

Response to the recommendations from the Accredited Employer Work Visa (AEWV) Review commissioned by Te Kawa Mataaho Public Service Commission





Background

Task completed

ACCREDITED EMPLOYER WORK VISA

The Accredited Employer Work Visa (AEWV) is the main temporary work visa. It is designed to ensure New Zealanders are first in line for jobs and where genuine skill or labour shortages exist, accredited employers can hire skilled migrants. The AEWV is a three step process requiring; Employer Accreditation, Job Check and Work Visa. Employers must pay at least the NZ median wage, unless the role is on an exemption list and show that there are no New Zealanders able to fill the role.

Purpose of this document

This document provides an overview on the work that is completed, and underway to address the recommendations and how the work will improve the immigration

This overview document is planned to be updated regularly this financial year.

The work plan and delivery dates was approved by the Minister of Immigration

Any questions or inquiries regarding this document should be sent to media@mbie.govt.nz.

Context

Staff engagement and communication

Te Kawa Mataaho Public Service Commission (PSC) commissioned in August 2023 an independent review ('the Review') into the administration of the AEWV scheme. The review was announced following concerns raised with the then

Minister of Immigration relating to the way the scheme was being administered and whether this was resulting in opportunities for misuse and exploitation by

Review was also tasked with identifying any appropriate next steps for improvement in the administration of the AEWV scheme with a focus on mitigating the risk of migrant exploitation and irregular migration.

The Review was published in February 2024 and made ten overarching recommendations with 25 specific sub-recommendations around reducing the risk of migrant exploitation, developing an integrated compliance and system monitoring model, improving intelligence gathering and resetting the relationship between Immigration New Zealand's (INZ) senior leaders and frontline staff.

In addition to the recommendations, the Review noted that the AFWV scheme went live in extremely challenging circumstances with INZ under extreme pressure to process an extremely high number of visas in short timeframes. The Review

acknowledged that a number of changes had already been made to improve the administration of the AEWV scheme, which was implemented as the border was reopening post COVID-19.

MBIE accepted all the Review's findings and recommendations, and acknowledged the serious nature of the issues that were raised in the review

MBIE's response to the Review

Regular progress update to Minister as at month

end – provided mid the following month

In response to the Review and to ensure priority is given to responding to the recommendations, a dedicated work programme has been established within MBIE, from existing resources, to respond to the recommendations. In developing the work plan we have ensured that our frontline staff had the chance to provide comment as to how the recommendation would be responded to, and will continue to refine how we engage as we learn more about what works.

Immigration New Zealand is already working hard to improve staff communication and engagement and will continue to do so in line with the Review's recommendations.

The key milestone dates for delivery, including those recommendations completed, are highlighted in the timeline below. The 10 overarching recommendations (with the 25 specific sub-recommendations) outlined in the Review relate to the following six areas.

1 RISK MITIGATION

Strengthening risk management including improvements to how we understand and manage risk in the future.

2 COMMUNICATION AND ENGAGEMENT

The need to improve the communication and engagement between frontline staff across the immigration system and leadership.

3 OPERATIONAL ENHANCEMENTS

The support for staff and customers using the AEWV scheme could be strengthened.

4 POLICY ADVICE

Longer term policy work as relates to the AEWV.

5 IMMIGRATION SYSTEM ENHANCEMENTS

The recommendations to improve the wider immigration system beyond changes to the AEWV scheme. This includes how MBIE governs the immigration system, the level of assurance there is across the entire system and ensuring an end-to-end compliance framework is in place.

6 FUTURE SERVICES

AERMR = Accredited Employer Risk Monitoring Review

Our Future Services is a long-term work programme to develop and implement a future service model across the MBIE immigration system. Three recommendations are being overseen as part of the Future Services work.

INZ = Immigration New Zealand

IRC = Immigration Risk Committee

Glossary of terms

- Accredited Employer Risk Monitoring and Review (AERMR)
- Post accreditation employer check across 15% of employers carried out by INZ in a combination of desk and site-based checks to inform risk tolerances and controls
- Accredited Employer Work Visa (AEWV)

Employers can get accreditation to use the Accredited Employer Work Visa (AEWV) to hire migrants on visa for up to 5 years. The AEWV is a 3 step process requiring Employer Accreditation, Job Check and Work Visa.

- Advanced Digital Employer -Led Processing and Targeting (ADEPT) is the Immigration online ICT system which includes the AEWV processing.
- Employer Accreditation Gate 1 of the 3 step AEWV process. An employer applies for accreditation
- to be able to hire migrants for temporary employment. General Instructions

and manner of processing applications (Immigration Act 2008 s26).

Are matters of rule and practice for the Department and relate to the order

RMA = Risk Management Approach

Priority roles that, if a migrant worker has the qualifications registration or

experience required, may be able to get residence immediately or after two years of working in New Zealand. • Irregular migration

The movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination Job check

Gate 2 of 3 step AEWV process. The accredited employer requests job token for current needs where there are no New Zealanders able to fill the role. Migrant exploitation

When harm is caused, or the risk of harm is increased to the economic,

social and physical wellbeing of a migrant worker.

Gate 3 of the 3 step AEWV process. A temporary visa that a potential migrant workers may apply for if there is a job offer from an accredited employer and they have the skills and qualification of the job.

RECOMMENDATIONS - WORK PLAN ACTUAL RECOMMENDATIONS RESPONDED TO 31 MAY 2024 INCLUDING UPCOMING PLANNED COMPLETION DATES 26/04/2024 31/05/2024 **30/06/2024 16/05/2024 31/05/2024** 30/06/2024 30/06/2024 30/06/2024 **31/08/2024 31/10/2024 31/12/2024 31/12/2024** \sim Year one of AERMR 💠 Collaboration with NGOs and ICRG RMA for work visa stage of AEWV agreed RMA for work visa stage of Operating framework guiding the use of RMA agreed for Employer Policy work continues – Rec 9. Regular insights gathering tool agreed Regular progress update to the Minister Regular progress update to the Minister Change management blueprint System health reporting established to - contributes to Rec 2(a) / Rec 4(d). General Instructions approved – Rec 1(b). Accreditation / Job Check complete, and approach prototype delivered – Rec 7. continues - Rec 3(a). and the plan for roll-out – Rec 8. – Rec 10. - Rec 10. provide status of key products within AEWV implemented at the 2 for year two of AERMR approved by IRC – contributes 31/05/2024 immigration system - Rec 1(a). frontline-contributes 0 30/06/2024 agreed - Rec 4(b). **31/08/2024** to Rec 2(a) / Rec 4(d). to Rec 2(a) / Rec 4(d). 30/06/2024 30/06/2024 **31/10/2024** 07/04/2024 Meetings with NGO representatives 30/06/2024 Advice to the Minister regarding achievability **31/12/2024** Advice on the second phase of the AEWV 31/12/2024 Ensured front line staff were involved in the completed and first meeting of AEWV change champion network and New dashboards produced - non Process designed to ensure alignment of Pilot learning programme evaluated – Rec 6(b). 31/05/2024 of current processing times – Rec 2(c). **15/05/2024** staff user guidance for AEWV product within roll-out of recent policy changes - Rec 6. Community Reference Group scheduled Immigration Frontline Forums scheduled compliance in AEWV product review provided to the Minister – Rec 9. Consolidated compliance model and Advice on the second phase of current system constraints - Rec 6(a). First iteration of monthly Introduced a priority lane and - Rec 8. - Rec 1(a) / Rec 1(d) / Rec 3(b) / Rec 3(c). the AEWV review is considered by **31/10/2024** system reporting; (focus on AEWV) risk indicator reporting 30/06/2024 processing pathway for green list **31/07/2024** 29/02/2024 - Rec 1(a) / Rec 1(d) / Rec 3(b) / Rec 3(c). Cabinet – Rec 9. Training established to support frontline developed – contributes 30/06/2024 30/06/2024 Regular progress update to the Minister applications – Rec 2(b). Pilot Learning Programme delivered – Rec 6 (b). Further embedded governance structures managers to understand their staffs' regulatory to Rec 2(a) /4(d). - Rec 10 (progress as at 30 June provided in Expectations for managers regarding importance across Immigration System (noting it will be RMA changes implemented at the frontline to responsibilities, with accompanying assurance 14/06/2024 14/05/2024 of frontline staff being supported to fulfill their early to mid July). refined on an ongoing basis) - Rec 1(e). further improve risk management, supported Regular progress update to the Minister 31/07/2024 reporting in place – Rec 5. regulatory obligations is developed and agreed AEWV Review work plan to address May progress update provided to Minister. by risk reporting to understand impacts of - Rec 10 (progress as at 31 October provided in Regular progress update to the Minister – Rec 10. recommendations agreed to with the changes – Recs 2(a) / Rec 4(d). early to mid November). 31/01/2025 Minister – Rec 10 Regular progress update to the Minister – Rec 10. Regular progress update to the Minister - Rec 10 (progress as at 31 December provided in early to mid January 2025).