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Accredited Employer

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Employer Accreditation

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Assess risk and general requirements for Employer accreditation

When to use

When the employer has completed an employer accreditation application and provided information as requested in the employer accreditation application form. The immigration officer is ready to assess the application.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form completed by employer

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, assessing the whole application for an employer. Some parts of the application will be automatically assessed, with activities raised by ADEPT for immigration officers to manually assess.

The steps in this SOP include:

- assessing whether an employer meets the requirements for accreditation, as set out in the Employer Accreditation Instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and Business Rules Engine (BRE).

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- Determine whether the employer intended to apply for standard accreditation or high volume accreditation (explain that the employer must apply for high volume accreditation if they currently have employed six or more AEWV holders).

s6(c)

If...	Then...
The employer meant to apply for high volume accreditation	<ul style="list-style-type: none">• Go to PPI SOP ; or• Employer may withdraw their application
The employer meant to apply for standard accreditation	<ul style="list-style-type: none">• Go to PPI SOP .

END

See Also

[Assess Employer Accreditation](#)

[Assess Employer compliance](#)

[Assess settlement activities](#)

[Assess viable and genuinely operating business/organisation](#)

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Assess Employer compliance

When to use

When the ADEPT system has indicated that there are manual tasks to perform to assess whether an employer is compliant with employment, immigration and business standards set out in employer accreditation instructions.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form completed by employer
- Assess risk and general Employer accreditation requirements.

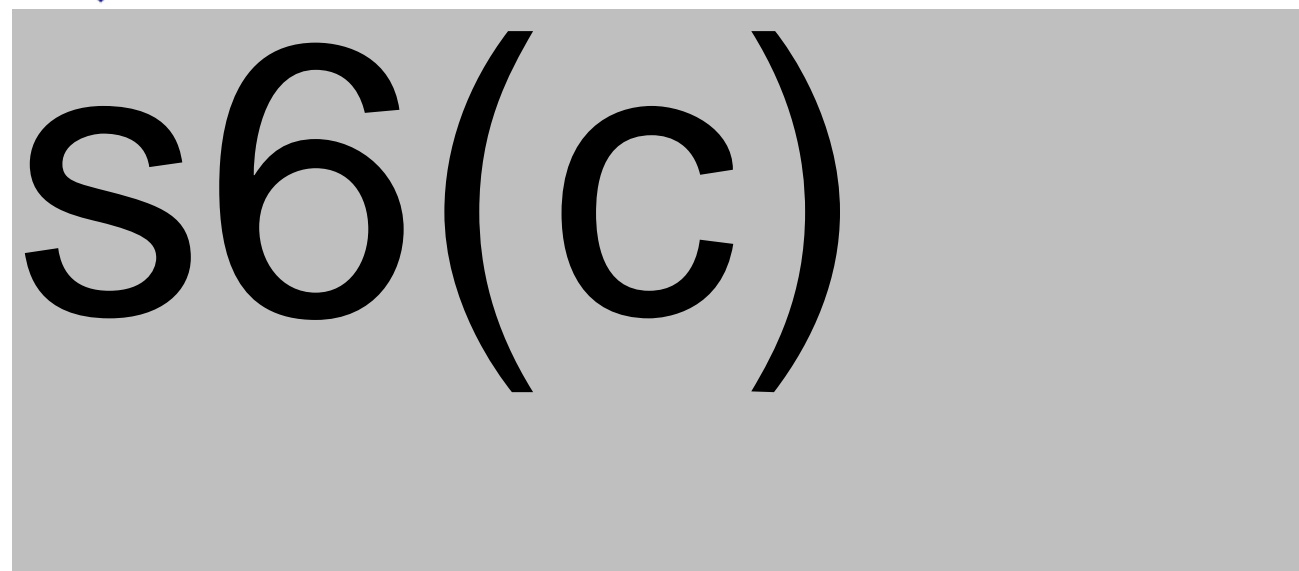
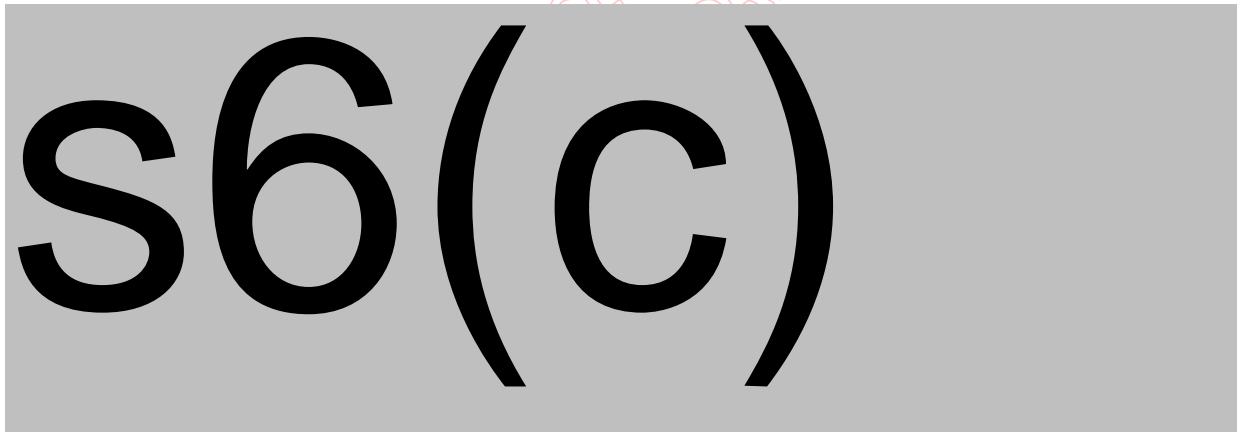
Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, assessing the whole application for an employer. Some parts of the application will be automatically assessed, with activities raised by ADEPT for immigration officers to manually assess.

The steps in this SOP include:

- assessing whether an employer meets the requirements for accreditation, as set out in the Employer Accreditation Instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and Business Rules Engine (BRE).



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The employer has rectified the issue and taken steps to prevent the issue happening again	Continue processing the application.
The employer has <i>not</i> rectified the issue and/or <i>not</i> taken steps to prevent the issue happening again	Go to PPI SOP .

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END

See Also

[Assess Employer Accreditation](#)

[Assess risk and general requirements for Employer accreditation](#)

[Assess settlement activities](#)

[Assess viable and genuinely operating business/organisation](#)

[Obtain, refer, or verify information that is false and misleading or relates to breaches of visa conditions](#)

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Assess settlement activities

When to use

When the ADEPT system has indicated that there are manual tasks to perform to assess whether an employer has completed settlement activities for the Accredited Employer Work Visa holder (AEWV) as set out in employer accreditation instructions

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form completed by employer
- Assess risk and general requirements for Employer accreditation
- Assess employer compliance.

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, assessing the whole application for an employer. Some parts of the application will be automatically assessed, with activities raised by ADEPT for immigration officers to manually assess.

The steps in this SOP include:

- assessing whether an employer meets the requirements for accreditation, as set out in the Employer Accreditation Instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by immigration risk indicators raised by the ADEPT system and Business Rules Engine (BRE).

Steps

1. **Assess employer will not provide information specified under WA2.10.5(a) about the local community as services and employee work-related matters to their AEWV holder employees within one month of the employee beginning their employment as an AEWV holder**

- information includes information about the local community and services and employee work-related matters, including:
 - accommodation options
 - transportation options
 - cost of living
 - how to access healthcare services
 - Citizens Advice Bureau services
 - community groups
 - how to obtain an IRD number
 - industry training and qualifications
 - specific job or industry hazards.
- Consider requesting more information about why the employer won't provide this information.

If...	Then...
employer will provide information specified under WA2.10.5(a) about the local community as services and employee work-related matters to their AEWV holder employees within one month of the employee beginning their employment	Continue processing application.
employer will <i>not</i> provide information specified under WA2.10.5(a) about the local community as services and employee work-related matters to their AEWV holder employees within one month of the employee beginning their employment	Go to PPI SOP

2. ▼ Assess employer will not provide sufficient time during paid work hours for AEWV holder employees to complete all of Employment NZ online modules within one month of the employee beginning their employment as an AEWV holder

- Employee Employment New Zealand online modules can be found here: [Employment NZ \(elearning.ac.nz\)](http://Employment NZ (elearning.ac.nz))
- Consider requesting more information about why the employer won't provide this time for AEWV holders to complete the modules.

If...	Then...
employer will provide sufficient time during paid work hours for AEWV holder employees to complete all of Employment NZ online modules within one month of the employee beginning their employment	Continue processing application
employer will not provide sufficient time during paid work hours for AEWV holder employees to complete all of Employment NZ online modules within one month of the employee beginning their employment	Go to PPI SOP

3. ▼ Renewal: Assess employer has not provided the information specified under WA2.10.5(a) about local community and services and employee work-related matters to their AEWV holder employees within one month of the employee beginning their employment as an AEWV holder

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- information includes information about the local community and services and employee work-related matters, including:
 - accommodation options
 - transportation options
 - cost of living
 - how to access healthcare services
 - Citizens Advice Bureau services
 - community groups
 - how to obtain an IRD number
 -
 -

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employer provided information about the local community and services and employee work-related matters	Continue processing the application
employer <i>did not</i> provide information about the local	Consider if the employer has rectified and addressed the cause

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If...	Then...
employer has rectified the non-compliance promptly, taken steps to address the cause of the non-compliance and satisfies INZ that the settlement information will be provided to AEWV holders in future	Continue processing the application
employer has <i>not</i> rectified the non-compliance promptly, or not taken steps to address the cause of the non-compliance, or not satisfied INZ that the settlement information will be provided to AEWV holders in future	PPI (see PPI SOP and the ADEPT User Guide).

s6(c)

work hours for AEWV holders to complete employment modules within one month of the employee beginning their employment as an AEWV holder	
employer has <i>not</i> provided sufficient time during paid work hours for AEWV holders to complete employment modules within one month of the employee beginning their employment as an AEWV holder	Consider if the employer has rectified and addressed the cause of the non-compliance and taken steps to prevent the non-compliance happening again.

- Review information provided by the employer as to what they put in place to rectify the non-compliance, address the cause of the non-

s6(c)

If...	Then...
employer has rectified the non-compliance promptly, taken steps to address the cause of the non-compliance and satisfies INZ that the settlement information will be provided to AEWV holders in future	Continue processing the application
employer has <i>not</i> rectified the non-compliance promptly, or not taken steps to address the cause of the non-compliance, or not satisfied INZ that time will be provided to AEWV holders to complete employment modules within one month of starting employment in future	PPI (see PPI SOP and the ADEPT User Guide).

END

See Also

[Assess Employer Accreditation](#)

[Assess risk and general requirements for Employer accreditation](#)

[Assess Employer compliance](#)

[Assess viable and genuinely operating business/organisation](#)

[Obtain, refer, or verify information that is false and misleading or relates to breaches of visa conditions](#)

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Assess viable and genuinely operating business/organisation

When to use

When the ADEPT system has indicated that there are manual tasks to perform to assess whether an employer meets the viable and genuinely operating business or organisation requirements as set out in the employer accreditation instructions.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form completed by employer
- Assess risk and general requirements for Employer accreditation
- Assess employer compliance
- Assess settlement activities.

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, assessing the whole application for an employer. Some parts of the application will be automatically assessed, with activities raised by ADEPT for immigration officers to manually assess.

The steps in this SOP include:

- assessing whether an employer meets the requirements for accreditation, as set out in the Employer Accreditation Instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and Business Rules Engine (BRE).

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s6 (c)

It is likely the sole trader or partner is the same as that listed on the insolvency register as being bankrupt or subject to an NAP	Go to PPI SOP .
the sole trader or partner is not the same as that listed on the insolvency register as being bankrupt or subject to an NAP	Record in notes for this activity in ADEPT (see ADEPT User Guide) that this has been checked and found that the sole trader/partner is not the same as the person listed in the insolvency register Continue processing the application.

2. **Employer (organisation) is not insolvent**

- Confirm with the employer’s appointed contact (as provided in the accreditation application form) as to whether the employer wants to continue with the application.
- If the employer is insolvent request financial documentation from the employer.
- Check which financial requirement the employer declared they would meet:
 - not made a loss for the previous 24 month; or
 - positive cash flow for the previous six months; or
 - sufficient capital or funding to remain viable and ongoing; or
 - a minimum two-year plan to remain viable and ongoing.
- Request the financial documentation from the employer. If it’s unclear which documents to request, see advice from a Technical Advisor, it’s likely that financial documentation could include:
 - Evidence of capital or funding
 - Cash-flow or revenue forecasts
 - Contracts for work
 - GST returns
- Review the documents to determine whether the employer is viable and ongoing (see step 4 below).

3. **Employer is not registered as an employer with the IRD**

- If the employer has not provided an IRD number in the application form, request this from the employer. The employer needs to be registered as an employer with IRD.
- Ask the employer for evidence that they are registered as an employer with IRD. This could be correspondence from IRD, a print-out or a screenshot that includes evidence of paying employees (e.g. Payday filing).

If...	Then...
employer is registered as an employer with IRD	Note that the employer meets this requirement in ADEPT (see ADEPT User Guide)
employer is <i>not</i> registered as an employer with IRD	Go to PPI SOP .

ongoing

s6(c)

-

If...	Then...
employer has indicated that they have <i>not</i> made a loss over the last 24 months	s6(c)

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employer has indicated that they have a positive cashflow for each of the last six months

employer has indicated that they have sufficient capital and/or external investment to remain viable and ongoing

employer has indicated that they have a credible, minimum two-year plan to remain viable and ongoing

See links for guidance and training on assess

- New companies
- Genuine and viable business
- Guide for assessing business genuineness and viability
- Financial sustainability risk calculator
- Training on business sustainability/genuineness and viability
- Training on new companies – risk assessment
- Training on business structures

If you need additional advice please contact your branch Technical Advisor, or a Senior Financial Business Advisor.

5. ▼ **Employer is not a viable and genuinely operating business or organisation**

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- Raise a risk activity in the ADEPT system (see [ADEPT User Guide](#)). Request financial assessment (**Step 4** directly above).

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s6(c)

New Zealand is not the primary place of established residence for the sole trader or at least one partner in a partnership or one trustee in a trust	Go to PPI SOP .
New Zealand is the primary place of established residence for the sole trader or at least one partner in a partnership or one trustee in a trust	Continue processing the application.

END

See Also

[Assess Employer Accreditation](#)

[Assess risk and general requirements for Employer accreditation](#)

[Assess Employer compliance](#)

[Assess settlement activities](#)

[Obtain, refer, or verify information that is false and misleading or relates to breaches of visa conditions](#)

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Obtain, refer, or verify information that is false and misleading or relates to breaches of visa conditions

When to use

Use these steps when an Immigration Officer refers information about an employer where there is reason to suspect that false and misleading information has been provided to INZ and/or where someone has been employed in breach of visa conditions.

The objective of these steps is to:

- ensure a consistent approach to obtaining from and referring specific information as above to relevant stakeholders; and
- verify information where applicable.

Before you begin

Ensure you:

have gathered all information for the risk identified including any type of verification that has already been undertaken from AMS client or application notes and in ADEPT. See [AMS Manual - Notes](#) and [ADEPT User Guide](#).

Role

- Verification Officer

Steps

1. Obtaining further information from relevant stakeholders

- a. The Verification Officer will determine if further information is required

If...	Then...
Yes, further information is required	the Verification Officer will collate and collect any relevant INZ holdings and go to Step 1b .
No, further information is not required	Go to Step 1b .

- b. The Verification Officer will need to determine if the information provided by the Immigration Officer, stakeholder, or combination of said parties requires further verification.

If...	Then...
Verification is required	Go to Step 2 – Verifying information
No verification required	The Verification Officer updates the Immigration Officer and confirms that no further verification is required. This SOP ends .

2. Verifying information

- a. See the [ADEPT User Guide](#) Section 10.5 and SOP - Collect and manage fraud or false & misleading information.

If...	then...
-------	---------

Concern(s) found	Go to Step 3 - Referring false and misleading and/or employment in breach of visa information to relevant stakeholders
No concern(s) found	The Verification Officer updates the Immigration Officer and confirms that no concerns have been identified and refers to the ADEPT User Guide Section 10.5 for completion of the risk activity. This SOP ends.

s6(c)

END

See Also

[Assess Employer Accreditation](#)

[Assess risk and general requirements for Employer accreditation](#)

[Assess Employer compliance](#)

[Assess settlement activities](#)

[Assess viable and genuinely operating business/organisation](#)

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Assess requirements for employers using triangular employment arrangements

In This Section

[Assess organisations Accredited Employer Work Visa \(AEWV\) holders can be placed with](#)

[Assess monitoring the employment and safety conditions of employees in triangular employment arrangements](#)

[Assess responding appropriately to issues](#)

[Assess placing New Zealand citizens and residents in work](#)

See Also

[Employer Accreditation](#)

[Assess Employer Accreditation](#)

[Decide](#)

[Assorted](#)

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Assess organisations Accredited Employer Work Visa (AEWV) holders can be placed with

(For assessing employers who place Accredited Employer Work Visa holders in triangular employment arrangements)

When to use

When the employer has completed an employer accreditation application and provided information as requested in the employer accreditation application form. The employer is requesting accreditation for employers who use triangular employment arrangements. The employer has met all the generic requirements for employer accreditation. The immigration officer is ready to assess the section of the application that is related to the requirements they need to meet for using triangular employment arrangements.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form submitted by employer
- Assess risk and general requirements for Employer accreditation
- Assess employer compliance
- Assess settlement activities
- Assess viable and genuinely operating business.

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, by assessing the whole application for an employer. The ADEPT system will carry out automatic checks with other agencies information and INZ watchlists. All activities for employers who place AEWV holders with other organisations will be manually assessed by immigration officers.

The steps in this standard operating procedure include:

- assessing an application to determine whether the employ meets the Employer Accreditation instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and BRE.

s6 (c)

If...	Then...
The employer using a triangular employment arrangement defined by WA2.60.15	Continue processing application
The employer is not using a triangular employment arrangement defined by WA2.60.15	Go to PPI SOP (see link)

s6(c)

If...	Then...
The employer will not place AEWV holders with an organisation that does not have an NZBN, and is not a foreign diplomatic or consular mission (such as an Embassy, High Commission or Consulate)	s6(c)
The employer will place AEWV holders with an organisation that does not have an NZBN, and is not a foreign diplomatic or consular mission (such as an Embassy, High Commission or Consulate)	

s6(c)

If...	Then...
The employer will not place AEWV holders with an organisation who is on the Labour Inspectorate stand down list	s6(c)
The employer will place AEWV holders with an organisation who is on the Labour Inspectorate stand down list	

4. Assess employer will place AEWV holders with an organisation who has declared that it, or any of its key persons are subject to an ineligible stand down period for specific offences under the Immigration Act 2009 as set out in WA2.10.10(h)

s6(c)

s6(c)

The employer will not place AEWV holders with an organisation that has declared that it, or any of its key persons are subject to an ineligible stand down period under the Immigration Act 2009 as set out in WA2.10.10(b)

The employer will place AEWV holders with an organisation that has declared that it, or any of its key persons are subject to an ineligible stand down period under the Immigration Act 2009 as set out in WA2.10.10(b)

s6(c)

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The employer will not place AEWV holders with an organisation that that has declared that it, or any of its key persons have received a prison sentence for specific offences under the Immigration Act 2009 as set out in WA2.10.10(f)

The employer will place AEWV holders with an organisation that that has declared that it, or any of its key persons have received a prison sentence for specific offences under the Immigration Act 2009 as set out in WA2.10.10(f)

s6(c)

s6(c)

s6(c)

If...	
The employer will not place AEWV holders with an organisation that that has declared that it, or any of its key persons have been convicted of the specific offences under the Immigration Act 2009 or the Crimes Act 1961 set out in WA2.10.10(g)	s6(c)
The employer will place AEWV holders with an organisation that that has declared that it, or any of its key persons have been convicted of the specific offences under the Immigration Act 2009 or the Crimes Act 1961 set out in WA2.10.10(g)	

s6(c)

If...	
The employer will not place AEWV holders with an organisation that that has declared that it, or any of its key persons are aware of any cases pending, prosecutions underway, or investigations, which if proven, would result in failure to meet WA2.20.1(a)(ii) or (iii)	s6(c)
The employer will place AEWV holders with an organisation that that has declared that it, or any of its key persons are aware of any cases pending, prosecutions underway, or investigations, which if proven, would result in failure to meet WA2.20.1(a)(ii) or (iii)	Go to PPI SOP .

8. Employer will place AEWV holders with an organisation who has not agreed with the employer that INZ may conduct a site visit to their organisation, and has not

s6 (c)

The employer will not place AEWV holders with an organisation who has not agreed with the employer that INZ may conduct a site visit to their organisation, and has not agreed with the employer to provide them with records detailing placement information for the AEWV holders placed with the organisation, including, but not limited to starting and finishing dates, hours worked, locations of work and employment or safety issues identified

s6 (c)

The employer will place AEWV holders with an organisation who has not agreed with the employer that INZ may conduct a site visit to their organisation, and has not agreed with the employer to provide them with records detailing placement information for the AEWV holders placed with the organisation, including, but not limited to starting and finishing dates, hours worked, locations of work and employment or safety issues identified

s6 (c)

s6(c)

If...	
An employer has complied with the requirement to only place an AEWV holder with organisations who meet the requirements of WA2.20(1)(a)	s6(c)
	s6(c)

s6(c)

If...	Then...
employer has rectified the non-compliance promptly, taken steps to address the cause of the non-compliance and satisfies INZ that the settlement information will be provided to AEWV holders in future	Continue processing the application
employer has not rectified the non-compliance promptly, or not taken steps to address the cause of the non-compliance, or not satisfied INZ that time will be provided to AEWV holders to complete employment modules within one month of starting employment in future	PPI (see PPI SOP and ADEPT User Guide).

END

See Also

[Assess requirements for employers using triangular employment arrangements](#)

[Assess monitoring the employment and safety conditions of employees in triangular employment arrangements](#)

[Assess responding appropriately to issues](#)

[Assess placing New Zealand citizens and residents in work](#)

Assess monitoring the employment and safety conditions of employees in triangular employment arrangements

When to use

When the employer has completed an employer accreditation application and provided information as requested in the employer accreditation form. The employer is requesting accreditation for employers who use triangular employment arrangements. The employer has met all the standard volume accreditation requirements. The immigration officer is ready to assess the section of the application that is related to the requirements for using triangular employment arrangements.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form submitted by employer
- Assess risk and general requirements for Employer accreditation
- Assess employer compliance
- Assess settlement activities
- Assess viable and genuinely operating business
- Assess organisations an AEWV holder can be placed with (for employers placing AEWV holders in triangular employment arrangements).

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, by assessing the whole application. The ADEPT system will carry out automatic checks with other agencies information and INZ watchlists. All activities raised by ADEPT immigration officers will be manually assessed for employers who place AEWV holders with other organisations.

The steps in this standard operating procedure include:

- assessing an application to determine whether the employer meets the Employer Accreditation instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and BRE.

Steps

1. **Employer has a plan in place to monitor employment conditions and safety of AEWV holders**

- Check that the employer has uploaded a plan to monitor employment and safety conditions of AEWV holders

If...	Then...
the employer has provided a plan to monitor the employment conditions and safety of AEWV holders	go to next step to assess the plan
the employer has not provided a plan to monitor the employment conditions and safety of AEWV holders	go to PPI SOP

2. **Employer will not carry out checks to ensure the organisation where an AEWV holder is placed:**

- a. has effective processes in place to prevent and address workplace bullying,
- b. has effective processes in place assess and prevent risk
- c. carries out health and safety inductions
- d. understands visa conditions of AEWV holders placed with them
- e. does not require or force AEWV holders to undertake work inconsistent with their employment agreement and visa conditions
- f. does not require or force AEWV holders to work hours that don't align with health and safety standards

Review the employer's plan to carry out checks of an organisation where AEWV holders are placed to ensure that organisation:

- has effective processes in place to prevent and address workplace bullying, including a complaints process for the Accredited Employer work visa holders to report bullying to the organisation they are placed with and a process to address and resolve any issues reported [see link to worksafe guidance on for antibullying and Employment New Zealand for bullying, and issue resolution]; and
- has effective processes in place to assess and prevent risk, including a risk register (see Worksafe guidance on managing risks and Identifying, assessing and managing work risks (worksafe.govt.nz)); and
- carries out health and safety inductions for Accredited Employer work visa holders when they start their placement with the organisation [see links to information: Providing information, training, instruction or supervision for workers | WorkSafe]; and
- understands the visa conditions of Accredited Employer work visa holders being placed with them (including the occupation and location(s) the visa holder will work in); and
- does not require or force Accredited Employer work visa holders that are placed with them to do work that is inconsistent with their employment agreement and/or visa conditions (including hours of work); and
- does not require or force Accredited Employer work visa holders that are placed with them to work hours that do not align with health and safety standards (taking into account the occupation and industry). For example, not allowing rest breaks, not allowing for reasonable sleep and recovery time between work days, or requiring workers to work excessive hours on high risk or critical tasks to the extent that the worker's health and safety is put at risk [see link to fatigue, rest and meal breaks]

If...	Then...
<p>employer will carry out checks to ensure the organisation where an AEWV holder is placed:</p> <ul style="list-style-type: none"> • has effective processes in place to prevent and address workplace bullying, • has effective processes in place assess and prevent risk • carries out health and safety inductions • understands visa conditions of AEWV holders placed with them • does not require or force AEWV holders to undertake work inconsistent with their employment agreement and visa conditions • does not require or force AEWV holders to work hours that don't align with health and safety standards • and • their plan includes how they will check the necessary features (described above) 	<ul style="list-style-type: none"> • Continue processing application.
<p>employer will <i>not</i> carry out checks to ensure the organisation where an AEWV holder is placed:</p> <ul style="list-style-type: none"> • has effective processes in place to prevent and address workplace bullying, • has effective processes in place assess and prevent risk • carries out health and safety inductions • understands visa conditions of AEWV holders placed with them • does not require or force AEWV holders to undertake work inconsistent with their employment agreement and visa conditions • does not require or force AEWV holders to work hours that don't align with health and safety standards 	<ul style="list-style-type: none"> • Go to PPI SOP

and/or

- their plan does not include how they will check the necessary features (described above)

Additional guidance includes:

Worksafe guidance

[Preventing and responding to bullying at work](#)

[Anti-bullying policy template](#)

[Bullying: reporting and assessment forms](#)

[When to contact Worksafe with regards to a workplace bullying issue](#)

[Examples of bullying behaviour](#)

[Bullying at work: advice for small businesses](#)

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the employer will check whether an organisation meets the requirements set out at WA2.20.5(a) before and during the period that an AEWV holder is placed in a triangular employment arrangement with that organisation	<ul style="list-style-type: none">• Continue processing application.
the employer will <i>not</i> check whether an organisation meets the requirements set out at WA2.20.5(a) before and during the period that an AEWV holder is placed in a triangular employment arrangement with that organisation	<ul style="list-style-type: none">• Go to PPI SOP .

4. ▼ **Employer will not carry out checks throughout the period that an AEWV holder is placed in a triangular employment relationship. Checks must include:**

- a. Having contact with the AEWV holder at least once a fortnight for the first two months, then at least once per month; or more frequently where appropriate and
- b. Carrying out an on-site visit at least once within every six month period, or less frequently where the risk of breaching requirements is low or the organisation cannot be accessed for safety reasons or being in a remote location
 - Review the employers plan to carry out checks on an organisation where AEWV holders are placed.
 - Determine whether before an AEWV holder is placed with an organisation, the employer will carry out checks, including:
 - Assessing documentation from the organisation about their:
 - processes to prevent and address workplace bullying
 - processes to assess and prevent risk (including a risk register); and
 - health and safety induction material; and
 - providing information to the organisation about the visa conditions and employment terms and conditions of the AEWV holders be placed with them; and
 - acquiring declarations from the organisation that they meet requirements set out at WA2.20.5(a) of the Employer Accreditation instructions.

- Determine whether the plan for checks that are carried out throughout the period that an Accredited Employer work visa holder is placed with organisation, include the employer:
 - having contact with the Accredited Employer work visa holder:
 - at least once per fortnight for the first two months of a new placement, and then at least once per month; or
 - more frequently where appropriate, for example where the duration of the Accredited Employer work visa holder's placement is for less than one month, or when the employer is in the process of resolving a dispute or complaint about the organisation the Accredited Employer work visa holder is placed with; and
 - carrying out an on-site visit where the Accredited Employer work visa holder is working
 - at least once within every six month period that an Accredited Employer work visa holder is placed at the site, or
 - less frequently (or not at all), where there is evidence that the risk of breaching the requirements relating to employment conditions as they apply to employees is low, or the site cannot be accessed for safety reasons or due to being in a remote location.

If	Then
employer will carry out checks throughout the period that an AEWV holder is placed in a triangular employment relationship. Checks must include: <ul style="list-style-type: none"> • Having contact with the AEWV holder as least once a fortnight, then at least once per month • Carrying out an on-site visit at least once within every six month period, or less frequently where the risk of breaching requirements is low or the site cannot be accessed for safety reasons or being in a remote location 	Continue processing application
employer will <i>not</i> carry out checks throughout the period that an AEWV holder is placed in a triangular employment relationship. Checks must include: <ul style="list-style-type: none"> • having contact with the AEWV holder as least once a fortnight, then at least once per month • carrying out an on-site visit at least once within every six month period, or less frequently where the risk of breaching requirements is low or the site cannot be accessed for safety reasons or being in a remote location 	Go to PPI SOP

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the employer has provided copies of their: <ul style="list-style-type: none"> • complaints and issue resolution process; and • guidance to AEWV on how to report issues to the employer directly, and this guidance includes all of the requirements listed above this table 	<ul style="list-style-type: none"> • Continue processing application.
the employer has either not provided copies of their: <ul style="list-style-type: none"> • complaints and issue resolution process; and • guidance to AEWV on how to report issues to the 	<ul style="list-style-type: none"> • Go to PPI SOP

<p>employer directly, OR</p> <ul style="list-style-type: none"> The guidance does not include all of the requirements listed above this table 	
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<p>the employer will maintain records detailing which organisation each AEWV holders is placed with, including starting and finishing dates, working locations, hours paid and hours worked</p>	<ul style="list-style-type: none"> Continue processing application.
<p>the employer will not maintain records detailing which organisation each AEWV holders is placed with, including starting and finishing dates, working locations, hours paid and hours worked</p>	<ul style="list-style-type: none"> Go to PPI SOP

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<p>If...</p> <p>the employer has complied with the requirement to monitor the employment conditions and safety of employees in triangular employment arrangements as specified in WA2.20.5(a) to (f)</p>	<p>Then...</p> <ul style="list-style-type: none"> Continue processing the application
<p>the employer has <i>not</i> complied with the requirement to monitor the employment conditions and safety of employees</p>	<ul style="list-style-type: none"> Consider whether the employer has rectified and addressed the cause of the non-compliance, and taken steps to prevent the non-compliance

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If...	Then...
employer has rectified the non-compliance promptly, taken steps to address the cause of the non-compliance and satisfies INZ that the settlement information will be provided to AEWV holders in future	Continue processing the application
employer has <i>not</i> rectified the non-compliance promptly, or not taken steps to address the cause of the non-compliance, or not satisfied INZ that time will be provided to AEWV holders to complete employment modules within one month of starting employment in future	PPI (see PPI SOP and ADEPT User Guide).

END

See Also

[Assess requirements for employers using triangular employment arrangements](#)

[Assess organisations Accredited Employer Work Visa \(AEWV\) holders can be placed with](#)

[Assess responding appropriately to issues](#)

[Assess placing New Zealand citizens and residents in work](#)

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Assess responding appropriately to issues

When to use

When the employer has completed an employer accreditation application and provided information as requested in the employer accreditation application form. The employer is requesting accreditation for employers who use triangular employment arrangements. The employer has met all the standard and high-volume accreditation requirements. The immigration officer is ready to assess the section of the application that is related to the requirements they need to meet for using triangular employment arrangements.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form submitted by employer
- Assess risk and general requirements for Employer accreditation
- Assess employer compliance
- Assess settlement activities
- Assess viable and genuinely operating business
- Assess organisations an AEWV holder can be placed with (for employers placing AEWV holders in triangular employment arrangements)
- Monitoring the employment and safety conditions of AEWV holders in triangular employment arrangements.

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, by assessing the whole application for an employer. The ADEPT system will carry out automatic checks with other agencies information and INZ watchlists. All activities raised by ADEPT for immigration officers will be manually assessed for employers who place AEWV holders with other organisations.

The steps in this standard operating procedure include:

- assessing an application to determine whether the employer meets the Employer Accreditation instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system, and BRE.

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<ul style="list-style-type: none">• employer has an informal disputes and complaints resolution process in place for issues that can be resolved early, are one-off or are unlikely to recur; and• the informal disputes and complaints resolutions process includes the requirements listed above	<ul style="list-style-type: none">• continue processing application
<ul style="list-style-type: none">• employer does <i>not</i> have an informal disputes and complaints resolution process in place for issues that can be resolved early, are one-off or are unlikely to recur; or• the informal disputes and complaints resolutions process does not include the requirements listed above	<ul style="list-style-type: none">• Go to PPI SOP

Further guidance:

- [Recognise an issue early](#) – recognising issues early, and identifying the underlying problem can make issues easier to resolve
- [First steps for dealing with a problem](#)
- [Informal actions](#) to resolve issues early
- [Early resolution](#) – help to resolve work-place issues early
- [Preventing relationship problems](#) – guidance for stopping issues before they start
- [Records of settlement](#) – guidance for recording resolutions of employment disputes and issues
- [Guidance for specific types of issues](#) – including: bullying, harassment and discrimination and migrant exploitation

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If...	Then...
<ul style="list-style-type: none"> • employer has a formal disputes and complaints resolution process in place for serious issues (for example working outside visa conditions, or recurring or numerous breaches); and • that process meets the requirements listed above 	<ul style="list-style-type: none"> • Continue processing application
<ul style="list-style-type: none"> • employer has a formal disputes and complaints resolution process in place for serious issues (for example working outside visa conditions, or recurring or numerous breaches); and or • that process does not meet the requirements listed above 	<ul style="list-style-type: none"> • Go to PPI SOP

Further guidance:

- [Recognise an issue early](#) – recognising issues early, and identifying the underlying problem can make issues easier to resolve
- [First steps for dealing with a problem](#)
- [Informal actions](#) to resolve issues early
- [Early resolution](#) – help to resolve work-place issues early
- [Preventing relationship problems](#) – guidance for stopping issues before they start
- [Records of settlement](#) – guidance for recording resolutions of employment disputes and issues
- [Guidance for specific types of issues](#) – including: bullying, harassment and discrimination and migrant exploitation

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Employer will remove the AEWV holder from the organisation they are placed with as soon as practicably possible where a significant breach under WA2.20.10(b) (v) has been identified or the organisation no longer meets the requirements set out in WA2.20.1(a)	<ul style="list-style-type: none"> • Continue processing application
Employer will <i>not</i> remove the AEWV holder from the organisation they are placed with as soon as practicably possible where a significant breach under WA2.20.10(b) (v) has been identified or the organisation no longer meets the requirements set out in WA2.20.1(a)	<ul style="list-style-type: none"> • Go to PPI SOP

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If...	Then...
where a moderate issue has been identified, the employer will promptly adhere to their disputes and complaints resolution process to resolve the issue with the organisation the AEWV holder is placed with	<ul style="list-style-type: none"> • Continue processing application
where a moderate issue has been identified, the employer will not promptly adhere to their disputes and complaints resolution process to resolve the issue with the organisation the AEWV holder is placed with	<ul style="list-style-type: none"> • Go to PPI SOP

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where a moderate issue has been identified, the employer will remove and AEWV holder from the organisation they are placed with as soon as practicably possible and not place any further AEWV holders with them until the issue has been resolved	<ul style="list-style-type: none"> • Continue processing application
where a moderate issue has been identified, the employer will <i>not</i> remove and AEWV holder from the organisation they are placed with as soon as practicably possible and not place any further AEWV holders with them until the issue has been resolved	<ul style="list-style-type: none"> • Go to PPI SOP

s6(c)

s6 (c)

If...	Then...
the employer has complied with the requirement to respond appropriately to issues as specified in WA2.20.10(c) to (e)	<ul style="list-style-type: none">continue processing the application
the employer has <i>not</i> complied with the requirement to respond	<ul style="list-style-type: none">consider whether the employer has rectified and addressed the cause of the non-compliance and taken

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employer has rectified the non-compliance promptly, taken steps to address the cause of the non-compliance and satisfies INZ that the settlement information will be provided to AEWV holders in future	Continue processing the application
employer has not rectified the non-compliance promptly, or not taken steps to address the cause of the non-compliance, or not satisfied INZ that time will be provided to AEWV holders to complete employment modules within one month of starting employment in future	PPI (see PPI SOP and ADEPT User Guide)

END

See Also

[Assess requirements for employers using triangular employment arrangements](#)

Assess organisations Accredited
Employer Work Visa (AEWV) holders can
be placed with

Assess monitoring the employment and
safety conditions of employees in
triangular employment arrangements

Assess placing New Zealand citizens and
residents in work

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Assess placing New Zealand citizens and residents in work

Date published: 19 January 2024

Classification: Unclassified

When to use

- When the employer has completed an employer accreditation application and provided information as requested in the employer accreditation application form.
- The employer is requesting accreditation for employers who use triangular employment arrangements.
- The employer has met all the standard and high-volume accreditation requirements.
- The immigration officer is ready to assess the section of the application that is related to the requirements they need to meet for using triangular employment arrangements.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form submitted by employer
- Assess risk and general requirements for Employer accreditation
- Assess employer compliance
- Assess settlement activities
- Assess viable and genuinely operating business
- Assess organisations an AEWV holder can be placed with (for employers placing AEWV holders in triangular employment arrangements)
- Monitoring the employment and safety conditions of AEWV holders in triangular employment arrangements
- Assess responding appropriately to issues.

Context

Employer accreditation applications will be case-based, Immigration Officers will assess the whole application for an employer. The ADEPT system will carry out automatic checks with other agencies information and INZ watchlists. All activities raised by ADEPT for immigration officer will be manually assess for employers who place AEWV holders with other organisations.

The steps in this SOP include:

- Assessing an application to determine whether the employ meets the [WA2](#) Employer Accreditation instructions
- Escalating additional immigration risks and seeking advice where necessary
- Guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and BRE.

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If...	Then...
<ul style="list-style-type: none">The employer is using another legal entity's history of employing staff in New Zealand to meet WA2.20.20(a) , and at least 66% of the ownership of the employer and the other entity is the same, ORthe employer and/or the other entity is in the same sector and provides the same goods and/or services	<ul style="list-style-type: none">Continue processing application.
<ul style="list-style-type: none">The employer is using another legal entity's history of employing staff in New Zealand to meet WA2.20.20(a) , but less than 66% of the ownership of the employer and the other entity is the same, OR	<ul style="list-style-type: none">Note the concernGo to PPI SOP <p>END</p>

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<p>15% or more of the employer's employees who are placed in triangular employment arrangements are New Zealand citizens and residents who are guaranteed least 30 paid hours per week, And</p> <p>The employer is placing more than one employee in a triangular employment arrangement</p>	<p>Continue to process the application.</p> <p>END</p>
<p>Less than 15% of the employer's employees who are placed in triangular employment arrangements are New Zealand citizens and residents who are guaranteed least 30 paid hours per week, and the employer is placing more than one employee in a triangular employment arrangement</p>	<p>Go to PPI SOP .</p> <p>END</p>

END

See Also

[Assess requirements for employers using triangular employment arrangements](#)

[Assess organisations Accredited Employer Work Visa \(AEWV\) holders can be placed with](#)

[Assess monitoring the employment and safety conditions of employees in triangular employment arrangements](#)

[Assess responding appropriately to issues](#)

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Decide

In This Section

[Assess Potentially Prejudicial Information \(PPI\)](#)

[Put application on hold](#)

[Decline application](#)

[Employer accreditation waiver](#)

[Quality Control \(QC\) - Undertaking an Application-based QC](#)

See Also

[Employer Accreditation](#)

[Assess Employer Accreditation](#)

[Assess requirements for employers using triangular employment arrangements](#)

[Assorted](#)

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Assess Potentially Prejudicial Information (PPI)

When to use

When the employer or their key persons do to appear to meet the immigration instructions, as determined by processing the employer accreditation application.

Note: The PPI letter should be sent after the full initial assessment has been completed so that all concerns can be put to the employer at once. This is to avoid unnecessary multiple communications and processing delays

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form completed by employer
- Assess risk and general requirements for Employer accreditation
- Assess employer compliance
- Assess settlement activities
- Assess genuinely operating and viable organisation/business
- Assessing Triangular employment accreditation SOPs (if relevant)
- Assessing Franchisee employer accreditation SOPs (if relevant).

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, assessing the whole application for an employer. Some parts of the application will be automatically assessed, with activities raised by ADEPT for immigration officers to manually assess.

The steps in the SOP include:

- assessing whether an employer meets the requirements for accreditation, as set out in the Employer Accreditation Instructions
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and Business Rules Engine (BRE).

Steps

1. Create and send PPI letter in ADEPT

- See the [ADEPT User guide](#) for creating and sending PPI letter.

2. Await response from employer

3. Has a request for information been made (for example under the Official Information Act)?

If...	Then...
Yes	See SOP Respond to an information request
No	Go to Step 4

4. PPI response received by due date?

- Yes, go to **Step 6**.
- No, go to **Step 5**.

5. Follow up with the applicant/adviser

- Advise that a response is due within 24 hours and that a decision will be made based on all information held on file the following day.

6. Assess response

- Make an assessment of the applicant’s response and save the assessment in ADEPT. Consider whether all of the concerns been adequately addressed.

If...	Then...
Yes	Approve application (see the ADEPT User guide)
No	Consider whether a waiver is appropriate (this is discretionary) Outcomes include: <ul style="list-style-type: none">• consider waiver, go to Employer Accreditation Waiver SOP (link)• waiver not appropriate, go to Decline Employer Accreditation SOP (link). <hr/> <p><i>Note: If the concerns from the first PPI have been adequately addressed, but new concerns have arisen, the PPI process may need to be repeated.</i></p>

END

See Also

- [Decide](#)
- [Put application on hold](#)
- [Decline application](#)
- [Employer accreditation waiver](#)
- [Quality Control \(QC\) - Undertaking an Application-based QC](#)

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Put application on hold

When to use

When the employer or their key persons do not appear to meet the immigration instructions because they have an active investigation or case pending for business, employment and immigration non-compliance (as per [WA2.10\(j\)](#) of the INZ Operational Manual).

Role

- Immigration Officer

Prerequisites

- Assess Potentially Prejudicial Information (PPI)

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, assessing the whole application for an employer. Putting an application on hold ADEPT is a manual activity for immigration officers.

Steps

1. Determine whether to put application on hold

- Consider advice from the Risk and Verification team (this would have been carried out in step 14 of the [Assess Employer Compliance SOP](#)) and note in ADEPT notes (see [ADEPT User Guide](#)) explanation as to why the employer's response from the PPI does not alleviate the initial concerns.

2. Create on hold letter

- See the ADEPT User Guide for creating letter advising that application is on hold.

3. Forward to Immigration Manager for approval

- See the ADEPT User Guide to send activity to Immigration Manager.

4. Finalise and send the decline letter in ADEPT

- When Immigration Manager has approved the decision see the [ADEPT User Guide](#) for finalising and sending letter to advise the employer that their application will be placed on hold.

END

See Also

[Decide](#)

[Assess Potentially Prejudicial Information \(PPI\)](#)

[Decline application](#)

[Employer accreditation waiver](#)

[Quality Control \(QC\) - Undertaking an Application-based QC](#)

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Decline application

When to use

When the employer or their key persons do to appear to meet the immigration instructions, as determined by processing the employer accreditation application.

Role

- Immigration Officer

Prerequisites

- Assess Potentially Prejudicial Information (PPI)

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, assessing the whole application for an employer. Declining an employer accreditation application is a manual activity for immigration officers.

Steps

1. Carry out final assessment

- Carry out a weighing and balancing of all factors and note in ADEPT notes (see [ADEPT User Guide](#)) explanation as to why the employer's response does not alleviate the initial concerns.

2. Consider whether waiver is appropriate

- Consider whether waiver is appropriate (see [Employer Accreditation Waiver SOP](#)).

3. Create Decline letter

- See the [ADEPT User Guide](#) for creating decline letter.

4. Forward to Immigration Manager for approval

- See the [ADEPT User Guide](#) to send activity to Immigration Manager.

5. Finalise and send the decline letter in ADEPT

- When Immigration Manager has approved the decision see the [ADEPT User Guide](#) for finalising and sending decline letter.

END

See Also

[Decide](#)

[Assess Potentially Prejudicial Information \(PPI\)](#)

[Put application on hold](#)

[Employer accreditation waiver](#)

[Quality Control \(QC\) - Undertaking an Application-based QC](#)

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Employer accreditation waiver

When to use

When the employer has provided a response to Potentially Prejudicial Information (PPI) and an immigration officer decides that it would be be to consider waiving specific requirements under the employer accreditation instructions in the INZ Operational Manual.

Role

- Immigration Officer

Prerequisites

- Assess Potentially Prejudicial Information (PPI)
- Response to PPI received from the employer

Context

INZ can consider to waive specific requirements set out under WA2 of the INZ Operational Manual. Specifically, WA2.40 allows INZ to accept an employer accreditation application where the employer fails to meet the requirements of the requirements in WA2. When considering to waive requirements INZ must take into account:

- all the circumstances of the application; and
- the objectives of the instructions (see WA1.1 of the INZ Operational Manual); and
- the situation of the employer.

Deciding whether to consider a waiver is a discretionary decision for INZ, and does not need to be completed for every application received.

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the application: <ul style="list-style-type: none">• has unique circumstances• does not entirely meet requirements in instructions but does meet the objectives of the instructions• immigration risks are minimal• the circumstances of the specific employer would likely cause a significant adverse reaction if the application were declined	<ul style="list-style-type: none">• Go to Step 2.
the application: <ul style="list-style-type: none">• does not have unique circumstances	<ul style="list-style-type: none">• Prepare accreditation decline documentation in ADEPT (see the ADEPT U Guide)

- does not entirely meet requirements in instructions or the objectives of the instructions
- immigration risks are not minimal
- the circumstances of the specific employer are unlikely to cause a significant adverse reaction if the application were declined

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If...	Then...
Decision is made to waive requirements	<ul style="list-style-type: none"> • Go to Step 3.
Decision is made not to waive requirements	<ul style="list-style-type: none"> • Prepare accreditation decline documentation in ADEPT (see the ADEPT User Guide)

3. Draft waiver

- Draft assessment waiver (see assessment waiver task in the [ADEPT User Guide](#)).
- Seek a waiver recommendation from a technical advisor. This can be done by providing the application reference number to technical advisor
- Technical advisor reviews the waiver, and adds waiver recommendation to the assessment.

If...	Then...
<p>Review the advice from the senior immigration officer or an experienced immigration officer in this ADEPT activity. Attach any relevant email correspondence with the technical advisor into ADEPT.</p> <p>If...</p>	
Technical advisor recommends waiver	<ul style="list-style-type: none"> • Go to Step 4.
Technical advisor does not recommend waiver	<ul style="list-style-type: none"> • Prepare accreditation decline documentation in ADEPT (see ADEPT User Guide)

4. Waiver approval

- Immigration Manager (or someone in a tier above an Immigration Manager) considers the waiver for approval.

[Return from Waiver Queue](#)

After the waiver has been reviewed and is now being returned.

1. Receive waiver approval from Immigration Manager

- Complete assessment in ADEPT.
- See the [ADEPT User Guide](#) to accept accreditation application.

END

See Also

[Decide](#)

[Assess Potentially Prejudicial Information \(PPI\)](#)

[Put application on hold](#)

[Decline application](#)

[Quality Control \(QC\) - Undertaking an Application-based QC](#)

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Quality Control (QC) - Undertaking an Application-based QC

When to use

Use this standard operating procedure when completing an application-based Quality Control (QC) check on an Employer Accreditation (WA2) application. An Immigration Officer is required to submit an application-based QC check as agreed by the processing branch.

Role

- Processing Officers
- Senior Immigration Officers
- Technical Advisors
- Immigration Managers
- Practice Leads

Practice Leads have discretion to nominate who can perform QC checks.

Context

QC checks will take place once Immigration Officer has completed all relevant activities in ADEPT (but before the decision is made), the QC is manually created in the QC Tool (<http://qc-tool/>). Application-based QC is a collection of multiple activities.

To find out when an immigration officer needs to allocate an application for QC please contact a Technical Advisor, Immigration Manager or Practice Lead in an office that is processing employer accreditation applications. The percentage of applications and the teams both processing accreditation applications and carrying out QC, may change over time.

QC checks are intended to:

- Identify and rectify any errors in a timely manner.
- Ensure that quality performance is sustained or improved over time
- Determine if training, coaching and mentoring is required
- Provide positive feedback to immigration officers about the quality of their decision.

Steps – Processing Officer

1. Allocate employer accreditation application for QC

- When a processing officer has assessed, and before they have made a decision to approve or decline an employer accreditation application:
 - change the status in ADEPT to 'Under Random Sampling Quality Control' (see the ADEPT User Guide)
 - add a note in application in ADEPT 'file sent for QC' (see the ADEPT User Guide)
 - email the employer accreditation application number to the QC team email box to advise the QC team that the application is ready for QC.

Steps – QC team

1. Pulling an application for QC

- Once a processing officer has emailed the QC team inbox, pull the application in ADEPT.

2. Creating a QC in the QC tool

- Using the QC tool, create a new QC check as outlined in 'Create a Quality Control (QC) Check' and ensure you enter the correct 'team' name.
- When entering the ADEPT application number in the QC tool only enter the numbers associated to the application. The QC tool does not recognise alpha characters.

Note: the QC team will need to enter visa type and subtype even though this is not a visa application.

Create New QC Check

Office	QA Team
Application Number	<input type="text"/> The Application Number is required.
Immigration Officer	<input type="text"/> The Immigration Officer is required.
Lodgement Officer	<input type="text"/> The Lodgement Officer is required.
Team	ES - Low Touch
Visa Type	Work
Visa Sub Type	Essential Skills
Triage Level	Low
Decision	Approve
QC Reason	Monthly QC
Question Bank	Temporary - Skilled Work
QC Checker	Select QC Checker The QC Checker is required.
Peer Review Required	<input type="checkbox"/> Yes

Close Save


3. Review the application

- Following the questions within the QC-Tool, review the information in ADEPT and all the relevant documents.

4. Enter QC check scoring

- Within the QC Check screen, use the radio buttons to enter the assessed score for each QC question. If the question relates to an activity that has been automatically assessed by ADEPT select 'NA' in the score for that QC question.
- Things to note when completing a QC Check:
 - Your answers will be automatically saved by the tool, so if you leave a QC Check and then come back to it, your previous answers will be retrieved
 - You can change your answers at any time during the checking process. Having answered a question, you may change your answer, but you cannot un-answer the question
 - Notes are not compulsory, but should be included where additional guidance is required to ensure the processing officer is able to address issues identified by the QC Checker

5. Submit the QC check

- Once all questions have been answered the  button will appear at the bottom of the QC Check screen. Use the *Unanswered filter to identify any unanswered questions.
- When submitted, the QC will always default to cycle 1. An email pop-up window will appear allowing you to email a link to the QC Check to the processing officer (and others if required). When the QC Checker determines re-work is required, this link must be emailed to the processing officer, so that they are aware of the rework required.

6. Determining whether re-work is required

If errors were identified during the QC process, the application should be returned to the processing officer for re-work.

If the error only relates to rationale, and the rationale is scored as '2' in the QC tool, the QC checker may determine that no re-work is required. If rationale is scored as '1' re-work is required.

If it is determined that no re-work is required, email the QC tool link to the processing officer and then proceed to step 9.

7. Discuss required rework with processing officer

- Where rework is required, ensure the following steps are completed:
 - The deciding processing officer is emailed a link of the QC Check details within the QC Tool, so that they are aware of the rework that is required to be completed. If appropriate, also forward this email to the processing officer's manager.
 - If substantial rework is required, consider meeting with the processing officer to discuss the QC check results and the rework required.
- Add a note in ADEPT (in the notes section in the application) 'File returned for re-work'

8. Recheck QC Check following rework

- Once the processing officer has advised that all the required rework has been completed, repeat steps 3 to 7 until the QC Checker determines no further rework is required.
- The post-rework check(s) should be completed in the Current QC Check tab. Results from previous QC Checks will be viewable in the appropriate tab(s).

9. Notify the processing officer to proceed with the Approval or Decline process

- Add a note in ADEPT 'QC Complete'
- Change the status in ADEPT from 'Under Random Sampling Quality Control' to the relevant application status to resume processing (see ADEPT User Guide)

END

See Also

[Decide](#)[Assess Potentially Prejudicial Information \(PPI\)](#)[Put application on hold](#)[Decline application](#)[Employer accreditation waiver](#)

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Assorted

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[Suspend or revoke Employer accreditation](#)

See Also

[Employer Accreditation](#)

[Assess Employer Accreditation](#)

[Assess requirements for employers using triangular employment arrangements](#)

[Decide](#)

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Reconsideration of decision to decline an employer accreditation application

When to use

When the employer has:

- had their employer accreditation application declined, and
- applied for a reconsideration of INZs decision.

Role

- Immigration Officer

Prerequisites

- Decline Employer Accreditation application
- Reconsideration request has been submitted by the employer

Context

Employers can request a reconsideration of INZs decision to decline their accreditation application.

Steps

1. ▼ Assess timing of reconsideration

- Consider the timing of the reconsideration, after INZ has declined the employer accreditation application.

If...	Then...
The employer requested that a reconsideration be made within 14 calendar days of the date of decision	Go to Step 2
The employer has not requested that a reconsideration be made within 14 calendar days of the date of decision	Decline reconsideration (see the ADEPT User Guide)

2. ▼ Decide whether to assess new information or change of circumstance

- INZ is not obliged to consider new information that is provided with a request for reconsideration, or a change in circumstance that occurred after the employer application was made.

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- Consider whether or not the employer now meets the requirements for employer accreditation set out in WA2 of the INZ Operational Manual are now met, including consideration of:
 - the reason for the original decline decision
 - existing information assessed in the employer accreditation application
 - new information provided with the reconsideration application
 - employer immigration risks that are relevant to the original application
 - whether existing or new information addresses those immigration risks.
- Reconsider whether the employer meets the requirements for employer accreditation as set out in WA2 of the INZ Operational Manual (see SOP on assessing employer accreditation (for all employers)).

If...	Then...
The requirements of WA2 in the INZ Operational Manual are now met	Go to Step 4 .
The requirements of WA2 in the INZ Operational Manual are now met	Consider whether a waiver should be considered (see Employer Accreditation SOP)

4. ▼ **Decide reconsideration application**

- Consider all information and decide whether the decline decision needs to be changed.

If...	Then...
The decision is to accept employer accreditation	Send decision letter to accept accreditation (see the ADEPT User Guide)
The decision is to uphold the original decision to decline employer accreditation	Send decision letter upholding original decision to decline accreditation (see the ADEPT User Guide)

- Does the information provided in the PPI by the employer indicate that a waiver will be required?

If...	Then...
Decision is made to waive requirements	Go to Step 3 .
Decision is made <i>not</i> to waive requirements	Prepare accreditation decline documentation in ADEPT (see the ADEPT User Guide)

END

See Also

[Assorted](#)

[Assess Franchisee employer requirements](#)

Check employer accreditation in ADEPT

Suspend or revoke Employer
accreditation

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Assess Franchisee employer requirements

When to use

When the employer has completed an employer accreditation application and provided information as requested in the employer accreditation application form. The employer is requesting accreditation as a franchisee employer. The employer has met all the generic accreditation requirements. The immigration officer is ready to assess the section of the application that is related to the requirements they need to meet for franchisee accreditation.

Role

- Immigration Officer

Prerequisites

- Employer accreditation application form submitted by employer
- Assess risk and generic requirements for Employer accreditation
- Assess employer compliance
- Assess settlement activities
- Assess viable and genuinely operating business

Context

Employer accreditation applications will be case managed (rather than activity-based) by immigration officers, by assessing the whole application for an employer. All activities for franchisee employers are manually assessed.

The steps in the SOP include:

- assessing whether an employer meets the requirements of accreditation, and making a decision on the accreditation application
- escalating additional immigration risks and seeking advice where necessary
- guidance where decisions need to be signed-off by relevant management.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and BRE.

Note: employers are expected to determine whether they are franchisee employers, and indicate this on their employer accreditation form.

Steps

1. ▼ Assess employer does not meet the definition of a franchisee (WA2.60.20)

- An employer who holds employer accreditation as a franchisee must meet the definition in WA2.60.20 of the INZ Operational Manual. This is a franchisee employer is an employer (organisation) that:
 - a. purchases the right to use a pre-existing business system mandated by a third party business; and
 - b. is substantially or materially associated with a brand, trademark, advertising, marketing channels, or a commercial symbol owned by that third party; and
 - c. has that third party controlling certain activities or structures within their business, set out through an agreement, operational guideline or through a terms and conditions document that covers one or all of the following features:
 - continuing financial performance or reporting obligations to that third party;
 - an ongoing obligation to pay that third party any fee, or percentage of profits generated by the business from the 'rights to use' detailed in (a) and (b) above;
 - restrictions, expectations, or control imposed by that third party, over where the business can source goods and services and/or how to set up or run their business;
 - restricted ability to refuse requests by that third party, raise concerns or complaints regarding that third party, and/or lack of ability to easily exit or terminate the agreement.
- Consider whether the employer meets this definition. This could include considering whether the employer is a licensee, chain store, etc. Check franchisee guidance:
 - [Franchisee businesses](#)

If...	Then...
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The employer meets the franchisee definition in WA2.60.20	Continue processing application
The employer <i>does not</i> meet the franchisee definition in WA2.60.20	Go to PPI SOP .

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the employer has been operating as a franchisee for the previous 12 months	continue processing application

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the employer has been operating as a franchisee for the previous 12 months	continue processing application
the employer has <i>not</i> been	

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<ul style="list-style-type: none"> at least 66% of the ownership of the employer and the other entity is the same; and the employer and the other entity are in the same sector and provide the same goods and services 	continue processing application
<ul style="list-style-type: none"> less than 66% of the ownership of the employer and the other entity is the same; or the employer and the other entity are <i>not</i> in the same sector and provide the same goods and services 	Go to PPI SOP (step x)

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More than 15% of the employer's employees are made up of New Zealand citizens and residents who are guaranteed at least 30 paid hours per week, and the employer has more than one employee	go to next step
Less than 15% of the employer's employees are made up of New Zealand citizens and residents who are guaranteed at least 30 paid hours per week, and the employer has more than one employee	Go to PPI SOP

END

See Also

[Assorted](#)

[Reconsideration of decision to decline an employer accreditation application](#)

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Check employer accreditation in ADEPT

Classification: Unclassified

Date Published: 10 August 2023

When to use

When needing to check the accreditation status of an employer.

Role

- Immigration Officer

Prerequisites

ADEPT is open on the homepage.

Steps

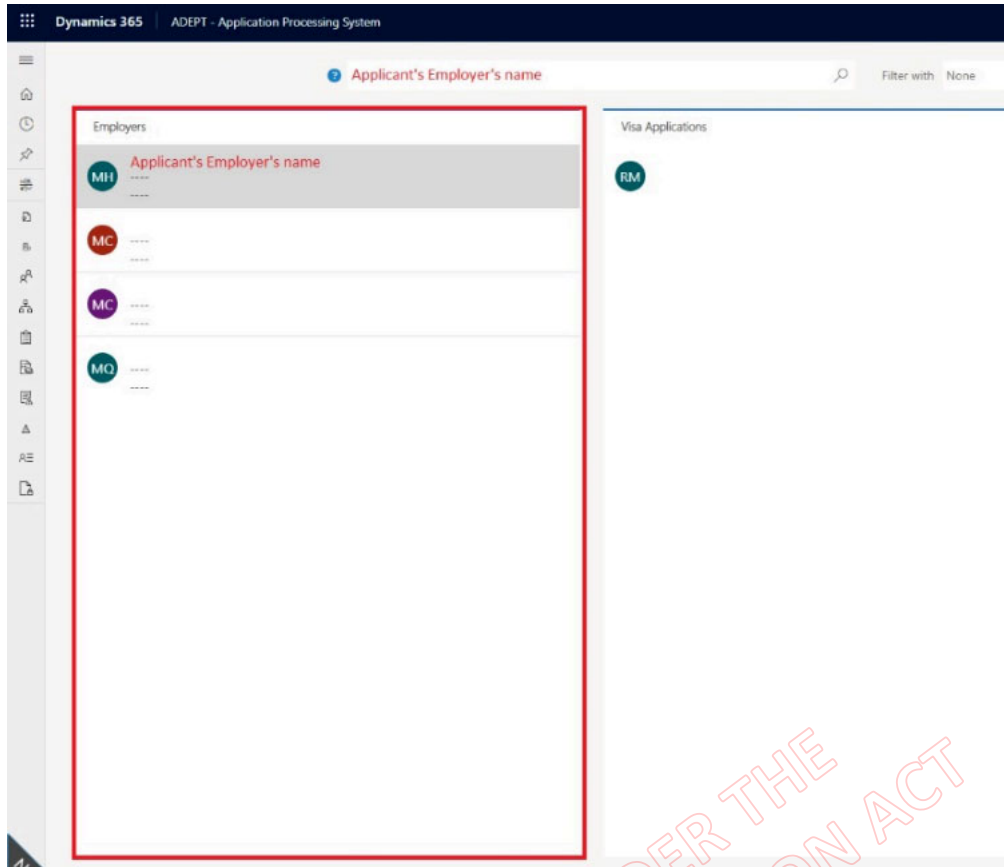
1. Search for the employer

- Click the search button at the top right-hand corner of the page.
- Type in the employer name.
- Click the magnifying glass icon to search.




- In the **Employers** section of the results, click on the name of the employer.

If there are multiple results, select the one that most closely matches the employer's name provided by the applicant, or as shown in the



Result: the employer's page in ADEPT opens.

2. ▼ Make sure the correct employer page has been opened

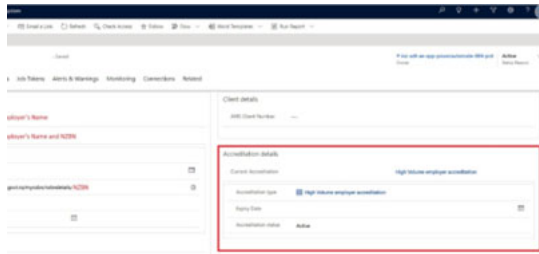
- On the employer's page in ADEPT, check whether the New Zealand Business Number (NZBN) matches the NZBN provided by the applicant.
- It is also possible to use the Search URL function  to view additional details about the company (for example, address)



If...	Then...
There is no NZBN or the details do not match	Search again and/or request further information from the applicant if required. Make sure the correct employer is identified before continuing.
The employer details are correct	Continue to next step.

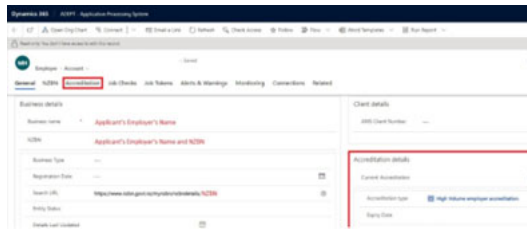
3. ▼ Check the employer's accreditation status

- On the employer page, locate the Accreditation details section to check the **Accreditation status**:



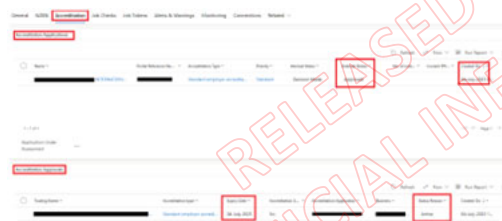
If...	Then...
The Status Reason is Active	The employer is accredited.
The Status Reason is not Active (for example is Draft, Declined, Suspended, Revoked, Expired etc)	The employer is not currently accredited.

b. To find out more, click the **Accreditation** tab near the top of the employer page:



Result: the employer's Accreditation page will open.

c. Under the **Accreditation Applications** section, if there is an **Approved** accreditation application, it will be visible here along with the date of application can be viewed under the **Accreditation Approvals** section.



END

See Also

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[Reconsideration of decision to decline an employer accreditation application](#)

[Assess Franchisee employer requirements](#)

[Suspend or revoke Employer accreditation](#)

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Suspend or revoke Employer accreditation

Date Published: 2 February 2023

Classification: In-Confidence

When to use

When triggered by the results of post-accreditation risk management work, alerts and warnings identified during the assessment of applications, or notification from the employer, another agency or third party.

This SOP covers the suspension or revocation of accreditation when an employer or key person is not compliant with [WA2](#) of the INZ Operational Manual or there is an active investigation or prosecution underway.

Suspension of employer accreditation will result in INZ putting any active Job Checks, Accredited Employer work visa (AEWV), or skilled residence (SR) applications associated with that employer on hold until the suspension is lifted or the accreditation is revoked. AEWV applicants will be notified in line with the privacy policy.

Revocation of employer accreditation will result in INZ declining any active Job Checks, AEWV or skilled residence (SR) applications associated with the employer. Current visa holders will be contacted if the decision impacts their visa status or conditions.

[WA2.55](#) outlines the reasons an accreditation may be suspended or revoked.

Role

- Immigration Officer (IO)
- Technical Adviser (TA)

Prerequisites

- Employer must hold Employer Accreditation

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- [No Surprises fact Sheet \(NSFS\)](#)
- [Visa Pak 497](#)
- [Visa Pak 550](#)

¹ Including Accredited Employer Risk Monitoring and Review (AERMR) or pre-decision RMR

1. Review the referral

1.

If the referral is for...	Then...

Suspension	<ul style="list-style-type: none"> Review the referral against WA2.55(a) and (b) , WA2.10.10(a) to (i) and consider WA2.10.10(j) , to determine whether suspension is suitable. Confirm with the person investigating whether the employer or key person has been contacted and is aware they are under investigation. WA2.10.10(j) considerations should also be discussed at this point.
Revocation	<ul style="list-style-type: none"> Review the referral against WA2.55(e) and WA2 instructions

- Review any alerts or warnings in AMS.
- If required, request more information from the person who raised the warning or carried out the post-decision risk management activity.
- Refer to the Employer Accreditation Standard Operating Procedures (SOPs) for assessing Employer Accreditation for more information on whether an employer meets the requirements in [WA2](#) of the INZ Operational Manual:
 - [SOPs to assess employer accreditation](#)
 - [SOPs for employers who place AEWV holders in triangular employment arrangements](#)
 - [SOPs for franchisee employers](#)

If the adverse information...	
Does not amount to non-compliance and requires no further action	<div style="background-color: #cccccc; padding: 20px; text-align: center;"> <h1>s6(c)</h1> </div>
Does not amount to non-compliance but require remedial action	
Could amount to non-compliance	

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decides...

That the action does not relate to non-compliance as the employer meets the requirements in [WA2](#) for Employer Accreditation.

Further information is required to consider whether the employer meets [WA2](#) requirements

The employer may not meet the requirements in [WA2](#) for Employer Accreditation

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3. [Raise employer sanction](#)

- In ADEPT, in the Recommend Employer Sanction tab, include rationale for why the sanction letter is being sent

See [ADEPT user guide](#) for more details on how to raise suspensions/revocations in for Employer accreditation and Job check under section 2.7.8 and 2.7.9

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- Complete a NSFS, seek guidance from a TA if unsure.
- Send to Immigration Manager (IM) or Visa Operations Manager (VOM) or Practice Lead (PL) for a review.
- Take to NSFS session, as per standard process.
- Await comment from NSFS regarding revocation.
- See [Visa Pak 497](#) for more information

6. **▼ Inform the employer of the PPI (as required)**

- Consider whether it is appropriate to inform the employer that we will be sending a revocation PPI or suspension letter.
- If it is appropriate, discuss with the VOM, who will determine who should make the call, otherwise, go to next step.

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7. **▼ Send PPI (as required)**

- Send PPI letter
Allow 10 working days for a response, unless for liquidation or stand down, then allow 5 working days.
See ADEPT User guide Employer Accreditation and Job Check Section 2.5

Note: For liquidation cases it may be required to also send the PPI to the liquidators

8. **▼ Review PPI response and decide**

- After the response due date, review PPI response from the employer (and any other required parties)
- If no response has been received, consider whether it is suitable to send a follow up email giving an opportunity to respond.
- If no response is received proceed to assess the employer sanction holistically.
- If appropriate, seek advice from a TA and/or R&V for risk advice/verification
- Assess the information provided in the PPI response.

If the information provided ...	Then...
Addresses concerns	<ul style="list-style-type: none"> • Update NSFS (if applicable) • Send the case and any required rationale to the PL/ Head of Operations (HOO) who will 'decline' the recommended employer sanction and close the review. Note: Suspensions should go to the PL, revocations must be completed by the HOO • Record decision in ADEPT (see the ADEPT User Guide) • Inform the employer that accreditation will not be revoked. • Update the Revocation and Suspension spreadsheet on SharePoint • s6(c) • Advise IOs with application on hold that they can proceed <p>END</p>
Supports suspending or revoking the application	<ul style="list-style-type: none"> • Record Rationale in the employer sanction section of ADEPT • If the item was reviewed by NSFS, update the NSFS, • If any official legal advice was given, consult with legal by sending the below to WgtnLegal@mbie.govt.nz <ul style="list-style-type: none"> • the PPI response, • NSFS, and • the rationale • Complete suspension/ revocation letter content • Update the 'Revocation and Suspension spreadsheet'. • Consider taking the PPI response and any insights from legal to the Revocation threshold group. • If the decision is to suspend go to Step 9 • If the decision is to revoke go to Step 10

9. **▼ Suspend employer accreditation**

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10. ▼ Revoke employer accreditation

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- Send the case and any required rationale to the Head of Operations (HOO) who will 'approve' the recommended employer sanction and close the review.

Note: Required rationale should include the date the case was discussed at the threshold group.

- Go to **next step**

11. ▼ Inform applicants, if appropriate

Applicants may need to be informed if their employer's accreditation was suspended or revoked.

Decision to inform will be based on whether the change in employer's accreditation status adversely impacts the application or status of work visa.

If applicants do need to be informed this will have been discussed and decided at a threshold group meeting and outlined in an NSFS.

- As appropriate, inform applicants and visa holders of the decision to suspend or revoke.

See local SOP - Post Revocation & suspension

END

See Also

[Assorted](#)

[Reconsideration of decision to decline an employer accreditation application](#)

[Assess Franchisee employer requirements](#)

[Check employer accreditation in ADEPT](#)

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