**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**

HĪKINA WHAKATUTUKI

MEMO

DATE	1 July 2022
TO	Catriona Robinson, Acting Deputy Secretary, Immigration New Zealand
PREPARED BY	Jeannie Melville, Head of Accredited Employer Work Visa, Immigration New Zealand
APPROVED BY	Stephen Vaughan, Chief Operating Officer, Immigration New Zealand
SUBJECT	**CONTINGENCY PLAN FOR PROCESSING WORK VISA APPLICATIONS IN ADEPT**

PURPOSE

This memo acknowledges the recommended split-release approach for Accredited Employer Work Visa (AEWV) implementation to deliver visa decisions in July 2022. The paper outlines the manual approach to processing work visas in the Application Management System (AMS) of Immigration New Zealand (INZ), its implications, risks and the tasks required for successful implementation. It also seeks decisions required on timing and approach to communications.

RECOMMENDATIONS

It is recommended that you:

a) **Note** that COVID-19 has had a significant impact on the ADEPT resource availability and delivery timelines. A revised approach to implementation is required to deliver the AEWV in July.

Noted

b) **Note** the ADEPT Programme has explored options to deliver the remaining AEWV Policy (Migrant work visa gateway) and a solution has been identified that splits the release into two parts to enable the business to deliver visa decisions in July and meet the timeliness expectations that have been publicly set (this includes the decision to deprioritise the ability for offshore visitor visa applicants to apply in ADEPT).

Noted

c) **Note** an initial meeting for 'Go or No Go' for the implementation of the work visa processing has occurred with a provisionary 'go'. The final 'Go or No Go' decision will be held on 3 July 2022. Any agreement to recommendations below is subject to the decision from this meeting.

Noted

d) **Approve** the contingency plan to manually process work visa applications in AMS until the full deployment of processing functionality in ADEPT.

Approved/Discuss

e) **Note** the inherent risk that the contingency plan of the manual workaround has the potential to negatively impact INZ's future processing and the linking up of the three gateways, including risk management of each gateway.

Noted

f) **Agree** to implement the contingency plan for processing work visa applications.

Agreed/Discuss

g) **Note** that Quality Checks (QC) for work visa applications will initial occur for all applications, and then will drop back to standard QC sampling once there is confidence in each Immigration Officer's competence in the new policy and there is a good level of calibration across the business.

Noted

Privacy of natural persons

Stephen Vaughan
Chief Operating Officer
Immigration New Zealand
..... June 2022

1 July

Catriona Robinson
Acting Deputy Secretary
Immigration New Zealand
..... June 2022

4 July

BACKGROUND

1. Under the new employer assisted work visa policy, six existing employer-assisted temporary work visa categories have been replaced with a new policy that introduces a new 'Gateway' system. The three gateways each have distinct steps where a range of validation checks are completed.

2. The Employer Accreditation Gateway (gateway one) is where employers are accredited to enable them to hire migrants. The Job Check Gateway (gateway two) will check the job to ensure that no New Zealander is able to fill the position being recruited. Finally, the Migrant Gateway (gateway three) is where checks will be made that the migrant is of good character and health and is suitably qualified to do the job offered.

3. The new AEWV three Gateway process will become compulsory from 4 July 2022. To support transition, employers have been able to submit accreditation applications from 23 May 2022 and job check applications from 20 June 2022.

4. Migrants will be able to apply for a work visa in ADEPT from 4 July with the deployment of front-end AEWV form (Release One). A new functionality that allows applications processed in AMS to be decided in ADEPT, essentially connecting the two system records, is proposed to be released on 18 July (Release Two). However, immigration officers will not be able to process those applications in ADEPT until the deployment of full back-end functionality on 27 August (Release Three).

5. Compounding factors, including loss of staff due to COVID-19 and a product issue with the Microsoft Dynamics platform have placed pressure on our ability to meet future milestones.

6. INZ has made a commitment to the Minister of Immigration and the public that applications for work visas will be processed within an average of 20 working days. The split-release approach will affect INZ's ability to meet this commitment as INZ will not be able to process in ADEPT until Release Three in August, and after the planned closing of essential skills category on 3 July. Without a manual approach to process these work visa applications in another system, timeframe commitments will not be able to be met.

7. As a result of the split-release approach and the priorities of the Government for Reconnecting New Zealand, the MBIE Chief Executive (CE) has instructed INZ to develop a manual approach to processing work visas in AMS to ensure that INZ's commitments to reopening the border and allowing workers to enter New Zealand in a timely fashion are met.

8. In response to the CE's directive, INZ has designed a process which allows for work visas to be processed manually after applicants can apply in ADEPT from 4 July. For this process to be implemented effectively and quickly, Operations Tasking and Improvement (OTI) branch will track and monitor all components described in this paper.

SPLIT RELEASE OF AEWV GATEWAYS

9. Ongoing resourcing issues, largely due to key staff being unable to work due to COVID-19, have impacted the ADEPT Programme's ability to meet the scheduled delivery dates for the Migrant gateway of the AEWV. Since 1 April 2022, the Programme has lost over 240 days due to COVID-19 related absences.

10. On 9 June 2022, the ADEPT steering group was advised the AEWV timeframes were not able to be met. On 13 June 2022, the programme further confirmed that the Job Check release was not able to be delivered in one release cycle, with the front and back-end releases split into two. A communications plan was prepared and included internal, external and reactive communications. The internal communications were released on 17 June 2022.

11. On 22 June, the ADEPT programme recommended a split release approach to deliver the AEWV work visa on 4 July, which was approved on 22 June.[1] The split release approach would see the front-end application submission process for ADEPT delivered on 4 July 2022, with the backend assess and decide functionality delivered later. This approach would mean that assess and decide processes would have to be undertaken manually using the Application Management System (AMS).

12. The ADEPT technical team has since revised the recommended approach to simplify the proposed back-end release. This will provide the ability to decide (but not assess) applications in ADEPT by 18 July 2022. Deciding the application using ADEPT removes the risk of conflicting records of applications being processed in both systems. This also provides a streamlined ADEPT experience.

PROCESS DESIGN OF CONTINGENCY PLAN

13. The recommended approach is to implement a workaround to process applications in AMS in advance of the full deployment of the back-end ADEPT functionality. This is included as Appendix A.

14. DXC (a third-party vendor) will create an AMS application type that replicates Essential Skills functionality but without a fee that can be used for the purpose of this manual workaround. This new AMS application type will be used solely for the purpose of this workaround, so will be clearly delineated for the purposes of reporting.

15. The steps associated with manually processing the application in AMS are very similar to the steps that take place for existing applications made through other platforms, such as paper or IGMS. This means there are INZ staff familiar with these processes and existing Standard Operating Procedures that can be repurposed.

16. If there are applications that are ready to be completed before the roll out of the ADEPT decision functionality, they can be decided in AMS and the outcome communicated to the client. This

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[1] *Advanced digital employer-led processing and targeting (ADEPT) Accredited Employer Work Visa (AEWV) revised release approach*, 22 June 2022. MAKO 127349850

communication will have to note that the ADEPT will not be updated and that once it has been, they will receive an additional notification of the decision. Once the ADEPT decision functionality has been deployed, the application will have to be redecided in ADEPT. It is anticipated the volume of applications that will be in this situation will be low.

17. After the ADEPT decision functionality is deployed, an immigration officer will switch back to the ADEPT system to finalise the application. The AMS application will have to be closed off without an approve or decline decision. It is important to note that this means the record of the application will be in two systems: AMS for the assessment of information, and ADEPT for the final decision.

18. Finalising applications in the ADEPT system will ensure that the customer receives notification of their decision through their ADEPT account and the link with the job check is maintained. It will also ensure a much more seamless experience for the customer.

19. The manual AMS process will be used to process all applications received before the release of full ADEPT back-end functionality in late August. Once that is deployed, new applications will be processed completely in ADEPT. The AMS process will continue to completion for applications made before that date.

20. Risk and Verification staff are investigating options to risk rules into any back-end solutions. At minimum, 'shield' rules will be used which will identify applications which pose the greatest immigration risks, such as National Security.

21. These risk rules will assist immigration officers in identifying any applications that have common high-risk indicators and will assist in maintaining the overall integrity of the immigration system until full functionality in the ADEPT system is rolled out.

22. To provide further certainty that applicants will be able to apply for a work visa from 4 July, a Plone form is currently in development and would be made accessible on the INZ website if the ADEPT front-end is unable to be rolled out on 4 July. A front-end Plone form does add further complications to developing the back-end process, and would be used only as a last resort.

REQUIREMENTS TO IMPLEMENT

23. Training will be developed to ensure that immigration officers understand what is required for the manual process and visa assessment templates to assist immigration officers to correctly record their decision-making are being drafted. Minor changes to other products such as AMS template letters will be necessary especially for any applications decided before the ADEPT decision functionality is in place.

24. A new groundscode (application type) will be created to enable these applications to be raised and reported on in AMS. Following testing, the new groundscode will be available in AMS after 5 July.
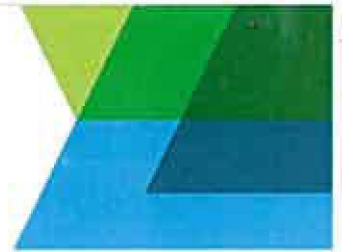
25. It is recommended that the manual processing of work visa applications commences as soon as the new AMS groundscode is established and Immigration Officers are appropriately trained on the new process.

26. Work visa applications received in ADEPT will only be processed by staff redeployed and trained for this contingency plan.

27. The support staff at the National Documentation Office (NaDO) will be required to lodge applications in AMS which have been made on the ADEPT platform and submit third party checks, namely New Zealand Police Check (NZPC) and National Security Check (NSC).

28. Maintenance of the law

RESOURCING

29. There are 850 staff who have been trained on ADEPT for the AEWV and 2021 Resident Visa (RV21) processing. At this time, not all of these staff are also familiar with AMS and able to easily pick up the manual processing of applications.

30. There are 210 staff will remain ring-fenced to process AEWV and RV21. The Heads of Operations in Manukau and Christchurch offices, who are responsible for delivering on these two products, and the Manager Risk and Verification Onshore will meet every week with OTI staff to ensure that processing is on track and the appropriate number of staff are available to meet INZ's commitments to both products.

31. The staff will receive additional guidance and training on the manual work around for work visas.

32. The assessment for a work visa, by and large, will not be different between processing in AMS and the processing of manual activities in ADEPT.

33. However, the crucial differences are the level of data entry required; the efficiency of the ADEPT system, which directs staff to relevant instructions and undertakes automated activities to support processing; and assessment in ADEPT is task-based rather than the traditional end-to-end processing, which requires more handling and work to identify whether instructions are met.

TIMELINESS

34. The objective is to process an application within 20 working days of its submission, subject to the applicant's ability to obtain medicals and other documents required for their individual circumstances.

RISKS

35. If we cannot deliver work visas to migrants within the 20-day timeframe, as we have promoted, then this may result in migrants not being able to take up employment in New Zealand. Failure

in delivery of visas within the promised timeframe presents reputational risk for the business. As such, the manual workaround for processing outlined in this paper will mitigate this risk.

36. Moreover, employers will be without migrant employees when they have been unable to find a New Zealander to do the job, which affects their productivity and trust in the INZ system.

37. Further to the reputational risk, manual workarounds present a likelihood of duplicated and/or conflicting communications being sent to customers as a result of applications being received and processed in different systems. For example, customers may see their application status at 'gathering information' stage in ADEPT, while the application is finalised in AMS with the visa granted.

38. Additionally, the proposed contingency plan is another layer of change that would have an impact on staff wellbeing. Staff redeployed for the contingency processing will need to readjust and some may need further training, which will add to the change fatigue that our staff are already experiencing. The contingency option also creates additional risk in the communication space, as we would be implementing a new process over night that would only be applicable for a small number of individuals for a short period of time.

39. There is also Legal Risk associated to INZ meeting its obligations to ensure that personal information is accurate before it uses it (privacy principle 8, s 22, privacy act 2020). Processing in AMS will generate two applications, one by the applicant via ADEPT and the other by the Immigration Officer to process the application. This prima facie not accurate as the applicant has legally only made one application. The reconciliation of these two applications is extremely challenging as we are unable to load documentation onto ADEPT from AMS. The possibility of creating a new decision code is currently being investigated as this will go a small way to explaining the anomaly of the second application.

COMMS

Internal communication

40. An aide memoire on the implementation, including the split release plan, of the work visa in ADEPT will be submitted to the Minister of Immigration on 30 June 2022.

41. A communication plan for INZ staff has been developed and will be released on 4 July 2022.

External communication

42. A comprehensive comms plan has been developed to engage with applicants and stakeholders. This will be signed off by members of ILT.

REPORTING

43. Reporting on work visa processing will be provided daily, but with the caveat that reporting for each day will present cumulative figures from the previous days.

44. It is proposed that reporting will be provided on the volume of applications received in ADEPT and volume breakdown of the different statuses that an application may go through in AMS.

45. Reporting will initially be complex. It is important to note that reporting on Tendered and Accepted applications in AMS is straightforward. However, AMS currently does not allow for straightforward data pulls on allocation of applications, those awaiting further information (RFI or PPI) and applications at quality check stage.

46. A workaround in AMS is to create specific queues and extract numbers of applications in those queues.

47. There will initially be delays in reporting. Among others, main issues include:
    - ADEPT data is currently in 'unreadable' format which requires translation into plain language;
    - data updates from the Data Warehouse will occur at 10pm each day, so data cannot be reported in real time – only the end status of the application can be reported on at the end of the day, regardless of how many changes in statuses it may go through;
    - ADEPT is a new system so there are unknown factors;
    - accurately matching submission and decision time in both ADEPT and AMS may be complicated;
    - accuracy of reporting can be compromised if applications in AMS are recorded as 'replaced by new'.

48. Accurate and consistent data entry in both ADEPT and AMS is paramount for reporting, particularly around data on employer and employment. SOPs, monitoring, and quality checks will ensure that reports are based on correct and consistent information.

ASSURANCE

49. Applications processed as part of the contingency plan will follow the quality of decision making and assurance as outlined in the *Memo for AEWV automation decision work visa*, approved on 21 June 2022.[2]

50. From 4 July, manual activities and decisions within the work visa process will be subject to a QC. All staff who are new to INZ or this product will be, as per the current QC SOP, subject to 100 per cent QC until they are deemed competent.

51. National Manager Visa Operations, BVO is currently developing the SOP for processing officers to follow for the manual workaround processing in AMS.

52. The Head of AEWV will work with the Assurance team and National Manager Visa Operations, BVO to determine an appropriate question set for each general and each specific work visa activity.

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[2] *Memo for AEWV automation decision work visa*, 21 June 2022. MAKO 127385776

CONSULTATION

53. Legal professional privilege

In light of this feedback, the ADEPT project team will work on the solution for accurately recording application statuses in both AMS and ADEPT.

54. The following people have been consulted on the proposal to automate and after discussion, agree with the proposed approach:

- Privacy of natural persons INZ Special Counsel
- Privacy of natural persons Manager Engagement and Communications, INZ
- Privacy of natural persons Technical Writer, ADEPT
- Jacqui Martin, ADEPT Change and Capability Director
- Nick Aldous, Director, Policy Integration - Immigration
- Privacy of natural persons Onshore Risk and Verification Manager
- Sarah Clifford, National Manager Border and Visa Operations
- Privacy of natural persons Head of Operations, Christchurch, Border and Visa Operations
- Privacy of natural persons Principal Business Analyst, Operational Policy

NEXT STEPS

55. Subject to agreement to the recommendations in this paper, the Head of AEWV will engage with the ADEPT Programme team, R&V and BVO offices to implement the contingency plan.

56. An aide memoire has been prepared and submitted to the Minister of Immigration, which provides an update on the AEWV implementation progress, automation decisions and the contingency plan.

57. Internal and external messaging as prescribed by the communication plan will be released over the weekend of 2 July.

ANNEX ONE: Tasks for implementing the contingency plan – manual workaround for back-end in AMS

Tasks	Summary	Lead/Support
Memo on overall approach	Prepared for Dep Sec approval	Head of AEWV
Design of Plan B	Completed	Op Pol; ADEPT
Creation of groundscode in AMS	AMS ICT design: identify and create groundscode for use in processing AEWV applications in AMS	Data Warehouse; Op Pol; DXC
SOPs for AMS (Plan B)	Identify what happens in ADEPT to process AEWV that will need to be replicated in AMS, potentially including: - identity - verification - assessment against instructions - quality checks - customer communication Draft SOPs for NaDO staff and IOs	BVO; Op Pol
SOPs for returning to ADEPT	Draft SOPs to reflect processes	Sarah C; Op Pol; ADEPT
Template letters	Draft template letters for use in AMS and ADEPT	Sarah C; BVO
Training	Train NaDO staff and processing IOs	HOO NaDO (BVO)
Internal Comms	Identify stakeholders that need to be informed of the issue. INZ processing staff:	MBIE Comms (Yvette McKinley)

	- ICC staff - LIAs - Employers Draft key messages setting out issue and plan for resolution at high level Internal Comms will outline why enhanced Immigration online is not an option – providing high level overview of next steps. To be completed and approved by 1 July 2022.	
External Comms	Drafting email to be released to approved Job Check Employers (to explain new process and directing the Migrant applicant where they should go). Consolidation of approved Job Check Employer contact details – Christchurch office – to be sent to INZ Information and Education (I&E) every 24 hours I&E to contact approved Job Check Employers on decision of Go/No Go for Plone (likely 2 or 3 July)	MBIE Comms (Yvette McKinley); BVO Christchurch (Sarah C)
Aide memoire on work visa implementation	Prepared for sign-out – due 30 June 2022 Submitted to the Minister's office on 29 June 2022	Head of AEWV
Aide memoire to update on work visa implementation	To be provided in the weeks following the implementation of the contingency plan.	Head of AEWV
BVO and Risk and Verification resource: weekly update with Head of AEWV / Head of Operations Christchurch	The Heads of Operations in Manukau and Christchurch offices, who are responsible for delivering on these two products, and the Manager Risk and Verification Onshore will meet every week with OTI staff to ensure that processing is on track	HOOs Manukau and Christchurch BVO; Manager Risk and Verification Onshore (Felicity M); System Action and Tasking (OTI)
Quality Checks: SOPs	Develop QC SOPs for AEWV workaround processing in AMS	BVO Christchurch (Sarah C and Dom F)

Transition back to ADEPT: back to Plan A and tidy up of decisions made outside of ADEPT	Identify how applications at different stages of processing within AMS will be treated by default within ADEPT when integrations begin Identify where default treatment creates an issue (e.g. doubled up comms, potential for different outcomes) Work out interventions to mitigate each issue, which could result in changes to: -AMS processes -ADEPT processes -ADEPT ICT Identify where there are decisions to be made about the approach and work with delivery lead to ensure decisions get quick outcomes.	Op Pol; ADEPT SMEs
Data	Prepare for accurate transition of data back into ADEPT after Release 2 for back-end functionality.	ADEPT; DXC; Data Warehouse; P&R