and obligations.

While a couple of Providers mentioned that it was their responsibility to 'check out' employers and ensure that students were not working beyond 20 hours a week, most indicated that compliance and enforcement was not their responsibility, and in reality would be difficult to do. A few mentioned the responsibility of compliance and enforcement was seen to sit with INZ. One provider stated that they did not consider themselves to be 'police' and another that they did not know what 'power' they had over students that they lose track of. However, a few providers said that working more than 20 hours a week was likely to be evidenced in absences from class and this would certainly be something that is noted with the student and if unresolved, raised with INZ.

5.7 Linking of work rights to Category 1 status providers

The NZQA introduced the EER system in September 2009 to replace the previous audit cycle. EER provides for independent external quality assurance of tertiary education organisations in the non-university sector. Providers are classed in one of four categories (Highly Confident, Confident, Not Yet Confident and Not Confident).

In 2011 Cabinet directed officials to investigate linking eligibility for work rights for English language students and student visas with the NZQA quality assurance system. The CWR initiative was the first step in achieving that goal. Only providers in Category 1 would be eligible to provide eligible students work rights. The recent decision to roll out work rights across New Zealand is restricted to universities and education providers who have a Category 1 status.

Education providers were asked to consider the implication of this decision and whether the linking of immigration incentives with the NZQA's quality assurance system works as an incentive to improve education providers' performance.

Christchurch Category 2 providers all commented on the very negative impact the decision to restrict work rights to Category 1 providers had had on them. The decision was seen to be unfair given Category 2 providers are classified as 'Confident', and was also seen to put Category 2 providers at a massive disadvantage in a market that was already struggling. This perspective was also reiterated by a few of the Category 1 providers in Auckland and Christchurch. This view was supported by the analysis of visa applications for study at Category 2 education providers in Christchurch (there were two at the beginning of the CWR initiative), which showed a decrease in visa applications to the year ending August 2013 compared with an overall increase at Christchurch PTEs.

Providers generally thought that the linking of work rights to NZQA's quality assurance system was an incentive to improve education providers' performance. Those providers who are currently Category 1 would work hard to ensure that they did not lose that status, and Category 2 providers would be motivated to try and obtain a Category 1 rating. However, providers were mixed on whether this was a good thing or not. A few said that having the lines of demarcation were important in order to ensure quality education. One provider said that the risks of non-compliance are too great if work rights were to be extended to Category 2 providers. This same provider said that the onus should be on Category 2 providers to seek re-assessment and move into Category 1 status.

On the other hand, a few providers talked about some of the challenges of the EER system and the inherent unfairness of linking work rights to the NZQA's quality assurance system. A couple of providers said that the EER system was never meant to be a basis for these types of decisions (immigration incentives and sanctions), and is in fact unreliable for these types of decisions. Comments included that a system designed to measure education quality is being used to manage risk. Others said that the distinction between Category 1 and Category 2 providers was not sufficient to warrant such a heavy penalty on Category 2 providers. Category 1 and 2 providers are considered by NZQA to be sound and have good academic performance and to be distinctly different from Category 3 and 4 providers (Not Yet Confident and Not Confident). Yet by limiting work rights only to Category 1 providers rather than Category 1 and 2 providers, the market is being sent potentially misleading signals about which are good providers and which are not.

While one option was for Category 2 providers to seek EER reassessment, several providers mentioned that there were barriers to doing this. The main barrier was the cost of the EER process, especially for providers who are already struggling financially in Christchurch. One provider said that they simply could not afford a re-assessment. Other barriers included the large investment of energy and time into the process.

A few providers also discussed difficulties with the EER process itself. Providers said that the process was complicated and there was a lack of understanding of the requirements of EER. One provider talked about the difficulty of measuring self-assessment, another talked about the difficulty of a system of 'continuous improvement'. This provider said that quality can only improve up to a certain economic point – as beyond this the service becomes unaffordable.

One education provider suggested that if EER was to be linked to immigration incentives and sanctions then a new system of audit was needed. This new system would not only focus on educational performance but also on risk management. They suggested that a risk audit should include attendance-checking by INZ. This would ensure that students enrolled at a particular education provider are attending classes (and not working) and have the correct visas.

A few education providers also suggested other ways of improving the current system, including connecting the current English sector industry standards with the EER framework.

5.8 Risks of the nationwide roll-out of work rights

Most Canterbury education providers indicated that the nationwide roll-out of work rights to English language students would mean that students would choose to study in centres other than Canterbury. A couple of Providers indicated that they were most likely to choose Auckland over Canterbury due to the perception that there were more jobs in Auckland and it was a more exciting place to live. However, providers were mixed in their perspectives on this. Several were concerned about the impact of this decision on providers in Christchurch. They suggested that perhaps other incentives to study in Christchurch need to be introduced. Suggestions included allowing Category 2 providers in Christchurch to take students with work rights, scholarships for students studying in Christchurch, and financial subsidies for Christchurch education providers.

However, a few Christchurch education providers talked about the roll-out of work rights as being good for the industry as a whole. As education agents become more widely aware of work rights, this will have positive spin-offs for Christchurch. There would also be downstream benefits for the country as a whole, in terms of tourism, accommodation providers and so forth.

A couple of Providers raised concerns about the potential risk from the extension of work rights of students enrolled to study but who are in fact working or who work more than the 20 hours a week allowed. Education providers indicated that they had processes in place to monitor attendance because attendance is thought to be a key indicator that students may be working more than 20 hours a week. Peak body English New Zealand undertakes spot-checks of attendance on its members. Spot-checks on education providers by INZ to monitor attendance was suggested as a way to manage this risk.

Other risks of the nationwide roll-out of work rights include more students working in non-compliant employment where their employers do not meet minimum wages and conditions.

6 Discussion

The CWR initiative came into force on 27 August 2012. The initiative trialled the extension of part-time work rights eligibility for English language and foundation students in Canterbury. In October 2013 Cabinet announced a further extension of work rights to all English language students enrolled for at least 14 weeks at high quality education providers across New Zealand.

This chapter brings together information from all the data sources to answer the evaluation questions:

- To what extent do work rights act as an incentive to attract and retain students in Canterbury?
- To what extent does linking immigration incentives to NZQA's incentives and sanctions system act as an incentive to raise the quality of education providers?
- What are the short-term impacts, including unintended consequences, of extending work rights to foundation studies and English language students with a visa to study in New Zealand for 14 weeks?
- How can the potential risks of a nationwide roll-out of work rights to English language students be managed or mitigated?¹⁴

6.1 Do work rights act as an incentive to attract and retain students in Canterbury?

Findings from the evaluation show that the CWR initiative may have worked as an incentive to attract students to Canterbury, particularly for students studying at PTEs. There has been an increase of 15 per cent in visa applications for study at Christchurch PTEs in the year ending August 2013 compared to a decrease of 14 per cent in Auckland and 10 per cent in the rest of New Zealand.

However, the evaluation also shows that work rights act as an incentive for students from some countries more than others. Christchurch has been the only region that has seen an increase in visa applications for students from Latin America in the year ending August 2013. In addition, nearly all of this increase in visa applications from Latin American students was for study at PTEs.

Results from the online survey of students also suggest that work was of greater importance for students from Latin America than students from China and other countries. Overall one-third of students said that work was extremely or very important in their decision to study in Christchurch. This compares with only one in ten students from China and two-thirds of students from Latin America who said this.

Students from Latin American countries were also more likely than students from other countries to have found work and to say that they were working to earn money.

¹⁴ Prior to the cabinet changes mid-way through the evaluation, the evaluation also included the following research questions:

- What are the potential implications and management needs of identified risks if the visa was to be extended beyond the 18 months in Canterbury?
- What are the potential implications and management needs of identified risks if the initiative was to be extended to regions beyond Canterbury?

These findings are supported by interviews with education providers. Most Christchurch Category 1 providers indicated that they had seen a growth in the Latin American market since the introduction of the CWR initiative. Auckland providers also believed there would be a growth in the Latin American market, and also the Eastern European market, now that work rights had been introduced for English language students.

The numbers of Latin Americans in the survey and the trend analysis are small and this needs to be taken into account when considering these findings. However, together they suggest that numbers of students from these countries may increase in the future because of the ability to work while studying English. This may be particularly the case for students from countries that do not have current working holiday schemes with New Zealand.

While work rights did appear to be an incentive to attract English language and foundation students to Canterbury, it is unclear whether work rights act as an incentive to retain students. While two-thirds of respondents to the online survey stated that they would like to stay on in New Zealand to study or work, only a third of the students issued a visa under the CWR initiative actually transitioned onto another visa. In the majority of cases this was another student visa. However, students from Latin American countries were most likely to transition onto a work visa, adding weight to the evidence that work is a greater incentive for students from these countries than from other countries.

6.2 Does linking immigration incentives to NZQA's incentives and sanctions system act as an incentive to raise the quality of education providers?

The linking of work rights to NZQA's quality assurance system was considered by providers to be a significant incentive to raise the quality of education providers' performance. Those providers that are currently Category 1 would work hard to ensure that they did not lose that status, and Category 2 providers would be motivated to try and obtain a Category 1 status rating.

However, concerns were raised over the potential downstream impact for Category 2 providers of the policy and the negative impact it may have on their business. This view was supported by the analysis of visa applications for study at Category 2 education providers in Christchurch (there were two at the beginning of the CWR initiative), which showed a decrease in visa applications to the year ending August 2013 compared with an overall increase at Christchurch PTEs. A few providers also expressed the view that the linking of immigration and NZQA incentives was unfair and that the EER system was never meant to be a basis for these types of decisions (immigration incentives and sanctions). Category 1 and 2 providers are considered by NZQA and the Ministry of Education to be sound and have good academic performance and to be distinctly different from Category 3 and 4 providers (Not Yet Confident and Not Confident). Those providers were concerned that by limiting work rights only to Category 1 providers the market is being sent signals about which are good providers and which are not.

Education providers who receive a Category 2 rating are able to seek re-assessment of that rating. As there were only two Category 2 providers in Christchurch at the beginning of the CWR initiative it is impossible to assess at this stage whether work rights act as an incentive to raise the quality of education providers. However, a few education providers raised concerns that the cost and time required in seeking a re-assessment were considered to be considerable barriers to doing so. It is likely that as work rights are rolled out nationwide a number of Category 2 education providers will be seeking re-assessment. NZQA has made preparations to ensure it is able to accommodate

requests for early EERs, and following INZ's announcements regarding work rights for English language students, NZQA worked with a sector peak body (English New Zealand) to proactively accommodate any requests.

6.3 What are the impacts, including unintended consequences, of extending work rights in Canterbury?

6.3.1 Non-compliant employment

Previous research with international students has found that around 10 per cent report being paid less than the minimum wage and a similar proportion report not having an employment agreement (Ministry of Business, Innovation and Employment 2013). Students from China and those studying English language courses appear to be most vulnerable.

The findings from the evaluation are mixed on the extent of non-compliant employment of international students with work rights. The majority of Christchurch education providers indicated that no concerns about employment rights or conditions had been raised by students who had worked. However, results from the online survey and interviews with students show at least some concern around students' employment rights and conditions. It was apparent from the 16 face-to-face interviews that the majority did not have a written employment agreement and many were unclear of their employment rights and entitlements. A couple of students also reported being paid less than the minimum wage, and being paid in cash. Only around half had been told about health and safety issues in their workplace. Several of the students have found work either in ethnic businesses or through ethnic networks, primarily restaurants. According to anecdotal evidence from the Labour Inspectorate and INZ, in many cases, those who exploit migrant workers are themselves former migrants.

6.3.2 Attracting students whose primary motive is work

While the motivation for the majority of students is to come and study in New Zealand, with work rights being a 'nice to have', it does appear that working to help offset living costs is more important for some students. As mentioned earlier in the discussion this appears to be more often the case for students from Latin America. These may be students from countries which do not currently have working holiday schemes with New Zealand (for example, Colombia) or older students who have already completed a qualification in their own country. They may also be students from countries with the most to gain economically by working. A report on migrant labour market outcomes (Merwood, 2013) shows that labour market patterns of working holidaymakers from the various schemes differ markedly. On average, working holidaymakers from countries with a lower gross national income per capita than New Zealand spend longer on the working holiday scheme and spend a greater share of their time working than those from other countries. This may also be the case for international students.

6.3.3 Taking jobs from New Zealanders

It was not possible to assess the extent to which students with work rights displaced New Zealanders. The numbers of English language students eligible for work rights under the CWR initiative were relatively small and only around a quarter managed to get work. It is also evident that some international students are working in untaxed employment making it very difficult to assess the impact of their employment on New Zealanders using existing data sources. It is uncertain therefore how the extension of work rights will impact on Auckland's labour market.

However, Martin Jenkins (2005) concluded that foreign fee-paying students will create more work via their domestic spending than they take up and at times in the economic cycle can help alleviate skills and labour shortages. They conclude that a limited range of possible jobs for English language students reduces the risk of major negative effects on New Zealand resident job seekers.

6.4 Risks of a nationwide roll-out of work rights to English language students and potential measures to manage them

6.4.1 Managing students' expectations

The findings from the online survey show that over half of the students had tried to find work – but that only half of these had succeeded in doing so. Overall, only a quarter of students issued a visa with work rights under the CWR initiative had found work.

In addition, expectations around the type of work that students may be able to obtain need to be managed. The majority of students who had obtained work tended to be working in lower-skilled occupations. This may be a particular issue for older students who come to New Zealand to learn English after completing a qualification in their home country. Fourteen per cent of students issued a visa with work rights under the CWR initiative were 30 years or older. Education providers also indicated that there is a narrow range of jobs available for students with limited English, and these tend to be the lower-skilled jobs, including jobs working in ethnic businesses.

If students are 'sold' the opportunity to work as part of their student visa but are unable to find work, or the type of work they want, this may lead to some degree of dissatisfaction with unmet expectations, which may create negative perspectives of New Zealand as a place to study. This may be more so for students from markets where work is important in order to offset the costs associated with studying.

Providers commented on the importance of ensuring that managing expectations about work is part of any marketing activity, including educating agents about work rights to ensure that students are getting accurate information even before they arrive in New Zealand. The current Education Amendment Bill introduced into the house on 10 March 2014 has proposed a new legal framework to revamp the Code of Practice for the Pastoral Care of International Students, which will apply faster and more effective sanctions against providers (including their agents) for breaches of the Code. The Code specifies standards for marketing and promotion, with an aim of ensuring students have full, complete and reliable information for decision-making.

6.4.2 Undermining support for Christchurch

Extending work rights to all English language students studying courses of 14 weeks or longer at the highest quality providers across New Zealand has the potential to undermine one of the main aims of the CWR initiative, which was to support the promotion of Christchurch as a study destination following a drastic drop in numbers after the earthquakes. Some Canterbury education providers were concerned that rolling out the initiative nationwide potentially undermines the advantage Canterbury education providers have over the rest of New Zealand. Their perspective was that most students want to study in Auckland and will choose Auckland over Christchurch once work rights are available nationwide. However, findings from the survey and interview with students indicate that this might not necessarily be the case for the majority of students. Only a quarter of students who were aware of work rights had chosen Christchurch for that reason. Students who were interviewed indicated that they had chosen Christchurch over Auckland because they preferred the option of a smaller city or because of the lower course fees in Christchurch.

A few providers suggested that there may be ways for government to provide extra support to education providers in Christchurch. One suggestion was that work rights be granted to students enrolled with Christchurch Category 2 education providers, at least for the near future. Other options of support for Christchurch include financial support with having a re-assessment of their EER. There may be other options to support Christchurch that could also be considered; for example, varying the level of maintenance funds required of international students in different regions.

6.4.3 Non-compliant employment

Evidence from previous research and from the current evaluation indicates that English language students who work may be at higher risk of working in non-compliant employment than other students. Language difficulties may mean that these students are less likely to be aware of their minimum employment entitlements and less likely to be in a position to seek assistance when their minimum employment rights are not met. It may also mean that some employers perceive them as easier to take advantage of.

Education providers clearly saw it as their responsibility to inform students of their employment rights, though one provider questioned how successful this would be given the language barriers. However, it was clear from interviews that students were not well informed of their employment rights and obligations and that there was no consistent communication of this information.

There is a risk that the nationwide roll-out of work rights to English language students, while attracting more students to New Zealand, may result in at least some of these students working in non-compliant employment. This also carries a risk to New Zealand's reputation as a place to work, study and do business. On the other hand, non-compliant employment may be more likely to happen in situations where students are working illegally.

MBIE and the Government are already undertaking action to deal with the exploitation of migrant workers, including international students. The Immigration Amendment Bill (No 2) contains a number of amendments to protect migrant workers from exploitation. The proposals will make it a specific offence to exploit migrants who hold temporary work visas. In addition, the Bill will enable immigration officers to enter and search a workplace, without notice, to determine whether an employer is complying with the Immigration Act and employees are complying with the work-related conditions of their visa. Policy settings will also be introduced that are designed to directly protect the immigration status of those migrants who have experienced exploitation and reported it.

INZ's NZStudyWork website, which can be viewed in English, Chinese and Korean, provides international students with information regarding their work rights while studying and living in New Zealand, and raises awareness of employment rights and responsibilities for both international students and their employers, with the aim of reducing the risk of illegal employment practices for this migrant group. INZ promotes the use of the NZStudyWork website onshore and offshore through targeted welcome emails sent to all new international English language students, at export education fairs and events, and by engaging directly with education providers. INZ is also working on expanding the content of NZReady, an informational planning tool to cater for international students. This will provide individually tailored information, including information on employment rights, to international students based on their specific needs while they are planning for study in New Zealand.

In addition, risks of non-compliant employment could be mitigated by strengthening labour market interventions and support for international students. For example, there could be additional

resource for strengthened labour inspection targeting workplaces where international students may concentrate, funded through the Export Education Levy.

6.4.4 Students working more than 20 hours a week or working rather than studying

No students who participated in the online survey reported working more than 20 hours a week and only a couple of education providers raised concerns around the possibility of students not undertaking the study for which they were granted the visa or working more than 20 hours a week. However, it may be a potential risk for those students for whom working to offset living costs is very important. Education providers indicated that they had processes in place to monitor attendance because poor attendance is thought to be a key indicator that students may be working more than 20 hours a week. Peak body English New Zealand already undertakes spot-checks on its members. It was suggested that spot-checks on education providers by INZ to monitor attendance was one way of managing these risks.

6.5 Conclusion

The evaluation of the CWR initiative shows that work rights may have worked as an incentive to attract students to Canterbury, particularly students from Latin America and those studying at PTEs. The extension of work rights nationwide is likely to have a positive impact on the numbers of students studying English language courses in Auckland. However, Auckland is a significantly different market from Christchurch both in terms of the size of the English language sector and the labour market post-earthquake, and it is difficult to make judgements on how the extension of work rights might impact the Auckland English language sector based on the findings of the evaluation of the CWR initiative.

While the nationwide extension of work rights to students enrolled at the highest quality English language providers is likely to attract more international students to New Zealand, it also carries several risks that need to be managed. These risks include attracting students whose primary motivation is work and therefore work more than the 20 hours a week allowed. In addition, English language students who work may be at higher risk of experiencing non-compliant employment than other students.

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Appendix A – Information sheets



Ministry of Business, Innovation & Employment

Christchurch student visa research

Information sheet

Background

As a student in the Christchurch region you have been granted a student visa that allows you to work for up to 20 hours a week. This ability to work is a new initiative that has been extended to students in the Christchurch region who are studying an English language course or a Foundation Certificate of one academic year's duration.

With any new initiative like this it is important to find out how well it is working and what could be done to improve it.

Over the next year we will be doing research to find this out. The research is being led by a team of people in the Migration Research Unit, which is part of the Ministry of Business, Innovation and Employment.

What does this mean for me?

Over the next few months I will contact you to ask you to participate in the research. You don't have to take part but your views are important to us and will help us better understand how well the visa is working.

If you choose to take part in the research it will involve an online survey. We would also like to talk face to face with a few people. The survey and interview would include questions about why you chose to study in Christchurch and what it is like to live, study and work in Christchurch.

All the information you give us is confidential and your name or anything that would identify you will not be used in any reports on the research. Only a small team of researchers from Migration Research will know what you say. No information you give us will be passed on to your employer or the place where you are studying. Your immigration status or any immigration applications you might make in the future will not be affected by your decision to participate or not.

Who can you contact if you would like to find out more about the research?

If you have any questions about this research please contact Wendy Searle at the Ministry of Business, Innovation and Employment.

Phone 04 901 3867
Email wendy.searle@mbie.govt.nz



Ministry of Business, Innovation & Employment

Canterbury Work Rights Initiative and extension of work rights for English language students research

Information sheet

Background

The Canterbury Work Rights Initiative came into effect on 27 August 2012. This was a new initiative for international students in the Christchurch region studying an English language programme of at least 14 weeks' duration or a level 4 Foundation Certificate of one academic year's duration. The initiative allowed students to work for up to 20 hours a week provided they were studying at a university, an NZQA EER Category 1 institute of technology and polytechnic (ITP) or private training establishment (PTE), or an ITP or PTE that was on a three-year cycle.

In October 2013 Cabinet extended work rights to all international students studying an English language course of at least 14 weeks' duration at a Category 1 provider. Work rights for students undertaking a Foundation Certificate is still only available to students studying in the Canterbury region.

With any new initiative it is important to find out how well it is working, how it could be improved, and how we can manage or mitigate any potential risks. A team of people in the Ministry of Business, Innovation and Employment's Migration Research Unit are doing research to find this out.

How will we be doing the research?

Over the last year we have been conducting an online survey of students with a Canterbury Work Rights Initiative visa as well as face-to-face interviews with students. We would now like to interview some Canterbury and Auckland education providers. A researcher will be in contact with you in the next few weeks to ask if you would like to take part in an interview. You don't have to take part but we would value your input.

Who can you contact if you would like to find out more about the research?

If you have any questions about this research please contact Wendy Searle at the Ministry of Business, Innovation and Employment.

Phone 04 901 3867
Email wendy.searle@mbie.govt.nz

Appendix B – Informed consent sheets



Ministry of Business, Innovation & Employment

Christchurch student visa research

Consent form

What is this research about?

As a student in the Christchurch region you have been granted a student visa that allows you to work for up to 20 hours a week. This ability to work is a new initiative that has been extended to students in the Christchurch region who are studying an English language course or a Foundation Certificate of one academic year's duration.

With any new initiative like this it is important to find out how well it is working and what could be done to improve it.

What does this study mean for you?

Recently you took part in an online survey about the student visa and any paid work you might be doing. We would now like to talk to you in person to find out more about your experiences of studying, working and living in Christchurch. The interview will take about an hour.

What are your rights?

You have rights in this research:

- If you do not want to take part in the interviews you don't have to.
- Being part of the study will not influence your visa status or any visa applications you might make in the future.
- No one, except the research team, will know what you have said – your name won't be used in any reports. However, if we find out that you or someone else is in danger, the interviewer has responsibility to pass this information on to others.
- You don't have to answer any question you don't want to and you can stop the interview at any time.
- The information you give us will be stored in a safe and secure place and will be destroyed four years after the research is completed.
- If you decide that you no longer want to be part of the study you can ask for your information to be taken out within two weeks of doing the interview.
- You can check the notes taken during the interview. You can do this during the interview or as soon as you have finished the interview.
- You can bring a friend with you to the interview to support you.
- We would like to tape record your interview if you agree. This is to make sure we take down all the information you tell us.

Tick the boxes you agree with below:

- I understand the information above and know my rights in this study. I understand that I do not have to be part of this study if I don't want to.
- I understand that I don't have to answer any question I don't want to and can stop the interview at any time.
- I agree to take part in an interview.
- I agree to the interview being tape recorded.
- I would like to hear about the study after it is finished.

My name: _____

My email address: (If you would like to receive a summary of the report, this is where we will send it)

My signature: _____

Date: _____

Who can you contact if you would like to find out more about the research?

If you have any questions about this research please contact Wendy Searle at the Ministry of Business, Innovation and Employment.

Phone 04 901 3867
Email wendy.searle@mbie.govt.nz



English language students work rights research

Consent form

What is this research about?

The Canterbury Work Rights Initiative came into effect on 27 August 2012. This was a new initiative for international students in the Christchurch region who are studying an English language programme of at least 14 weeks' duration or a level 4 Foundation Certificate of one academic year's duration. The initiative allowed students to work for up to 20 hours a week provided they were studying at a university, an NZQA EER Category 1 institute of technology and polytechnics (ITP) or private training establishment (PTE), or an ITP or PTE that was on a three-year cycle.

In October 2013 Cabinet extended work rights to all English language students studying a course of at least 14 weeks' duration provided they are studying at a Category 1 provider. Work rights for students undertaking a Foundation Certificate is still only available to students studying in the Canterbury region.

With any new initiative it is important to find out how well it is working, how it could be improved, and how we can manage or mitigate any potential risks. A team of people in the Ministry of Business, Innovation and Employment's Migration Research Unit are doing research to find this out.

What does this study mean for you?

We would like to talk with you to get your view on how well it is working, how it could be improved, and how we can manage or mitigate any potential risks. The interview will take about an hour but before you agree to an interview you need to be aware that:

- The research is voluntary – you don't have to take part if you don't want to.
- You don't have to answer any question you don't want to.
- You can stop the interview at any time and you can ask for your information to be withdrawn from the study within two weeks of the interview.
- The information you give us will be stored in a safe and secure place and only the project team will have access to it. All the information you give will be destroyed after four years.
- Your information will be combined with those of other key stakeholders and every attempt will be made to ensure that you are not identified. However, there may be cases where you can be recognised due to the unique position you hold. Where this is the case we will give you the opportunity to review the relevant section of the report before it is finalised.
- To avoid taking lots of notes during the interview and to ensure your comments are accurately recorded, we would like to record the audio of the interview. However, you can still take part in an interview if you do not want the audio recorded.
- It is helpful when we write up a research report if we can include some quotes from the interview. It is your choice to allow us to use quotes from this interview.

Tick the boxes you agree with below:

- I agree to take part in an interview for the research on work rights for English language students.
- I agree for the audio of my interview to be recorded.
- I agree for my quotes to be used in the report.

My name:

My signature:

Date:

Who can you contact if you would like to find out more about the research?

If you have any questions about this research please contact Wendy Searle at the Ministry of Business, Innovation and Employment.

Phone 04 901 3867
Email wendy.searle@mbie.govt.nz

Appendix C – Data errors

Immigration data

A contact type ('Canterbury Work Rights' (CWR)) was set up in the Ministry of Business, Innovation and Employment's immigration data warehouse to identify those students who were issued a student visa under the initiative.

However, early on in the evaluation it was clear that the contact type CWR was not being assigned consistently for students who receive work rights under the CWR initiative. In some cases the information was noted in the 'Student Visa' label but the CWR contact type was not assigned. This meant that the evaluation was not able to rely solely on the CWR field for identifying students who have work rights under the initiative. Instead the evaluation developed criteria to identify students in the immigration data warehouse who were eligible for work rights under the initiative.

Specifically, students were considered to be eligible for work rights under the initiative if they:

- had been assigned the contact type 'CWR' **or** had work rights on their student label; **and**
- were studying one of the following courses:
 - English language course (including Certificate of Proficiency Preparatory)
 - foundation studies (including Certificate of Proficiency Foundation); **and**
- were studying at one of the approved providers; **and**
- were undertaking a course of 14 weeks or longer.¹⁵

The policy instructions above were used to extract a population from MBIE's immigration data warehouse of students eligible for work rights under the CWR initiative. Students were considered eligible for work rights under the initiative if they:

- had been assigned the contact type 'CWR' **or** had work rights on their student label; **and**
- were studying one of the following courses:
 - English language course (including Certificate of Proficiency Preparatory)
 - foundation studies (including Certificate of Proficiency Foundation); **and**
- were studying at one of the approved providers; **and**
- were undertaking a course of 14 weeks or longer.¹⁶

Data errors

Two data errors were identified in MBIE's Immigration data warehouse with respect to the CWR initiative:

- students who are not eligible for work rights under the CWR initiative but have been given work rights
- students who are eligible under the CWR initiative but have not been given work rights.

¹⁵ It was not possible to determine from MBIE's immigration data warehouse whether the course they were studying was longer than 14 weeks because course start and end dates are not captured systematically. Instead we used visa length as a proxy.

¹⁶ It was not possible to determine from MBIE's immigration data warehouse whether the course they were studying was longer than 14 weeks because course start and end dates are not captured systematically. Instead we used visa length as a proxy.

Students who have work rights under CWR but are not eligible

Ninety-seven students had been assigned the CWR contact type but did not meet the eligibility criteria. One in five of these students would have been eligible for work rights without the CWR initiative.

The table below outlines the reasons why these students were ineligible for work rights.

Table A1: *Reasons why students were ineligible for work rights*

Reason for ineligibility	N	%
Visa length of less than 14 weeks	37	40
Study outside of Canterbury	31	34
Ineligible course	18	20
Ineligible provider	6	7
Aged less than 17	5	5
Total	97	100

Table A1 shows that 40 per cent of students were ineligible for work rights under the CWR initiative because they had been issued a visa that did not allow them to undertake a course of the minimum required length (14 weeks). A third were ineligible for work rights because they were studying outside of Canterbury, often at a provider that also had a branch in Christchurch.

In a few cases these students had subsequently applied for another visa that gave them work rights under the CWR initiative.

Students who should have been issued work rights under the CWR initiative

One hundred and seven students met the eligibility for work rights under the CWR initiative but were not assigned the CWR contact type. This group met all the eligibility criteria for work rights under CWR but in addition:

- were aged 18 and over (students 17 and under need parental permission in order to have work rights)
- had a visa length of 22 weeks or more – however, it is likely that some students who had a visa length between 14 and 22 weeks may have been studying a course of longer than 14 weeks.

The strict eligibility criteria we have used to identify this group means that the number of those eligible for work rights is likely to have been greater than 107.

Further analysis on 20 per cent of cases (22 students) showed that eight either had a Variation of Condition allowing them to work or had been issued with a subsequent student visa with work rights. Eleven should have had work rights and did not.

