

30 July 2019

██████████ Withheld under s9(2)(a) of the OIA
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Dear ██████████ Withheld under s9(2)(a) of the OIA

I refer to your official information request, received by Education New Zealand (ENZ) on 25 June 2019. This response relates to your request, as follows:

All information held by MBIE and the Ministry of Education, including INZ and ENZ, including briefings, memos, minutes and reports dealing with immigration visa delays:

- *The costs as known so far, and any estimates, of the delays on education providers*
- *How many complaints have been received about delays (not limited to student visas).*
- *Whether new targets for timeliness in visa processing are being/have been considered*
- *Whether there are targets for timeliness in each visa category, what they have been in the last five years, and how they have compare to processing times over that time.*

Your request was transferred to us in full by the Ministry of Education, and in part by the Ministry of Business, Innovation and Employment. You agreed (in a phone conversation) that your request could be amended to cover the time period since 1 November 2018.

In response to the first bullet point above, I am declining your request under s18(g) of the Official Information Act, as the information requested is not held. ENZ has not completed any of its own modelling on costs or losses incurred by education providers as a result of delays in visa processing. ENZ is aware of one estimate by the ITP International Group and this is included in the briefing paper publicly available at <https://enz.govt.nz/assets/Uploads/Student-visa-processing-times-impact-on-international-education.pdf>

In response to the three other bullet points above, I am declining your request under s18(g) of the Official Information Act, as the information requested is not held by ENZ. I understand that Immigration New Zealand is providing this information to you in their response to an identical Official Information Act request.

The following table summarises my decision on the release of all other **briefings, memos, minutes and reports** (since November 2018) within the scope of your request that are held by ENZ.

Description	Notes
Education New Zealand Board Report titled "Visa processing issues" dated 12 April 2019	Released in full.
INZ update on visa processing for International Education Peak Body Forum meeting on 6 December 2018	Released in full.

Description	Notes
Minutes of Universities NZ meeting with Immigration New Zealand and Education New Zealand on 16 April 2019	One redaction under s6(c) of the Official Information Act to prevent prejudice to the maintenance of the law, including the prevention, investigation, and detection of offences. Two redactions under s9(2)(g)(i) of the Official Information Act to protect the exchange of free and frank opinions.

I am declining your request for the nine documents listed in the following table under section 18(d) of the Official Information Act, on the basis that the information is publicly available.

Description	Publicly available at:
1819-121 Student visa processing (dated 4 February 2019)	https://enz.govt.nz/assets/Uploads/Student-visa-processing.pdf
1819-130 Student visa summary – January 2019 (dated 14 February 2019)	https://enz.govt.nz/assets/Uploads/Student-visa-summary-January-2019.pdf
2384 18-19 Student visa processing update (joint Immigration New Zealand/Education New Zealand paper) (dated 21 February 2019)	https://enz.govt.nz/assets/Uploads/Student-visa-processing-update.pdf
1819-159 Student Visa Summary – March 2019 (dated 19 March 2019)	https://enz.govt.nz/assets/Uploads/March-2019-student-visa-summary.pdf
1819-166 Student Visa Processing Times – Impact on International Education (dated 28 March 2019)	https://enz.govt.nz/assets/Uploads/Student-visa-processing-times-impact-on-international-education.pdf
1819-183 Student Visa Summary – April 2019 (dated 15 April 2019)	https://enz.govt.nz/assets/Uploads/Student-visa-summary-April-2020.pdf
1819-208 Student Visa Summary – May 2019 (dated 14 May 2019)	https://enz.govt.nz/assets/Uploads/Student-visa-summary-May-2019.pdf
Terms of Reference Joint Immigration New Zealand/Education New Zealand Work Programme (dated 9 May 2018)	https://www.mbie.govt.nz/assets/b4e2e3a3dd/terms-of-reference-joint-immigration-new-zealand-education-new-zealand-work-programme.pdf
1819-120 Education New Zealand Quarterly Report 1 January to 31 March 2019	https://enz.govt.nz/assets/Uploads/ENZ-quarterly-report-from-1-January-to-31-March-2019.pdf

ENZ has also published the following four articles for the international education sector in its regular publication 'Education News' that fall within the scope of your request:

- 'High numbers of student and visitor visa applications' (dated 19 December 2018) available at <https://enz.govt.nz/news-and-research/ed-news/high-numbers-of-student-and-visitor-visa-applications/>
- 'Student visa processing update' (dated 30 January 2019) available at <https://enz.govt.nz/news-and-research/ed-news/student-visa-processing-update-3/>
- 'ENZ working with INZ' (dated 5 June 2019) available at <https://enz.govt.nz/news-and-research/ed-news/enz-working-with-inz/>
- 'INZ working to improve immigration outcomes for international students' (dated 5 June 2019) available at <https://enz.govt.nz/news-and-research/ed-news/inz-working-to-improve-immigration-outcomes-for-international-students/>

Immigration New Zealand has also proactively released some papers relevant to your information request. These are available at: <https://www.mbie.govt.nz/immigration-and-tourism/immigration/proactive-release-of-immigration-information/>

I am declining your request for Immigration New Zealand factsheets under section 18(d) of the Official Information Act, on the basis that the information will soon be publicly available.

We have tried to identify emails that fall within the scope of your request using a variety of search terms. At a minimum we estimate there are 600 emails initially identified by broad search terms that would need to be manually collated and checked for relevance to your request. Finding and bringing together this volume of information would impact on Education New Zealand's other operations and I am therefore declining to release emails under section 18(f) of the Official Information Act. We have consulted with you, as required by section 18B of the Official Information Act, and you agreed we could limit emails to those sent or received by a smaller number of key staff, however that does not substantially reduce the volume of information that would need to be found, collated and checked for relevance. We have considered whether charging or extending the timeframe for responding to your request would help, as required by section 18A of the Official Information Act. However, charging or extending would not reduce the impact on our operations or enable us to provide you with the information in a timely manner.

In preparing this information release, ENZ has considered the public interest considerations in section 9(1) of the Official Information Act.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602. If you wish to discuss this decision with us, please feel free to contact Angela Meredith, Accountability Manager on [REDACTED] or angela.meredith@enz.govt.nz

Withheld under s9(2)(a) of the OIA

Please note, Education New Zealand now proactively publishes OIA responses. Your name and contact details will be removed from this response before it is published on our website.

Yours sincerely,



Grant McPherson
Chief Executive
Education New Zealand

Board report

To: Members of the Board

From: John Goulter, General Manager Stakeholders and Communications

Date: 12 April 2019

Subject: **Visa processing issues**

For: Discussion

Recommendation

It is recommended that the Board:

1. Note concerns that visa processing delays are impacting negatively on New Zealand's attractiveness and competitiveness as an international education market
2. Note the actions taken by ENZ to date to address these concerns
3. Discuss further actions to be taken to resolve these issues.

Released under the Official Information Act 1982

Purpose

The purpose of this paper is to provide the Board with information on student visa processing issues, the impact these are having on the international education sector, and what actions ENZ is taking in respect of the concerns.

Timeline

January 2019

- Immigration New Zealand (INZ) reported it was experiencing high student visa application volumes, including applications for courses beginning within four weeks of the application submission date.
- Steve McGill, INZ's General Manager, Settlement, Protection and Attraction, attended the Board's meeting on 29 January 2019. He outlined INZ's shift in emphasis and renewed focus on its role as a regulator through its 'Striking the Balance' strategy. Steve acknowledged that INZ was experiencing "transitional issues around timeliness" in student visa processing following the implementation of its new Visa Processing Operating Model (VPOM).
- INZ provided communications on 30 January 2019, via ENZ's Education News publication to the sector and others, advising that visa applicants should apply for their student visas at least eight weeks in advance of their intended travel date. ENZ advised in the same publication that it would continue working with INZ to help providers, students and agents understand the current visa processing situation and monitor market reaction.

February

- ENZ provided an Aide Memoire to Minister Hipkins on 4 February 2019 advising of the high volume of student visa applications on hand with INZ, and that INZ was advising applicants to lodge visa applications eight weeks ahead of travel date. ENZ also advised Minister Hipkins that it had begun working with INZ on a joint paper on visa processing matters for both the Ministers of Education and Immigration.
- ENZ continued to actively monitor market reaction and raise issues with INZ through regular engagement.
- A joint INZ-ENZ paper was sent to the Ministers of Education and Immigration on 21 February 2019. This paper reiterated INZ's focus on 'Striking the Balance' and noted that markets and international education stakeholders were continuing to "adjust to the consolidation of student processing". INZ largely attributed the impact on visa processing times to the high volume of applications being received, noting the peak season runs from late November to April.
- INZ developed largely statistical application volume and visa processing timeliness reports for education peak bodies and large education providers. These have been sent out fortnightly, as from 22 February 2019.
- ENZ worked with stakeholders to make them aware of processing delays and the efforts being made by INZ to address these.

March

- ENZ reported to the Minister of Education on 19 March 2019 that as at 1 March there were 4% fewer valid student visas (meaning people in New Zealand holding student visas) in total compared to 1 March 2018.
- The decrease in valid student visas for PTEs was down 19% and for ITPs it was down 11%, while universities were up 4% and schools were up 8%. ENZ advised Minister Hipkins

that the high number of student visa applications on hand with INZ awaiting processing was negatively affecting the number of valid student visas and first-time student visas.

- INZ continued to provide fortnightly visa processing updates to the sector, showing an increasing and significant slowdown in processing times.
- All sectors – but particularly ITPs, private training establishments (PTEs) and English Language schools – have experienced visa processing delays and have expressed serious concerns. ITPs in particular have advised that the potential loss of revenue due to visa processing delays is in excess of NZ\$33 million.
- On 29 March 2019 ENZ provided a further briefing to Minister Hipkins about concerns held by the sector regarding visa processing delays and other immigration-related issues. The paper advised that these issues may hinder New Zealand's ability to meet the goals of the New Zealand International Education Strategy (NZIES), including the target value of \$6 billion by 2025. ENZ recommended Minister Hipkins share the paper with the Minister of Immigration and discuss the issues with him. A copy of the briefing to Minister Hipkins is attached to this paper for the Board's information. Briefing 1819-166 publicly available <https://enz.govt.nz/assets/Uploads/Student-visa-processing-times-impact-on-international-education.pdf>
- A day later, INZ provided a briefing to its Minister, acknowledging that timeframes for processing medium and high-risk visa applications at its Mumbai office are not satisfactory, that these delays will be impacting providers, but that it does not intend reducing verification or removing the requirement for documents to be translated.

April

- Engagement between senior ENZ and INZ officials has been stepped up, as a joint taskforce is formed around a work programme to ensure greater alignment between the two agencies, and to develop communications to the sector.
- The Ministers of Education and Immigration exchanged briefing papers and met to discuss the student visa processing issues on Thursday 11 April. Senior officials, including Grant McPherson and the head of INZ Greg Patchell, attended the meeting.
- At the meeting Greg Patchell acknowledged that the reconfiguration of INZ's VPOM had generated backlogs and created unacceptable delays to the timeliness of decisions on student visas and other categories – including work visas. He said this will play out and stabilize towards the end of this year.
- Greg Patchell said changes were being made to address the backlog, including keeping the INZ Manila office open for a further six months until the end of 2019, retaining the INZ Henderson office and tripling its capacity to handle student and tourist visas.
- Greg Patchell said there would inevitably be a tension, however, if poor quality providers and their agents continued to recruit high risk students from high risk locations for low quality qualifications, and they would be unlikely to receive visas. He commended the initiatives of New Zealand universities to shift their focus to quality, low risk recruitment, particularly by transitioning marketing efforts to Southern India, from "high risk" provinces in the North.
- ENZ outlined the concerns of the sector, including the widespread perception that all applications were being affected, leading some agents from anger to apathy, and to turn away from New Zealand to focus on other markets. ENZ outlined the financial impact that providers were feeling and the hit on numbers for 2019, where many potential students had now lost the opportunity to begin studies in the first semester.
- ENZ reiterated it wanted to work with INZ to help providers through the current circumstances and recommended transparent communications which would help providers identify potential good quality, low risk sources of students.
- ENZ also recommended that any communications must include the remedial steps INZ is taking to address current issues. The Minister of Education said he expected ENZ and INZ to work closely together, particularly on communications.
- Additionally, Greg Patchell has been invited to attend the Board meeting scheduled on 17 April 2019.

Discussion points

The international education sector is significantly concerned about visa processing delays and has described the current situation as a crisis. ENZ assesses the ongoing delays as impacting negatively on New Zealand's overall attractiveness and may hinder our ability to meet the goals of the New Zealand International Education Strategy – including the value target of \$6 billion by 2025.

One option for the Board may be to require ENZ to report regularly on visa processing delays. This would necessitate information being provided by INZ to ENZ to inform these updates – including visa processing timeliness statistics, what communications to the sector are being distributed, and how ENZ and INZ are working together to more closely align activities, in order to address the current situation.

Financial implications

The financial implications for the value of the sector cannot at this point be accurately estimated by ENZ until first trimester 2019 student enrolment data is available from MoE. However, as soon as this information is available, and has been analysed by ENZ, this will be reported to the Board.

ITPs have indicated a loss in excess of NZ\$33 million, but we do not have figures from other subsectors.

Risk

Risk has been assessed as follows:

- Damage to New Zealand's reputation as a country that welcomes and encourages international students.
- Offshore education agents continue to move from anger to apathy, resulting in international students being referred to competitor countries.
- If New Zealand is seen by markets as less competitive, the long-term impact could flow on for years if markets redirect students elsewhere. This is especially true for high-quality, high-value students who have lots of choices of study destination.
- Failure to meet the goals of the New Zealand International Education Strategy (NZIES), including the target value of \$6 billion by 2025, due to visa processing delays and other immigration-related issues.

Next steps

As above, the Board may wish to consider options for further action following discussion with the Head of INZ.

Immigration New Zealand is experiencing high volumes of visa applications

Immigration New Zealand (INZ) is currently experiencing high volumes of visitor and student visa applications. This is typical for this time of year and will likely continue along with a rise in student visa applications until March 2019. The length of time taken to process visas may therefore be longer than it would be at other times of the year.

If you receive queries regarding the timeframe to process a visa or delays in processing please refer applicants to the [INZ website](#) in the first instance. Applicants should consult the website and take the information about processing times into account when applying for their visa and planning their travel.

Due to the high volume of visa applications currently being received, we strongly recommend applicants submit their application as early as possible prior to their intended travel date. With respect to student visa applications, applicants should submit their application at least 8 weeks ahead of their intended travel date. This gives INZ time to assess the application and gather more information from the applicant if needed.

INZ encourages visitor and student visa applicants to apply using our Immigration Online system via the INZ website. It's faster and easier to apply online. Applicants can upload supporting documents and photographs and pay for their application online.

While INZ makes every effort to streamline assessment of applications, applicants may experience longer decision timeframes where all of the required information is not supplied when they submit their application, including translations. If they do not supply the correct information this could hold up the processing of their visa.

INZ does not advise purchase of travel before an application is completed as the grant of a visa is not guaranteed. Assessment of visitor visa applications will not be prioritised if the sole reason is that the applicant has pre-purchased travel.

Meeting with Immigration New Zealand and Education New Zealand

10.00am to 1.30pm, 16 April, Universities New Zealand

Attendees

Julia Innocente-Jones	Victoria University of Wellington
Frances Little	AUT
Jason Cushen	Otago University
Sharon Calvert	Waikato University
Roger Shew	Lincoln University
Andy Walker	ENZ
James Dalmer	ENZ
Ainslie Moore (zoom)	University of Auckland
Miranda Herbert (zoom)	University of Auckland
Ian MacDonald (zoom until 11am)	University of Canterbury
Lin Zhu (zoom)	Massey University
Michael O'Shaughnessy (zoom)	Massey University
Kaylee Butters (from 12.30)	ENZ
Olivia Judge (from 12.30)	ENZ

Summary of Actions

Immigration New Zealand:

1. INZ to review amending the processing times published on their website:
 - a. Break down the times by sector
 - b. Future focussed as opposed to retrospective information
2. Investigate cross-cultural capability training options for global office staff
 - a. Universities are happy to feed into this process
3. Provide the universities with information on the regions where visas are being declined from
 - a. Universities to provide INZ with a list of the top 10 countries they want to see decline rates for
4. Provide feedback to the system teams regarding user feedback on the online application system (esp. viewing updates on their account)

Joint Actions:

5. Investigate a mechanism for how INZ can get sight of universities own due diligence done on student university applications/admissions prior to the visa application process (including English language test used to demonstrate compliance with entry requirements)
6. Develop key messages to communicate in-market to address the negative perception regarding timeliness; for example, report on timeliness by provider type that the universities can use to demonstrate their turnaround in visa decisions.

Universities:

7. Provide INZ with a list of frequently asked questions being received from agents and students
8. Strongly urge agents and students to do online rather than paper applications
 - a. Consider including a clause as agent agreements are renewed that require the agent to submit Online
9. UNZ to work with SIEBA and regional bodies to address the issue of pathwaying students not applying for their visa early enough for their university study
10. Note that the Pathway Visa Pilot has been extended to November 2019

Preparation for guests

Those present gave a broad overview of the impact the delays to visa processing times have had on their institutions.

All universities had experienced an increase in new student numbers however there has also been an increase in the number of student deferrals (this includes students who defer or withdraw from study before they submit a visa application). Victoria University had a few PhD students that were unable to start as they did not receive an offer in time. VUW are reaching out to students that received an offer of study but did not come, to determine the reasons for this. Of those students 18% had deferred which is 12% higher than normal. Often the conversion rate of deferred students is only 2% so from a university perspective those enrolments are not going to eventuate.

Another issue that the universities have encountered are that students are struggling to understand the visa process and do not know how to view the status of their application or outcome online. In addition, there is no way for the student to reach out to ask for assistance. INZ will pass this feedback on to the systems team.

The universities were reporting inconsistent advice and information being applied to visa applications and decisions.

[REDACTED]

Material outside the scope of this OIA request

Julia asked the group what they wanted in terms of outcomes for the meeting:

1. Confirmation on what the realistic processing time will be going forward
2. An understanding if INZ have any processes or plans in mind to streamline the application process for Semester 2, as well as potential long-term measures
3. What parameters do INZ have to work within to further support the university sector and decrease processing times

INZ overview of Semester 1

Jeannie and Celia joined the group.

INZ have learned a lot from the peak period and recognise they did not have a clear understanding of the volume of applications that would come from the Indian market, the response to Post Study Work changes was not forecasted for this market. [REDACTED]

Withheld under s(9)(g)(i) of the OIA and brought over some of the INZ team from Beijing to run some of their processes in Palmerston North.

Decline rates

Jeannie noted the disparity between how different institutions work with agents and some will use up to 100 agents in one market alone. This results in using some agents that may not have enough experience /may not undertake the appropriate due diligence which is translating into increased decline rates and poor-quality applications.

Through further data analysis INZ are seeing more students being recruited from high-risk regions. While this is not much of an issue for the university sector it does contribute to visa processing delays. There is recruitment from higher risk states by Universities and this is something to keep in mind when recruiting [REDACTED]. These applications may take longer to process. Withheld under s6(c) of the Official Information Act

ACTION: Waikato asked INZ for the list of where the declines are coming from, INZ said they could provide this information. Celia noted that in terms of country lists, that has been provided for the 2017 and 2018 year, divided by nationality and provider type. However, if the universities want a regional breakdown within a specific country then INZ would require a list of the top countries.

[REDACTED] Material outside the scope of this OIA request

Reporting of processing times

INZ made the point that while they are publishing certain processing time on their website, [REDACTED] Withheld under s(9)(g)(i) of the OIA INZ would like to have more accurate processing times posted but aren't sure what this looks like at this stage.

The long processing times reported on the website are adding to the negative perception of NZ in-market. The University of Auckland noted how this perception is being spread by word of mouth and there had been social media posts saying not to apply to New Zealand due to the wait time for receiving a visa.

Jeannie asked the group what information universities and agents want so that INZ can communicate that in-market to mitigate the negative perception.

ACTION: universities to provide suggestions for messaging for INZ to communicate in-market to address the negative perception.

Lincoln noted that while we are talking about the negative 'perception' the reality is that the visa application process is taking longer even though university applications are processed faster than other subsectors, as evidenced by the data provided by INZ. Students know it is taking longer and are going to markets where there is a greater chance of getting a visa. Jeannie agreed that INZ need to get better at communicating what the actual processing time is and that reconsideration of the website reporting and individual "estimated" times that student applicants receive is underway.

It is important to manage students' expectations for turnaround times. The universities asked if INZ would be able to publish the turnaround times by sector and to have a future focussed approach rather than retrospective information. The data the universities have

been receiving from INZ have the processing times broken down by percentage completed in x number of days. The universities thought it would be helpful to have that on the website as well. For example, 90% are processed between 15-30 days, provided that the application is complete, then provide the checklist for the application form.

ACTION: INZ will review publishing options for turnaround times on the website

Mumbai office

Universities had already voiced their concern about incorrect advice and decisions being made from the Mumbai office when processing applications from other markets. Further training on markets outside of India would help to mitigate this issue.

Otago had feedback that agents in Vietnam reported feeling intimidated by the Mumbai office. One of the challenges when INZ moved to the super hub model, is how the staff operate within different cultural settings. The suggestion was made to do cross-cultural training for in-market INZ staff. There is also a short-term plan to move non-Indian subcontinent offshore applications to Palmerston North.

ACTION: INZ to investigate cross-cultural training options for their staff. The universities have programmes in this area and are happy to feed into that process.

Streamlining Processes for Semester 2

Universities' due diligence

The issues in Mumbai are primarily in the ITP and PTE sectors which negatively impact university processing times. The universities and INZ need to identify what we can do together to make sure the university student visa applications fall into the low-risk/low-touch category.

The universities do their own due diligence on student university applications before giving their offer of place. Ideally INZ would be aware of the due diligence work already done and are able to rely on that information received from the universities. Then INZ can look at the health and character aspects of visa applications.

ACTION: investigate a mechanism for how INZ can get sight of the due diligence done by universities on student applications as part of the visa application process.

Front end customer service

Waikato have heard from students and in country managers that there are front end customer service issues, particularly with wait times to receive advice (2 hours to get to the contact centre in Vietnam). Having better customer service may go some way towards mitigating the negative perception in market.

INZ have asked the universities for frequent questions that agents and institutions are receiving so they can be collated into an FAQ section on the website, to help with the first point of contact.

ACTION: universities to provide INZ with FAQs

Online applications

Jeannie informed the group that in the Indian and sub-continent and all Mumbai applications they process, about 70% were submitted online. INZ asked universities to consider that the universities make online submissions a requirement for their agents and include this in any agent contract renewals.

ACTIONS:

1. Universities to include in agent agreements that unless there is a system issue, there online submissions should be standard, as it contributes to faster processing times.
2. INZ to send data to the universities on where the paper applications are coming from, broken down by
 - a. Which agents; and
 - b. Which markets

Building capability at INZ offices

INZ said they have not been using Palmerston North as well as they could for student visa processing so they are going to be processing some of the offshore work that would have been done in Mumbai. They are looking to build capability in multiple offices to distribute the back-log and balance out the applications offshore.

INZ product development

INZ are working closely with ENZ to utilise their resources and networks to communicate information to the sector and to agents. INZ are developing specific products to streamline the visa application process. INZ want to make it as easy as possible for agents or students to apply so they have a full and complete application first time around e.g. supplementary information and extensive check-lists. This will help to reduce the back-log.

The question was posed as to whether some markets have extra requirements regarding verification and level of evidence required. If that is the case, it would be helpful for the universities to receive that so they can communicate it to their agents within that specific market. Providing additional advice via the check-lists and recommendations to go through pre-verification processes etc.

The universities asked for some guidelines for how long a visa will take to process going forward.

Deferrals and new offers of place

The universities were discussing deferrals and mentioned that when providing the new offer of place sometimes the same students (with the same application) are not receiving a new offer from the university. Celia mentioned that together the universities and INZ could develop some wording to go on the original offer where it would be valid for a certain period so there is no need to go back to faculty to reissue an offer. The officer may then just email to ensure that the offer still stands, if required.

ACTION: INZ to investigate providing wording for universities to put on their offer of place, for review by the universities

Material outside the scope of this OIA request

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