Accredited Employer Risk Monitoring and Review (AERMR)

An introduction to the AERMR work

Background

- The Accredited Employer Work Visa (AEWV) is a new, three-gateway (Employer Accreditation, Job Check, Work Visa) process for employing migrants in Aotearoa New Zealand.

- The objectives of the Accredited Employer system include:
  - incentivising employing New Zealand citizens and only recruiting migrants for genuine shortages
  - reducing risks around business models and practices that might enable migrant exploitation
  - ensuring employers are compliant with immigration, employment and business standards.

- The AEWV application process is entirely online, and Immigration New Zealand will use publicly available information, or information it holds, wherever possible to save businesses' time when applying for accreditation.

- As part of the application process, employers are advised there may be follow-up checks to ensure their application details are correct and they are a good migrant employer.

- These checks are possible because of:
  - a new legislative framework for post-decision activity, and
  - the new ADEPT technology platform, which allows employers to apply for accreditation entirely online.

- Accredited Employer Risk Monitoring and Review (AERMR – pronounced 'armour') is referred to with the simpler name of 'post-accreditation employer checks' externally

AERMR

20,460 employers estimated to apply for accreditation in the first year
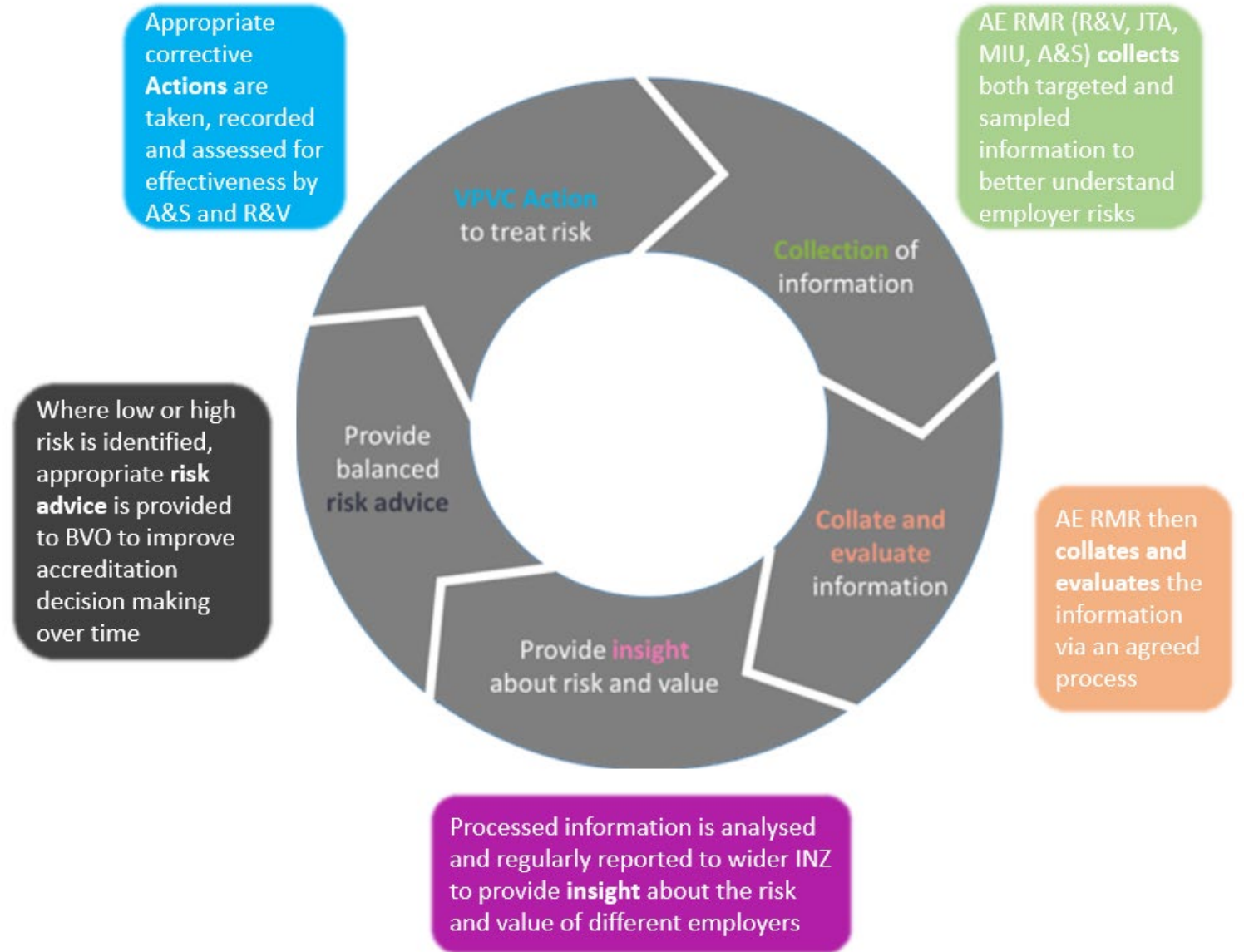
The AERMR programme supports INZ's Striking the Balance strategic priority to Minimise Harm in the immigration system.
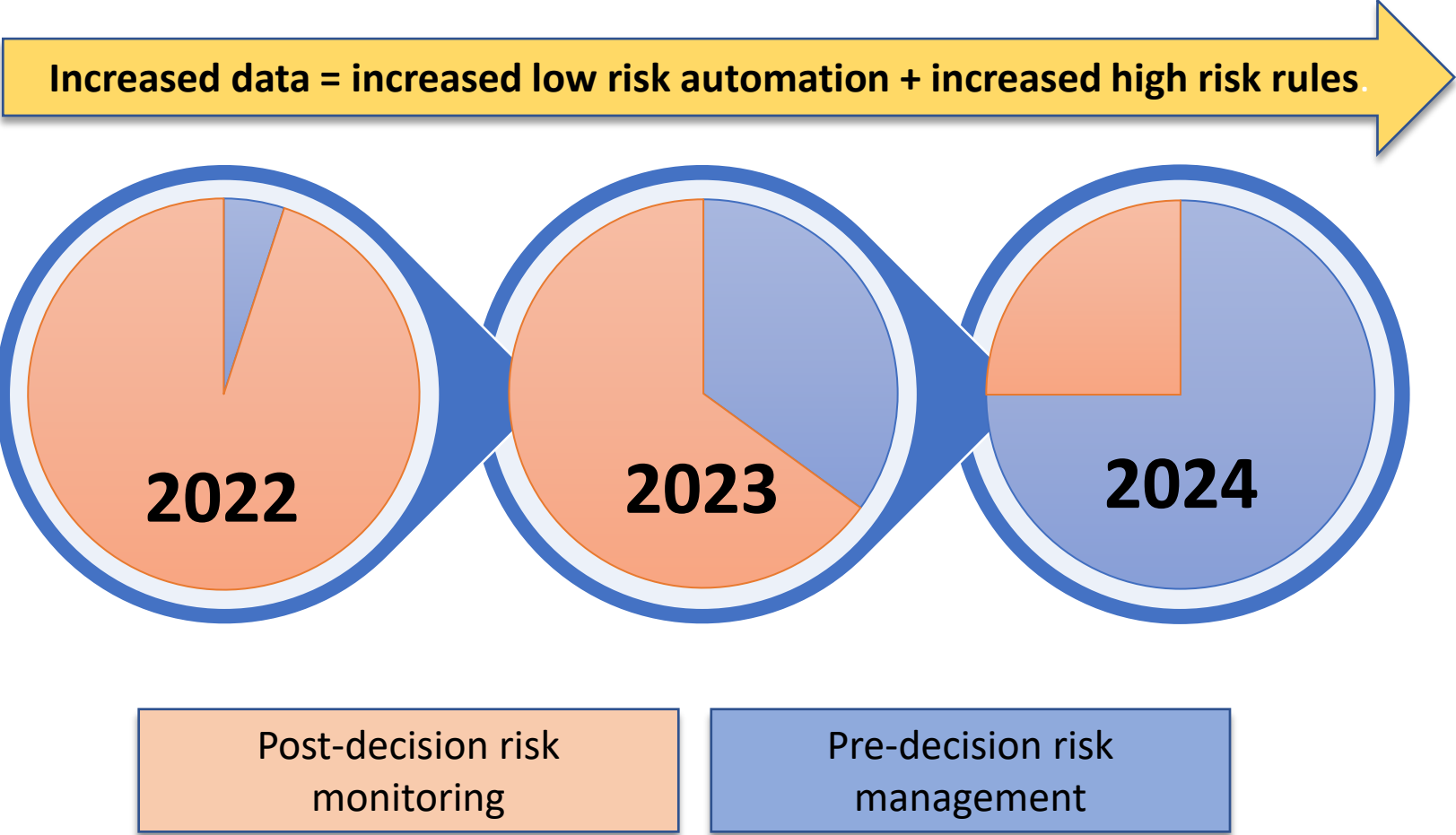
AERMR has been developed to ensure regular post-decision checks of employers are conducted by MBIE.

AERMR approach is inspired by the Immigration Risk Model

Appropriate corrective **Actions** are taken, recorded and assessed for effectiveness by A&S and R&V

AE RMR (R&V, JTA, MIU, A&S) **collects** both targeted and sampled information to better understand employer risks

Where low or high risk is identified, appropriate **risk advice** is provided to BVO to improve accreditation decision making over time

AE RMR then **collates and evaluates** the information via an agreed process

VPVC Action to treat risk

Collection of information

Provide balanced **risk advice**

Collate and evaluate information

Provide **insight** about risk and value

Processed information is analysed and regularly reported to wider INZ to provide **insight** about the risk and value of different employers

Reliance on post-decision risk monitoring decreases as data improves

ACCREDITED EMPLOYER RISK MONITORING AND REVIEW PROGRAMME: *PROCESS FLOW*

AERMR Prioritisation Matrix

Employers identified through the National Prioritisation Process (NPP).

Information received from the public, internal and external Govt. agencies with an assessment against legislative criteria.

Includes: Accredited employer referrals only.

Employers identified by AERMR prioritisation matrix risk rating.

Risk ratings informed by ADEPT form data and INZ holdings with an assessment against prioritisation matrix criteria.

Includes: Higher risk Employer Types, Sectors, Occupations, Risk in immigration holdings.

Employers randomly selected from the remaining population.

Early risk identification, tests risk assumptions, reduces potential bias, reduces employer information deficiencies.

Supports a balanced and objective allocation model, which will also test "low risk" assumptions.

System Targeted & System Health are SCALABLE

Referral Targeted

System Targeted

System Health

AERMR Activity: Desk Assessment and/or Site Visit

AERMR Outcomes Findings and Actions

Stakeholder Reporting

Intelligence collected informs the AERMR Prioritisation Matrix

Progress Update

- Training and learning is available on Learn@mbie

- 25 VOs are performing AERMR desk-based assessments with a focus on TRI/FRAN employers (and higher risk ratings in HV/SV)

- Operational Team being established to ensure the SOPs, AERMR processes tools, guides, templates and data oversight are performing optimally (to include an I&E rep)

- Development team established to progress system enhancements including an internal referral process, evolution of the risk prioritisation matrix and creation of a Quality Assurance process

External Communication

What is being developed to support you?

- External Comms Plan
- Relationship Manager briefing
- Website updates
- Knowledge base updates
- Pro comms to accredited employers

Current FAQs to be shaped into website topics

- What are you checking employers for?
- How will I know if my company has been selected for a post-accreditation check?
- When can I expect a post-accreditation check to occur?
- Why has my company been chosen for a post-accreditation check?
- What will MBIE ask for if my company is selected a post-accreditation check?
- What will the potential outcome be?
- What happens it if it is determined by MBIE that my company is not meeting its accredited employer obligations?
- I am aware of another company which I believe is breaching its accreditation conditions. What can I do about it?
- I'm an employee of an Accredited Employer. What happens to me if my employer's accreditation is revoked or declined?
- What happens to the accredited employer data that is collected as part of the post-accreditation checks?
- How will I know if it is a genuine person from INZ who contacts me?

END

Process
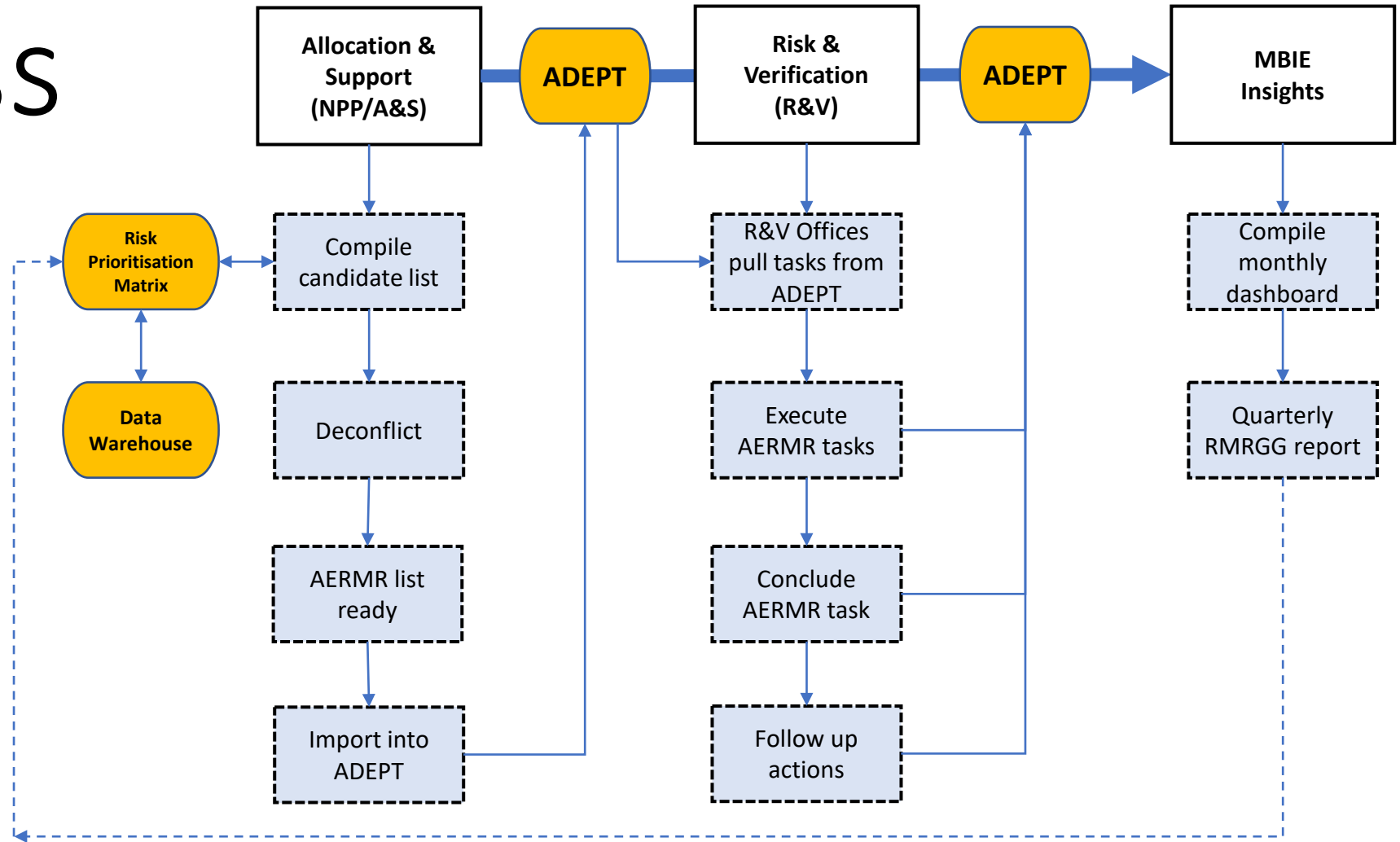
Risk Prioritisation Matrix (RPM)

Maintenance of the law

- RMRGG agreed to an interim RPM and supports the development of a more comprehensive matrix by a cross-INZ working group.

- DSRB will provide guidance to ensure adherence to the Algorithm Charter.

Presenter notes

Page two
The AERMR programme is governed by the Risk Monitoring and Review Governance Group (RMRGG) and will be implemented by people across MBIE:
CEE (who will support communication and education activities across the business sector)
Verification and Compliance, INZ (who will undertake selection of employers, the Risk Monitoring and Review activity and own the model)
Border and Visa Operations, INZ (who will complete the PPI and suspension or revocation process if required)
Operations, Tasking and Improvement, INZ (who will develop reporting to ensure the insights from AERMR activity feeds back into the system settings)
MBIE Intelligence (DDI) (who will provide intelligence to ensure the selection process is intelligence led)

Page three
INZ has developed a system for checking employers after they have successfully passed through the AEWV application process and obtained accreditation. These checks can occur at any time post-accreditation.
Efficient processing of work visas supports the economy now that borders are open, and the post-accreditation checks will ensure that employers continue to be compliant with accreditation requirements, and we have visibility of any indicators of migrant exploitation.
AERMR is another layer in the system to ensure accredited employers are good migrant employers, that they have provided complete and accurate information, and have applied for the appropriate type of accreditation (for example Standard or Franchisee).
The AERMR programme supports MBIE's Te Ara Amiorangi strategy through the capability priority Empowered by Data (We are a data and evidence led organisation) and the collective focus area Transition Pathways (Reset the post-COVID-19 economy towards a high value, high employment and low emission society).
The AERMR programme is underpinned by the MBIE Values Māia | Bold & Brave, Pae Kahurangi | Build Our Future and Pono me te Tika | Own It.
Post decision checks have now commenced and R&V is currently focussed on conducting desk based assessments

These estimates based off Jan 2022 forecast. 600 Triangular and 400 Franchise. 1,700 High volume. Note there are higher risk employers inside the Standard group too.

Page four
Designed in-line with the Immigration Risk Model, the data and insights collected from checks will support the development of risk controls and enable appropriate risk management and automation settings within the ADEPT system and AEWV gateways.

It is a learning system, not in the AI sense but in the human sense. We will learn more over time through the data and insights gathered an analysed which will subsequently inform where effort is directed.

Page five
Example of what "moving the slider" may look like over time. Note this is only an approximation.

Approximately 15% of employer accreditation decisions will be checked in the first year over the period the accreditation is valid for, taking place at a random period of time after an employee has been accredited through the work visa gateway.

INZ will check a sample from the entire spectrum of New Zealand industries and employers to ensure the model benefits from a more complete and accurate picture of the New Zealand labour market. The checks are another layer in the system to ensure AEWV accredited employers are good migrant employers and have applied for the appropriate accreditation type for their business (for example Standard or Franchisee).

Most checks will be desk-based assessments, with some cases referred for a site visit by MBIE staff. Employers determined not to be meeting the obligations of their accreditation may receive a potentially prejudicial information (PPI) letter outlining concerns and inviting feedback. Upon receipt of that feedback, a final determination would be made as to whether further action is required. Non-compliant employers may not be subject to immediate action, but the outcome of the checks could be considered as part of the assessment of the employer's next accreditation application or result in suspension or revocation of and employer's accreditation.

Overall sample size is 15% which is a very solid sample size, which also becomes more powerful as the years build up and a sample is taken from each year.

Page six
A sample from the entire spectrum of New Zealand industries and employers, including those presumed to be low risk, will be checked to ensure the model benefits from a more complete and accurate picture of the New Zealand labour market.

An objective and consistent selection process has been developed to select employers for AERMR. The process by which employers are selected will be reviewed regularly and will be refined as more data and insights become available.

Referral targeted comes from the NPP.
System Health is essentially the opposite of System Targeted – it will not feature employers who have any (significant) risk factors. System Health provides balance and equilibrium and is a counter-force against potential bias which could otherwise build up in a totally high risk-orientated monitoring regime.

Over time it is intended that the slider moves towards much more risk management at the front end. This is NOT intended to be any more than a short-medium term approach while INZ builds up its employer-related data holdings and intelligence.
The percentages in the graphic are indicative

Page seven
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Page eight

Representatives from across CEE have contributed to an update to the external communication plan. This includes key questions we expect employers might ask you and an information sheet for

relationship managers. This is now going through the sign out process and will be available in the next two weeks

Updates will be made to the INZ website to include key information we expect businesses will want to know. This will occur before R&V starts reaching out to businesses requesting information

The ICC has been involved in development of the communication plan and updates knowledge base articles will be available to ICC staff to support them in their work. A dedicated line is available for employers

Pro comms will be sent to accredited employers in advance reminding them of what they agreed to and that post decision checks may occur to ready the employers for potential contact

Page 10
The slides after this are "back pocket" only and not designed to be used unless needed.

Page 11
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MBIE Intelligence (DDI) (who will provide intelligence to ensure the selection process is intelligence led)

AERMR checks will occur after employees have been approved through the Work Visa gateway.
Most checks will be desk-based assessments, with some cases referred for a site visit by MBIE staff.
Checks may include, but are not limited to, the following information about the employer, which is obtained through information requests or visits to businesses by our Risk and Verification team:

Maintenance of the law
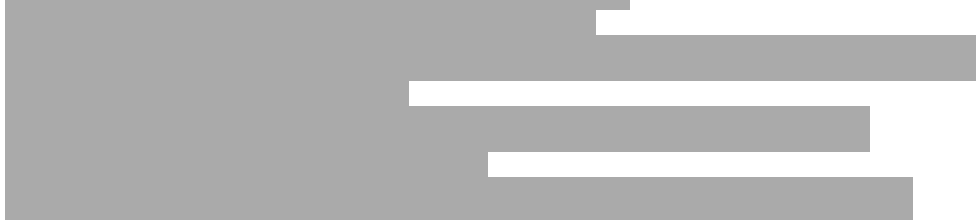
Page 12
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