



MP for Palmerston North

Minister for Workplace Relations and Safety Deputy Leader of the House

Minister of Immigration

Minister for ACC

15 OCT 2019

MOIA 101

Francisco Gomez
fyi-request-11019-db4935dd@requests.fyi.org.nz

Dear Francisco Gomez

I refer to your information request received by my office on 20 August 2019, in which you request the following information under the Official Information Act 1982 (the Act):

I have been advised by an Licensed Immigration Advisor that Immigration New Zealand is implementing an internal prioritization criteria for the allocation of Case Officers to Skilled Migrant Category Visa applications.

If such thing is happening, I would like to ask for information in regards to the specifics requirements to meet such criteria, the reasons of why this new procedures has been implemented and also I would like to ask for information on what is the plan of action for applications already lodged not matching this newly implemented criteria and how these will fit in the new processing schedule.

I am advised that Immigration New Zealand (INZ) is currently trialling an Employment Visa Escalations (EVE) process for the allocation of employment related visas (and associated family members) for both Temporary Work Visas and Skilled Resident Visas.

I have attached an INZ Memo, which outlines the reasons for the implementation of this process. Further information on the EVE process is publicly available on the Immigration New Zealand Website via the following link: <https://www.immigration.govt.nz/about-us/media-centre/newsletters/korero/korero-july-2019/employment-visa-escalations-eve>.

The Manukau office is currently allocating applications lodged under Residence from work category – Talent (Accredited Employers) and the Skilled Migrant Category in the following order:

1. Applications where the Employment Related Visa Escalation process has been approved
2. Applications that meet any of the following criteria:
 - Applications returned to INZ from the Immigration and Protection Tribunal (IPT) for reassessment, or
 - Applications that require removal of conditions under s49(1)(a) of the Immigration Act 2009, or
 - Applications deferred under immigration instructions SM21. 10 where an offer of employment has been submitted.
3. Applications that meet the current allocation model which currently prioritises applications that meet any of the following criteria:

- Remuneration is above the high remuneration threshold listed in immigration instructions, or
 - Offer of employment is in an occupation that requires occupational registration, or
 - Residence from work category-Talent (Accredited Employers).
4. Allocation from the queue in the order of the date the application was accepted for consideration by INZ.

You have the right under section 28(3) of the Act to ask the Ombudsman to investigate and review my decision. The relevant contact details are as follows:

Office of the Ombudsman
PO Box 10152
WELLINGTON 6143
Ph 0800 802 602
www.ombudsman.parliament.nz

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Ian Lees-Galloway', written over a circular stamp or seal.

Hon Ian Lees-Galloway
Minister of Immigration



MEMO

DATE 08/07/2019

TO Peter Elms, Assistant General Manager

FROM Nathanael Mackay, Head of Operations - Manukau

CC Sarah Clifford, Head of Operations - Christchurch
Ant Harris, Head of Operations - Porirua

SUBJECT APPROVAL TO ESTABLISH BUSINESS PROCESS ESCALATION PROCESS IN MANUKAU

PURPOSE

The purpose of this memo is to seek your approval for the implementation of a new employment related visa application escalation process, which would centralize all requests for priority and urgency in one location, with the intention of ensuring better consistent service and responses.

RECOMMENDATIONS

I recommend you:

- **Note** the contents of the attached guidelines and memo.
- **Agree** to the implementation of the proposed escalation process.

Noted

Agree/Disagree

Peter Elms
Assistant General Manager, Visa Services
Immigration New Zealand
8 July 2019

Released under the Official Information Act 1982



BACKGROUND

Currently there is a varied approach across multiple offices and multiple staff in relation to receiving, as well as determining, escalations for priority allocation. This new escalation proposal is aimed at ensuring there is a consistent, fair and transparent approach for receiving, acknowledging and determining requests for priority allocation.

CURRENT SITUATION

Following a series of consultation across the business product network, the attached document and proposed escalation process was created. This document is designed to provide guidelines and advice for the timely response to requests for priority allocation of employment related visa applications where the applicant has compassionate or compelling circumstances. It is envisaged that this process will cover all employment based work and residence visa applications (including linked family members), with the exception of those who apply under the Business Migration categories.

The escalation process proposed will be piloted in the Manukau office over a three month period and reviewed thereafter.

Two permanent and dedicated Immigration Managers will manage all employment related visa application escalation requests, that will cover applications currently processed in the Manukau, Christchurch and Porirua offices. This will also cover Henderson and Manila offices as necessary.

-END-

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Guidelines for the Employment Related Visa Application Escalation Process

Process

1. A request to prioritise the allocation of Employment Related Work or Residence Visa application is received.

Via email or mail from LIAs/Lawyers, MBIE Relationship Managers and/or via the ICC direct to the office/an officer:

All of these requests can be then sent to the Employment Visa Escalations (EVE) mailbox at the following email address EmploymentVisaEscalations@mbie.govt.nz for consideration by the EVE Immigration Manager of whether the application should be escalated for allocation or not.

2. Initial Consideration for Allocation

- The EVE Immigration Manager will make an assessment of whether the application should be prioritised for allocation. At the start of the pilot, both EVE Immigration Managers will collaborate to ensure consistency in determining whether priority will be given.
- The EVE Immigration Manager will consider whether there are compassionate or compelling circumstances and each request will be assessed based on the merits and individual circumstances presented.
- The EVE Immigration Manager will add appropriate notes into AMS to record the request and correspondence to show whether or not the application has been agreed to be escalated.

3. Escalation Criteria

A request for escalation will be considered against the following criteria:

- Compelling personal circumstances
- Humanitarian factors
- Matters of national interest

4. Service Standards

Where an application is prioritised for allocation, the EVE Immigration Manager will:

- Allocate the application within **1 working day** of its receipt for Temporary Work Visa applications and **5 working days** for Residence visa applications.
- Send a response to the requestor that the application will be allocated within the next **1 working day** for Temporary Work Visa applications and **5 workings days** for Residence visa applications.

5. EVE Mailbox responsibilities



Upon receiving a request, the EVE Immigration Manager will:

- Consider whether the request meets the criteria for priority allocation.
- Decide who the request should be referred to
- Complete the Referral Spreadsheet
- Send via email a response to the requestor advising whether the application has been prioritised for allocation or that the request has been declined. This email will be sent back to the original requestor for priority if sufficient contact details are included in the request, otherwise it will be sent to the person who has forwarded the request to the mailbox.
- AMS will be updated to show the request and the response.
- Complete this process within **2 working days** of the EVE mailbox receiving the request for priority allocation.

Further information

Data Capture and reporting

This process will enable the collection of data from email requests requesting priority allocation and escalation information via the referral spreadsheet. This information can then be analysed in order to identify trends and service issues. Future consideration will be given in terms of automation of data capturing.

The information contained in the reporting spreadsheet will allow INZ to identify issues such as training needs, communication requirements, resource planning and internal controls.

Monthly reports on the data will be sent to the HOOs, VOMs and PLs of the branches that held files for the escalation requests received.

Template Responses to Requestor

The following email is to be sent to the Requestor by the EVE Immigration Manager:

- where an allocation request has been determined to meet the criteria for priority allocation:

Dear XXX

Thank you for your email. We have assessed the information you have provided and have agreed to escalate the application. This application will be allocated to an Immigration Officer within the next working day (temp)/5 working days (residence).

An Immigration Officer will be in touch once an initial assessment has been completed on the application.

Thank you for raising this matter.

Kind Regards



*[IM that is responding to the request – Sharika or Emma]
Employment Visa Escalation
Immigration New Zealand*

- Where an allocation request has been determined to not meet the criteria for priority allocation:

Dear XXX

Thank you for your email.

We have considered the request for escalation, but do not find that the application warrants prioritisation in this case. This application will remain in our queue pending allocation to an Immigration Officer.

*For current processing times, please refer to our website:
<https://www.immigration.govt.nz/new-zealand-visas/waiting-for-a-visa/how-long-it-takes-to-process-your-visa-application>*

Kind Regards

*[IM that is responding to the request – Sharika or Emma]
Employment Visa Escalation
Immigration New Zealand*

Communications to External Stakeholders

The following email may be used by Relationship Managers, Immigration Contact Centre (ICC) Staff and Immigration Managers to communicate the establishment of the Employment Visa Escalation (EVE) process to external stakeholders. Similar communication would be added onto the Immigration New Zealand website for all stakeholders (including clients directly) to be notified of the process:

Subject Heading: *Employment Visa Escalation (EVE) Process*

In response to recent stakeholder feedback, we have created an internal process to respond to requests for priority allocations for employment related visa applications for both Temporary Work Visas and Skilled Resident Visas.

A mailbox will be monitored and actioned by a dedicated Immigration Manager who will assess these requests for escalation. A request for escalation will be considered against the following criteria:

- *Compelling personal circumstances*
- *Humanitarian factors*
- *Matters of national interest*



We will respond to all requests within 2 working days to confirm if the application will be prioritised for allocation. The EVE Immigration Managers determination of any request is final.

Moving forward, we ask that all requests for priority allocation of employment related visa applications are now forwarded to the EVE mailbox - EmploymentVisaEscalations@mbie.govt.nz.

Communications to Internal Stakeholders

The information below may be used to communicate the establishment of the Employment Visa Escalation (EVE) process to all INZ staff, via a VisaPak item:

Subject Heading: *Employment Visa Escalation (EVE) Process*

We will be piloting a process in Manukau to manage priority allocation requests for applications that are employment visa products processed by the Manukau, Porirua and Christchurch offices. Please refer to the attached process document for detailed information on the EVE process.

Email communication is planned to be sent out to stakeholders on XXX. This will be sent to Immigration Advisors and Lawyers. A copy of these communications is attached for your information.

The EVE mailbox will be managed by two Immigration Managers – Sharika Patel (Temp IM, Manukau) and Emma McFarland (Residence IM, Manukau). Please refer any questions around the process to either of these managers.

The EVE mailbox is now live, so please forward any requests for priority allocation to EmploymentVisaEscalations@mbie.govt.nz.

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Employment Visa Escalations for Allocation

To: All Visa Services Staff

From: Emma McFarland, Manukau Office

Action required: Please discuss with your team(s)

Context

We will be piloting a process in Manukau to manage priority allocation requests for applications that are employment visa products for Manukau, Christchurch, Henderson and Porirua offices. There will be three Immigration Managers (Fiona Geraerts – Temp IM, Manukau, Tin So Lim – Temp IM, Manukau and Emma McFarland – Residence IM Manukau) overseeing the requests as per the following process.

1. All emails received which are requests for priority allocation for employment visa products in Manukau, Christchurch, Henderson and Porirua will be sent to the Employment Visa Escalations (EVE) mailbox: EmploymentVisaEscalations@mbie.govt.nz. These requests can be received directly from licensed immigration advisers or lawyers, or can be internally forwarded from ICC, INZ Relationship Managers, or other managers that have received these requests.
2. The EVE Immigration Manager will make an assessment of whether the application should be prioritised for allocation. EVE Immigration Managers will work together to ensure consistency in determining whether priority will be given. Consideration will be given to compassionate or compelling circumstances and each request will be assessed based on the merits and individual circumstances presented. The EVE Immigration Manager will add appropriate notes into AMS to record the request and correspondence.
3. Where an application is prioritised for allocation, the EVE Immigration Manager will allocate the application to an Immigration Officer. For work visa applications, allocation will take place within 1 working day of the consideration being made. For residence, allocation will take place within 5 working days of the consideration being made.
4. The EVE Immigration Manager will record the request and outcome of the request on a Referral Spreadsheet, provide a response to the original requestor to advise whether the request has been approved or declined, and ensure AMS is updated appropriately. The process of considering a request and providing a response will be completed within 2 working days of the EVE mailbox receiving the request.

This process will enable the collection of data from emails requesting priority allocation and escalation information via the Referral Spreadsheet. This information can then be analysed in order

to identify trends and service issues. Monthly reports on the data will be sent to the HOOs, VOMs, and PLs of the offices that held files for the escalation requests received.

Email communication is planned to be sent out to stakeholders shortly. This will be sent to licensed immigration advisers and lawyers.

Please refer any questions around the process to Emma McFarland. The EVE mailbox is now live, so please forward any requests for priority allocation to EmploymentVisaEscalations@mbie.govt.nz

Action

Please discuss with your team(s)

Contact	Emma McFarland
Publish on Visa Pak Database?	Yes
Publish on INZ website (publicly available)	No
Visa Pak issue date	19 July 2019
Visa Pak no:	409

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