

Global Mobility Policy

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- This policy applies to employees of the University of Cambridge who intend to work outside the UK for more than 183 days, or approximately 6 months (referred to as 'overseas assignments' for the purpose of this policy).
- This policy has been designed to provide a framework of good practice for overseas assignments and to ensure that the administrative processes and procedures involved in relocating and employing individuals across international boundaries on overseas assignment are clearly set out.
- It aims to reduce the University's risk of non-compliance or financial penalties in relation to overseas assignments, specifically in the areas of tax, social security, employment legislation and immigration.
- The policy highlights the key areas that a manager or Institution should consider when setting up an overseas assignment where an employee will be posted or recruited to work overseas.
- Further guidance can be found on the [Global Mobility and Overseas Assignments website](#).

- The mission of the University of Cambridge is to contribute to society through the pursuit of education, learning, and research at the highest international levels of excellence and its core values support delivery of that mission. This mission and core values apply to the University's global activities, including employees who undertake activities outside the UK for the purposes of research or work.
- The University aims to attract, recruit and retain the most talented employees across all areas of academic and professional activity to maintain and enhance its world leading reputation. The University may benefit from employees working overseas on major research or collaborative projects to extend its global presence. Employees may also request to work overseas for career development purposes.
- The University has a duty of care to manage effectively the risks to the health and personal safety of its employees.
- This policy supports overseas assignments through comprehensive, accessible and auditable processes, systems and guidance.
- This policy is not intended to limit overseas activity, but to ensure that employees and their Institutions consider all aspects before a decision to approve an overseas assignment is made.
- The application of some areas of the policy will depend on individual circumstances, the countries concerned and the terms of any applicable grant/funding available.
- For secondments to a host organisation or University of Cambridge subsidiary located overseas, please also refer to the [Secondment Policy](#) as provisions in both the Secondment Policy and this policy will apply.
- This policy does not provide guidance on establishing an overseas entity or setting up international collaborations. Initial advice on this matter should be sought from the [Strategic Partnerships Office](#).
- Academic or research staff on an overseas assignment may not be eligible for inclusion in the Research Excellence Framework (REF) submission. Further guidance should be obtained from the [Research Operations Office](#) before proceeding with the overseas assignment.

- Overseas assignments may be carried out from the employee's home, in the field or at a Host organisation/institute in the overseas location (referred to as the 'assignment country' for the purposes of this policy).
- There are four types of overseas assignments seen most commonly within the University:

Description	
Dual Country	Where an employee regularly carries out work on behalf of the University in the UK and one or more other country, such as: working overseas from Monday-Friday and returning to the UK at weekends, working a split week between the UK and another country, or for more extended periods such as working 3 weeks overseas and one week in the UK on a rotational basis.
Temporary	A defined period of time working overseas, where the employee had been working for the University in the UK and intends to return to work for the University in the UK on the completion of their overseas assignment. This includes fieldwork, Marie Skłodowska-Curie Global Fellowships, sabbatical leave for more than two terms and overseas secondments.
Permanent	Permanent relocation of an existing UK based employee to live and work overseas. The employee may maintain a full-time role for the University working remotely, or maintain a part-time role whilst also working part-time for an external organisation/institution overseas.
Overseas Recruitment	The recruitment of an individual based outside the UK who will continue to work overseas for the duration, or initial part of, their contract.

- Overseas work/travel can take other forms to those stated above, or may last less than 183 days, and some provisions within the Policy may still be relevant in those cases, notably where there is a requirement to establish an overseas payroll for the payment of tax and social security. The [Global Mobility Decision Tree](#) is designed to guide the Institution through different types of Global Mobility and recommends the course of action to be pursued in those cases.
- This Policy **does not** apply to the following:
 - Consultants/self-employed contractors (please refer to the [Finance Division](#));
 - Individuals engaged through external recruitment agencies or the Temporary Employment Service (TES);
 - Individuals engaged under a workers agreement paid through the University Payment System (UPS).
 - Relocation to the UK (see [further guidance](#) available on the HR Services website)

- Overseas assignments commonly arise as a result of a research award/grant, with a named researcher stated in the grant proposal, or are proposed by the individual for personal reasons. However for any open opportunity to work overseas, the [Recruitment Policy and guidance](#) and the [Equal Opportunities Policy](#) should be followed when selecting the appropriate candidate for the overseas assignment.
- Before proceeding with any overseas assignment, the Institution must provide a fully completed and authorised [Global Mobility Form: HR56](#) (referred to as the 'HR56 Form' for the purpose of this policy). The HR56 form sets out the aims and objectives for the overseas assignment as well as key employee and employment details (both prior to and during the overseas assignment) and confirms any additional provisions, risks, costs or processes which need to be followed. Completion of this form provides assurance that the necessary [due diligence](#) has been undertaken. The relevant HR Schools team will then work with the Institution to manage the administration of the overseas assignment and repatriation (if applicable).
- The Manager's Guide which can be found on the [Global Mobility and Overseas Assignments webpages](#), provides further guidance to staff who support the management and administration of overseas assignments.
- Flow charts documenting the process from the initial proposal to issue of the Overseas Assignment Agreement as well as assignment termination can be found in the [Appendix](#).
- In the case of an overseas recruitment assignment, the Institution should refer to the [Recruitment Policy and guidance](#) and complete the normal recruitment process through web recruitment or complete a [CHRIS10](#), stating clearly that the new hire involves overseas working. The Institution should ensure that the offer letter includes a clause stating that the offer is conditional on a separate Overseas Assignment Agreement being issued and agreed. This clause is inserted automatically through the web recruitment process, providing the appropriate box has been ticked to confirm the employee will be working overseas. Employment Contracts will then be issued alongside the Overseas Assignment Agreement, once the HR56 Form has been fully authorised.
- Where a large international collaborative project is being established, advice from the [Strategic Partnerships Office](#) should be sought as early as possible. Consideration should be given to appointing a project manager with responsibility for the oversight of all day-to-day project activities and setting up a Project Board, comprising members from the Strategic Partnerships Office, Research Operations Office, Legal Services, HR and Finance Division, in co-operation with the originating Institution to oversee the project.

5.1 Initial Considerations and Establishing a Business Case

- Section one of the [HR56 Form](#) should be completed after consideration of the following points, which should assist the Institution in establishing a firm business case for the overseas assignment:
 - The rationale behind any proposed collaboration/field work/research, which may require employees to be assigned overseas (including overseas secondments);
 - Full assessment of any recruitment requirement, in line with the [Recruitment Policy and guidance](#), including the possibility of engaging an individual on a self-employed basis;
 - How the overseas assignment contributes to the Institution's overall research/teaching strategy;
 - How any existing (pre-assignment) grant/funding may be effected by the overseas work and how any future grant award may be used to fund the overseas assignment.

Once the business case for the overseas assignment has been established, the Institute can then examine the provisions and measures relating to the overseas assignment in more detail.

Costs and Budgeting

- The Institution should confirm to the employee the costs that will be borne by the Institution (either through a grant/funding or from the Institution's own budget).
- Unavoidable costs associated with an overseas assignment, which would normally be paid by the Institution, include:
 - External advice on the University's legal obligations with regards tax withholding and payment of social security (including any requirement to establish an overseas payroll);
 - External advice on employment legislation in the overseas location;
 - Promotion / Additional Responsibility Allowance (see [Establishing Salary for the overseas Assignment](#)) ;
 - Medical insurance (if mandatory in the assignment country);
 - Other mandatory employer contributions (such as local pension funds, Accident or workers' insurance);
 - Employer social security contributions (in either the home or host country or both);
 - Establishment of a payroll in the assignment country.
- The terms of any research grants or external funding linked to the individual/project should be checked as it may be possible to use this funding to cover the cost of external advice or other overseas assignment costs, as listed above. The grant may also be used to reimburse other employee costs directly linked to the overseas assignment (such as tax filing, accommodation etc.) or provide additional cash allowances (please see the [Global Mobility: Expenses and Allowances guide](#) for further information) . However, it should also be noted that an existing grant may no longer be valid if the employee is working overseas for a significant period, so this should also be verified.

Establishing Salary for the Overseas Assignment

- The overseas assignment role should be evaluated through the University grading system.
- If the overseas assignment role is evaluated at a higher job grade than the role previously performed and the individual will not be returning to their previous role following the overseas assignment (i.e. the overseas assignment is part of their overall progression within the University), then the current regrading guidance should be followed.
- Alternatively, if the change in role is temporary, an additional responsibility allowance may be paid or a temporary regrading may apply through a secondment arrangement. In this case the Institution should complete either a [CHRIS71](#) requesting a temporary secondment or an [HR31](#) requesting an additional responsibility allowance. At the end of the overseas assignment the individual would revert to their original role and salary (subject to any service increments acquired during the overseas assignment).
- For employees engaged under the Marie Skłodowska-Curie Global Fellowship, the salary comprises the Living Allowance, Mobility Allowance and Family Allowance elements, as detailed in their employment contract.
- If the overseas assignment requires a change to working pattern, i.e. reduced hours, the relevant form ([CHRIS 50/CHRIS 54](#)) should be completed so that an amendment to the employee's contract can be issued.
- In the case of overseas recruitment assignments, where the employee is recruited to be based overseas, the salary may be determined taking into account market rates. Further guidance on market pay can be found on the [HR website](#).

Reimbursement of Expenses and Allowances

- Depending on the justification for the overseas assignment, the value to the Institution and the funding available (for example through a grant or external funding), and the employee's personal circumstances, the Institution may consider reimbursement of certain expenses specifically linked to the overseas assignment, or provision of other cash allowances. Separate guidance can be found in the [Global Mobility: Expenses and Allowances guide](#).
- Provision of any assignment related allowances or reimbursement of agreed costs will be stated in the Overseas Assignment Agreement.

Risk Assessment, Emergency Response Protocol and Security

- The Institution and the employee should discuss appropriate measures to ensure the employee's safety during the overseas assignment, both on a day-to-day basis but also in the event of political or civil unrest, terrorist attack, or other change to security levels. It is recommended that the Institution formalise an emergency response protocol for the overseas assignment, in advance where possible, which is shared with the employee and other key stakeholders.
- Advice on potential risks and security issues can be obtained from the University's [Health, Safety and Regulated Facilities](#) division, [HR Schools team](#) and the [Equality and Diversity](#) section. These may be related to the employee's personal circumstances, such as religion or marital status, or to the countries in which they will be working.
- LGBT+ employees and their family members may be at particular risk in certain countries, where for instance, relationships between people of the same sex are considered criminal acts. Therefore, overseas assignments may need careful consideration for LGBT+ employees and they are encouraged to speak to the relevant HR Schools Team or their manager so that appropriate advice and support can be provided to minimise the risk to their safety and ensure they can take informed decisions about the overseas assignment. Guidance can also be found on the [Government foreign travel advice website](#).
- The nature of the employee's work may also put them at greater risk, for example in countries where Trade Unions and Trade Union activism are illegal, or if the research they are carrying out is considered to be controversial in the assignment country.
- An appropriate risk assessment for the proposed overseas assignment must be completed by the employee, in conjunction with their manager/Institution in advance of relocation. Three different Risk assessment forms are available, depending on the perceived level of risk. For overseas assignments, either the Standard Travel Form or Elevated Risk Assessment Form will need to be completed. The risk assessment forms and associated guidance are available on the [Safeguarding Work Away webpages](#).
- A copy of the completed risk assessment should be forwarded to the relevant HR Schools Team and the Global Mobility Co-ordinator attached to the HR56 form.
- In the event of increased security risk in the assignment country, the action required should be considered on an individual basis, taking in to account [Foreign and Commonwealth Office](#) recommendations and the agreed emergency response protocol. Where the risks cannot be managed to an acceptable level, discussion should take place with the HR Schools Team as to whether the overseas assignment should be suspended or terminated. If the overseas assignment will continue it may be appropriate to complete an updated risk assessment.

Intellectual Property

- In most cases, the University's policy on Intellectual Property Rights, which is available on the [Research Operations Office](#) webpages, will remain unchanged as a result of the overseas assignment. However, the Institution should check the terms of any relevant funding or collaboration agreements to ensure that any terms relating to Intellectual Property are considered before the overseas assignment commences, as in some cases Intellectual Property may belong to the Host Organisation and this should be confirmed on the HR56 form.

Work involving Animals

- The University requires all staff and visitors who undertake work with animals, to do so in accordance with the Animals (Scientific Procedures) Act 1986 (ASPA 1986) and under the guidance of the University's Animal Welfare and Ethical Review Body (AWERB). If the overseas assignment involves work with animals, the Institution must notify [Biomedical Services HO Licencing](#), ensure that Animal Research Policies, specifically 'Working with animals outside the UK, undertaking collaborative work using animals overseas and sourcing animal material from non-UK sources' are adhered to and complete the associated form (all available to download at <https://www.cam.ac.uk/research/research-at-cambridge/animal-research/overseeing-animal-research/animal-research-policies>).

Clinical Work

- Where the employee completing the overseas assignment has clinical responsibilities, they will need to notify the Clinical Director at the relevant NHS Trust and discuss the impact of their absence from clinical duties to ensure that cover arrangements are put in place as agreed.
- If the employee is in receipt of excellence awards (local or national), these may cease if they are not performing their clinical duties for a significant period of time. The employee is responsible for informing the relevant awarding body and should inform the HR Schools Team if an award should cease either in full or in part.
- If an employee is under Health Surveillance with Occupational Health prior to the overseas assignment, or the work to be carried out during the overseas assignment will require Health Surveillance, the Institution (usually the departmental safety office or Departmental Administrator) must notify [Occupational Health](#) and ensure that the processes as detailed in the [Health Surveillance Policy and Guidance](#) are followed.
- If the overseas assignment involves clinical work in the assignment country, further paperwork and authorisation may be required. In certain cases, a license to practice medicine within the assignment country will be required. Further advice should be sought from the relevant HR Schools Team.

Institutional Duties and leave of Absence

- If the employee is an established academic or academic-related member of staff, it will be necessary complete the relevant CHRIS form ([CHRIS69](#) / [CHRIS67](#)) to apply for leave.
- In addition, arrangements may need to be made by the Institution to cover teaching and general administrative duties during the overseas assignment and therefore any funding available for backfill arrangements should be agreed by the Institution before the overseas assignment commences.
- The supervision of the individual's PhD students will also need to be considered by the Institution, if the employee's visits back to the UK are not sufficiently regular to continue this arrangement.

5.2 Due Diligence

- Following discussion and agreement of the initial overseas assignment terms and completion of the risk assessment, the Head of Institution's agreement in principle should be sought by the manager proposing the overseas assignment. The HR Schools Team, in conjunction with the Global Mobility Co-ordinator, will then take forward the necessary due diligence steps set out below.
- All costs relating to due diligence measures (such as seeking external tax and legal advice) will be met by the Institution (through either a grant/external funding or their own budget).

Legal Framework

- When an employee is on overseas assignment, they do not automatically lose their UK employment rights. However, based on the legislation of the assignment country, they may gain additional employment rights.
- Specialist country-specific legal advice is likely to be needed, which will be sought by the relevant HR Schools team, in conjunction with the Global Mobility Co-ordinator. Such advice will establish:
 - What local employment laws will apply that may affect both the employee and the University (for example in relation to redundancy/employment termination);
 - Whether the employee is entitled to enhanced terms and conditions in the assignment country (in relation to working hours, maternity provisions etc.).

Tax and Social Security (National Insurance)

- An employee's liability to pay income/employment tax or social security in any particular country will be dependent upon on their tax residency and social security status, which is determined by several factors such as physical presence in the country concerned, family circumstances, key economic interests, location of employer(s) etc.
- Tax and social security rates and brackets vary greatly from country to country and should the employee be subject to legislation in the assignment country this will impact on their net pay during the overseas assignment.
- It should be noted that tax regulations are entirely separate from social security legislation. This means that an employee could be liable to pay tax in a specific country but not the social security and vice versa.
- Whilst the Overseas Assignment Agreement will set out the employee's expected tax and social security position, the employee will remain fully responsible for payment of their own income tax and employee social security contributions and should seek tax and social security advice at their own cost to ensure compliance.
- As part of the due diligence measures, the HR Schools Team, in conjunction with the Global Mobility Co-ordinator, will obtain initial advice on:
 - The legal obligations for the University to withhold tax (through establishment of an overseas payroll)
 - The legal obligations for the University to pay social security in the assignment country and how this can be facilitated (for example through establishment of an overseas payroll, directly to the authorities, by the employee on behalf of the University);
 - The risk of creating a Permanent Establishment (PE).
- If it is established that the overseas assignment will create a Permanent Establishment for the University overseas, the University could potentially be subject to local tax filings and payments such as audited accounts and corporation taxes. This could be the case even if there is only one individual working in the assignment country. Failing to follow these regulations could expose the University to risk of prosecution and financial penalties. Therefore, a Permanent Establishment should only be created where there is sufficient strategic importance. The relevant HR Schools Team must seek advice from the Strategic Partnerships Office before proceeding with any overseas assignment which may trigger a PE.
- The provision of any allowance or the reimbursement of overseas assignment expenses would normally be taxable. Therefore, it should be clear who is responsible for the tax on the benefit (in most cases this will be the employee). Where a benefit is taxable, it should be reimbursed through payroll rather than CUFS, so that the appropriate tax can be reported. For further information please refer to the guidance available on the [Global Mobility and Overseas Assignments website](#).

- If possible, under the relevant Social Security Agreement, in order to protect their basic state benefits and pension, the employee should apply for a social security certificate (A1/certificate of continuing liability) to provide exemption from any payments in the assignment country and maintain contributions in their normal country of residence. Such certificates are normally valid for a maximum of 5 years and would only be valid for temporary overseas assignments and dual country assignments (not permanent relocations or overseas recruitments).
- Should social security payments become due in the assignment country, the Institution will be liable for any employer liability, which may be higher or lower than the amount of UK National Insurance (NI) paid prior to the overseas assignment.
- Where there is no social security agreement in place between the UK and the assignment country and the employee remains on the UK payroll, employee and employer NI contributions will normally continue in the UK for the first 52 weeks of the overseas assignment. Contributions may also be due in the assignment country resulting in a dual liability.
- If the employee wishes to continue social security contributions in their home country, in order to protect their state benefits and pension, they may be able to arrange payment of voluntary contributions to the relevant authorities. The employee would be responsible for making such arrangements (this would not be handled through payroll) and would be fully responsible for the associated cost.

Work Permits and Visas

- The employee is responsible for establishing any visa/work permit requirements in the assignment country and for making such applications in a timely manner so that they can legally work in the assignment country from the start date of the overseas assignment.
- The employee should provide a copy of their visa/work permit to the relevant HR Schools Team and the Global Mobility Co-ordinator as soon as this has been issued.
- Some overseas assignments may not require visa/work permits, but there may still be a requirement to register with local authorities. It is the employee's responsibility to establish what local requirements apply and ensure that they are correctly registered.
- During the overseas assignment it is the employee's responsibility to ensure that all visas and work/residence permits are kept up-to-date at all times. In some circumstances, the employee may be required to leave the assignment country in order to renew a visa/work permit.
- Should a visa/residence/work permit expire or not be renewed for any reason, the overseas assignment will automatically be suspended or terminated.

UK Immigration Considerations

- Certain terms and conditions apply to individuals sponsored to work in the UK under the points-based immigration system. Specifically, the [HR Compliance Team](#) need to notify the Home Office of a change to work location (including an overseas assignment) within 10 days of that change taking place in order to avoid penalty. Therefore, where an employee who is subject to UK immigration control is planning to work overseas, the relevant HR Schools Team, in conjunction with the Global Mobility Co-ordinator, will consult the [HR Compliance Team](#) to ensure that the implications of the overseas assignment are clear both for the sponsored individual and in terms of legal reporting requirements.
- The employee should also seek advice from the [HR Compliance Team](#) on the implications of the overseas assignment on any future applications for Indefinite Leave to Remain in the UK, visa renewals etc.

Salary Delivery and Exchange Rates

- During the overseas assignment, the employee's salary will continue to be reviewed in line with the University's Policy and incremental progression will take place as normal, if the employee is eligible.
- Wherever possible, the employee will remain on the UK payroll for the duration of the overseas assignment. However, payment can still be made to an overseas bank account for a small fee, if required. Any costs associated with payment into an overseas bank account will be borne by the employee.
- In some cases, an overseas payroll will need to be established for tax or social security withholding purposes **and** for the payment of salary. In this event, the employee's gross salary will be converted to local currency and will be subject to local tax and social security deductions, as appropriate. The employee is responsible for establishing a bank account in the assignment country for the payment of salary, if required.
- In some cases, a shadow overseas payroll will be established in the assignment country for tax and withholding purposes **only** and no salary will be delivered through this payroll. Any payments for employee tax or social security made by the University on behalf of the employee through the shadow payroll will be recovered from the employee through the UK payroll at the next opportunity.
- Overseas payrolls can sometimes be facilitated by Cambridge University Press (CUP) or Cambridge Assessment (CA), but in some cases an external payroll provider will need to be engaged. The process for setting up an overseas payroll can be found in [Appendix 9.3](#).
- The payroll arrangement applicable to the overseas assignment will be detailed in the Overseas Assignment Agreement.
- Where an overseas payroll is being used in the assignment country, either for payment of salary or for the purposes of reporting of income for tax/social security, details of any salary increments, additional payments etc. must be provided to the overseas payroll to ensure they are appropriately reported/paid. Institutions should therefore provide this information to the Recruitment Administration Team as soon as they become aware of any such change so that the necessary action can be taken with payroll.
- The exchange rate applied to conversion of salary and any other allowances will be sourced from [OANDA](#). This will normally be based on the spot rate established annually on 31st July. This rate will then remain fixed until the next August payroll, at which point the most recent 31st July rate will be applied for the following year. Should the exchange rate move by more than 10% in either direction between normal review dates, the rate may be reviewed.
- For employee's undertaking a temporary overseas assignment under the Marie Skłodowska-Curie Global Fellowship, the University will establish an estimated exchange rate, based on data sourced from OANDA. A salary adjustment may then be needed as a result of exchange rate fluctuations, this will be determined at the time of submission of the intermediate and final form C (Financial Statement) to the European Commission and any adjustment will be confirmed to the employee.
- When an employee is paid through an overseas payroll, or remains on the UK payroll but has an exemption for tax (NT code), the University has an obligation to report any visits the employee makes to the UK to HMRC and may, under some circumstances, have to account for UK tax and NI in relation to those visits. Under this Short-Term Business Visitor legislation, the University is exposed to penalties and interest for failure to comply fully with the rules. Full details on the reporting requirements will be stated in the Overseas Assignment Agreement.

Pension/Retirement Plans

- The University recognises the importance to its employees of assuring long term benefits. Therefore, efforts will be made to retain the employee in the University pension plan, where scheme rules and relevant regulations permit.
- If it is not possible for the employee to remain in their University pension plan, other suitable alternatives will be discussed, such as payment into a scheme in the assignment country, via social security contributions. Details of any alternative arrangement will be stated in the Overseas Assignment Agreement.
- If the employee is not able to continue in the pension plan, they should also check that no other long-term benefits will be affected, for example life insurance or death in service benefits. If the employee was a member of the USS pension, it may be possible for them to pay a special contribution so that they continue to be entitled to normal death in service or ill-health retirement benefits. The employee will be responsible for meeting this cost and should speak to the Pensions Team for further guidance.

University Insurance Policies

- Complex overseas assignments will be referred by the HR Schools Team, in conjunction with the Global Mobility Co-ordinator, to the [Insurance Section](#) for consideration of insurance requirements.
- In most cases, the University's liability and other insurances will continue to cover the work that is undertaken for the University.
- For overseas Human Volunteer Studies and Clinical Trials, the Institution must refer to the information on the [Insurance Section webpages](#) for full guidance and ensure that the necessary [application form](#) for insurance is submitted. Please note that where legislation requires a specific local policy to be arranged, this will attract an additional premium which will be recharged to the Institution/research grant. The Institution will be advised of the cost and must agree to pay the premium prior to cover being arranged.
- Where the employee is under the care and control of another institution, through a Secondment Agreement, the Institution should ensure that Collaboration Agreement or Memorandum of Understanding confirms that the employee is covered by the receiving organisation's insurance programme.
- When on official annual leave the University has no responsibility for the employee. Any work product/research the employee carries out for the University however, remains covered by the University's liability and other insurances.

Other Insurance (Travel, Medical, Accident, Workers, Personal Possessions)

- In some instances, there may be a legal requirement for the employer to arrange local medical insurance or contribute to government schemes (such as accident or workers insurance). Insurance is often funded through payroll and/or social security and tax contributions in the assignment country, where there would normally be an employee and employer contribution. However, if medical or work place insurance needs to be arranged through a third-party provider, the Insurance section or the employee may be able to organise this through a local broker. Policies arranged through a broker will incur costs and the annual premium and annual broker fee would be chargeable to the Institution.
- All employees should apply to be covered under the [University's Group Business Travel Insurance](#) for their travel to and from the assignment country and for the duration of the trip. If the overseas assignment is greater than 18 months, referral back to the insurers' underwriters is required. Travel Insurance does not cover the employee whilst they are in the UK. Travel Insurance will not cover regular cross border travel between countries (commuting) with a few exceptions e.g. CERN.
- The University's Travel Insurance is not a substitute for health or private medical insurance which the University recommends that the employee should obtain, ensuring that it is valid in the assignment country.

- The employee would need to arrange insurance for their personal possessions at their own cost – this should include accidental loss or damage to mobile phones, devices or laptops. Theft of devices, phones or laptops is covered by the University's Group Business Travel Insurance, for which the employee must apply.

5.3 Overseas Assignment Terms and Governance

- Once the HR56 Form has been completed in full, with the risk assessment and due diligence provided, the case should be discussed within the Institution again and agreement reached on whether the overseas assignment should proceed.
- If it is decided that the overseas assignment should proceed, final authorisation will need to be given in Section 4 of the HR56 Form, signifying that all parties understand the risks and the financial implications and will take forward any recommended action.

Employment Contact/Relationship

- The underlying employment contract between the University and the employee remains in force and is typically subject to the jurisdiction of the laws of England and Wales. The employment contract does not override any statutory employment rights applicable in the assignment country.
- Where there is a legal requirement, or for the purposes of immigration, a local employment contract might also be established.
- All the University's normal policies and procedures remain in force unless specifically outlined in the [Overseas Assignment Agreement](#).
- The Institution must consider who will manage and supervise the employee, for example, to maintain communication, to monitor performance, provide training and development and deal with any disciplinary and grievance issues during the overseas assignment. It is important to consider how they will communicate and engage with employees on overseas assignment to ensure good employee relations are established and maintained.
- It may be appropriate to create a list of overseas assignment duties with the employee and attach these to the Overseas Assignment Agreement, together with the agreed reporting, management and governance arrangements.
- The reporting requirements of any project must also be clearly observed, especially where governance boards and working groups are a contractual obligation.
- The employee must comply with all enforceable regulations and statutes in the assignment country and any other countries in which they work or travel on business.
- When on an overseas assignment, the employee will continue to be an ambassador for the University, and must be aware of the responsibility this carries both within and outside the work environment and working hours. In particular, employees must be sensitive to the culture and traditions of the local community.

Overseas Assignment Agreement

- As an addendum to the University employment contract, an Overseas Assignment Agreement will be issued to the employee. The Overseas Assignment Agreement summarises the main terms and conditions specific to the overseas assignment, ensuring that the employee and the University are clear on their mutual entitlements and obligations. Should the employee have any concerns relating to their overseas assignment terms, they should raise these with their Head of Institution in the first instance.
- The Overseas Assignment Agreement becomes binding on all parties only once it has been signed by the employee and the University, confirming that it and any documents to which it refers, have been read and agreed.
- This Overseas Assignment Agreement will be subject to the laws of England and Wales and the English courts shall have exclusive jurisdiction to adjudicate on any disputes. The Overseas Assignment Agreement does not override any statutory employment rights applicable in the assignment country.

- The Overseas Assignment Agreement will confirm the following key details:
 - The period of the overseas assignment;
 - Payroll arrangements;
 - Any additional allowances to be provided or expenses to be reimbursed as a direct result of the overseas assignment;
 - Any terms and conditions, that differ fundamentally from those agreed under the employment contract;
 - Any terms and conditions relating to the employee's return to the UK.
- Employees who are on overseas assignment under the Marie Skłodowska-Curie Global Fellowship will not receive a separate Overseas Assignment Agreement. The terms of their overseas assignment (or 'outgoing' phase) will be detailed in their contract of employment.
- Employee's undertaking an overseas secondment will receive an overseas secondment agreement which covers both the terms of the secondment and the overseas assignment.

Leave Entitlement and Working Hours

- Working hours should be agreed between the employee and the manager/Institution, whilst ensuring that all local labour laws and restrictions are adhered to.
- Annual leave entitlement (excluding public holidays) should remain unchanged during the overseas assignment and is subject to approval in line with the University's usual procedures.
- The employee's working pattern will determine if public holidays in the UK or the Assignment Country will apply. This will be confirmed in the Overseas Assignment Agreement.
- Sick leave entitlement will be considered on the basis of the relevant facts and circumstances. If the duration of the sick leave is likely to compromise the success of the overseas assignment, the University may either suspend or terminate the overseas assignment.
- The University has a legal duty to consider requests reasonable adjustments for employees with a disability. Each request received for reasonable adjustments must be considered on their own individual merit.

Employee Benefit Schemes

- Some benefits offered by the University may not be available to employees on overseas assignment, for example if they are not paid through the UK payroll. Where benefits are still applicable, it should be noted that tax and NI implications may result in the benefit being less advantageous. If the employee is in receipt of any such benefits, they are advised to contact the [Reward and Employment Relations Team](#) to discuss the impact their overseas assignment may have.

5.4 End of the Overseas Assignment

- It is expected that the overseas assignment will terminate on the date stated in the Overseas Assignment Agreement. However, under certain circumstances an overseas assignment may also be extended for an agreed period. Termination of the overseas assignment could result in redeployment to another country outside the UK, return to the UK role or a role of equivalent status, termination of employment or redundancy.
- A process flowchart in [Appendix 9.4](#) provides guidance on the termination process, along with the information provided below.

Extension

- An overseas assignment may be extended for strategic reasons. However, before the extension is offered to the employee, the tax and social security implications of the extension should be understood. This will need to be assessed by the HR Schools Team in conjunction with the Global Mobility Co-ordinator. Depending on the circumstances, the terms of the extension may differ from those set out in the original Overseas Assignment Agreement.
- Where possible, an extension agreement should be issued no later than three months before the expiry of the original period of the overseas assignment.

Overseas Assignment Termination

- The overseas assignment will usually terminate automatically on the date given in the Overseas Assignment Agreement.
- The University can conclude the overseas assignment before the planned end date in appropriate circumstances, where there are legitimate research, operational, financial or legal reasons.
- It should be noted that termination of the overseas assignment will not in itself lead to the termination of the employment contract.
- In the event that the overseas assignment is terminated early by the University and employment continues, then the employee will be required to return to work in the UK within 14 days.

Overseas Assignment Debrief

- The employee's manager should organise a debrief in order to obtain feedback on the overseas assignment, set future objectives and to discuss how any new skills acquired during the overseas assignment can be used for the benefit of the University. The discussions can also be used to assist in the planning of future overseas assignments and in the development of future policies.
- In addition, the relevant Institution will refer to the University's Induction arrangements when re-integrating the employee.

Termination of Employment

- Should the employee or the University intend to terminate the contract of employment in line with employment law and Statutes and Ordinances (if applicable), as distinct from the Overseas Assignment Agreement, they must give notice in accordance with the University employment contract.
- In cases where a suitable role does not exist for the employee following the overseas assignment, the provisions relating to redundancy will come into effect.
- Advice should be sought from the relevant HR Schools team, in conjunction with the Global Mobility Co-ordinator, so that any action taken with regard to termination is in line with local employment legislation in the assignment country.
- For Multi-Country and Temporary overseas assignments, it is recommended that employees return to work in the UK for at least 14 days before employment is terminated so that UK employment legislation applies.

- Any relocation will need careful planning, with sufficient time allocated to coordinate tax and social security planning, contract amendments etc.
- It is important that those involved in the relocation process understands their own role and that of others, to ensure that their activities are co-ordinated appropriately.

Employee

- Understand fully the needs and expectations arising from the overseas assignment, seeking clarification where necessary.
- Understand that the overseas assignment has to be in line with the strategic objectives of the Institution and University and be within budgetary constraints. The University, at its discretion, may refuse any overseas assignment.
- Provide all information and documentation (including payroll forms, evidence of overseas work authorisation etc.) to the Institution/relevant HR Schools team in a timely manner.
- Ensure they comply with this all related policies and procedures, such as (but not limited to) the [Health Surveillance Policy and Guidance](#), [Working with Animals in the UK, Europe and Overseas](#).
- Consider their own health and wellbeing, specifically in relation to any existing medical conditions, pregnancy, LGBT+ etc.
- Be aware of the culture, values and beliefs of the assignment country and how these may directly affect them during the overseas assignment.
- Seek further information from the Health, Safety and Regulated Facilities section, HR Schools team and Equality and Diversity section to ensure their safety and welfare is protected during the overseas assignment.
- Ensure immigration, tax return and any other regulatory compliance throughout the duration of the overseas assignment, completing all appropriate documentation accurately and in a timely fashion.
- If in receipt of an excellence award (local or national), inform the relevant awarding body of the planned overseas assignment and discuss the impact that might have on the award.
- Inform the Clinical Director of the relevant NHS trust of the planned overseas assignment and agree arrangements to cover absence (if appropriate).
- Ensure they have the appropriate license and paperwork to practice medicine or carry out clinical work in the assignment country, if required.
- Maintain contact with their manager and the University throughout their overseas assignment.
- Notify their manager of any substantial changes to circumstances which may impact on the overseas assignment.
- Comply with the Higher Statistics Agency (HESA) requirements, ensuring that Employee Self Service (ESS) is kept up to date with current address and contact details. Emergency contact details also need to be provided, and where possible, it is recommended that at least one emergency contact resides outside the assignment country.
- Further guidance and an overseas travel and working checklist for the employee can be found in the [Global Mobility: Employee Guide](#).

Manager

- Liaise with the Departmental Administrator and HR Schools Team to ensure that all Recruitment and Equality and Diversity principles are followed when selecting the appropriate candidate for an overseas assignment (where the conditions of the assignment/any applicable grant allow).
- Complete section one of the HR56 Form, confirming the business case and an estimate of all potential costs, and ensure that the Institution is supportive and has agreed to the additional costs that will arise from seeking external advice (tax and legal).
- Discuss the details of the provisions with the employee to gain a full understanding of their employee's needs and expectations.
- Complete any additional HR forms as required, such as CHRIS50/51/71/10/67, as advised by the HR Schools Team.
- Support the employee in completing a [Risk Assessment](#) and emergency response protocol.
- Assess the requirement for Health Surveillance with Occupational Health and ensure that the processes as detailed in the [Health Surveillance Policy and Guidance](#) are followed.
- If the employee will be working with animals, ensure they comply with the [Working with Animals policies](#).
- Ensure that the employee is aware of the culture, values and beliefs of the country they will be travelling to and how these may affect them (with particular reference to LGBT+, religion etc.)
- Support the employee in seeking further information from the Health, Safety and Regulated Facilities section, HR Schools team and Equality and Diversity section, to ensure their safety during the overseas assignment.
- Encourage the employee to have medical and dental examinations prior to relocating and seek any appropriate medical advice in relation to the assignment country, especially where the employee has an existing medical condition.
- Manage the overseas assignment, ensuring legal and tax compliance, based on the advice received in section two of the HR56 Form and the Overseas Assignment Agreement.
- Be a point of contact for the employee, before and during the overseas assignment, and agree the method of communication and frequency of contact.
- Ensure that the annual performance appraisal (staff review and development) is conducted as normal.
- Inform the HR Schools team and Recruitment Administration Team of any changes to the salary/additional allowances payable during the overseas assignment.
- Ensure sufficient planning takes place in advance of the end of the overseas assignment, to ensure the employee's smooth assimilation back in to the pre-assignment role or to comply with any redundancy legislation.

HR Schools Team in conjunction with Global Mobility Co-ordinator

- Carry out the necessary due diligence steps in order to complete section 2 of the HR56 Form.
- Provide guidance to the Institution on the terms of the overseas assignment (based on information received from external specialists as required).
- Prepare the draft Overseas Assignment Agreement.
- Provide ongoing support for compliance, payroll, pension and contractual issues during the overseas assignment and on termination.

Recruitment Administration Team

- Issue the Overseas Assignment Agreement and other appropriate employment documentation to the employee and upload overseas assignment documentation to CHRIS.
- Make appropriate amendments to CHRIS in relation to the overseas assignment, pension and social security.
- Liaise with the overseas payroll and employee to set up / close down the payroll as necessary.
- Inform the overseas payroll of any changes to salary/additional allowances to be delivered during the overseas assignment (salary increments, exchange rate adjustments etc.).

Policies and Guidance	Templates and Documentation
Global Mobility Guidance: Manager's Guide Global Mobility: Expenses and Allowances Guide Global Mobility: Employee Guide Global Mobility: Frequently Asked Questions Recruitment Policy and Guidance Equal Opportunities Policy Secondment Policy Health Surveillance Policy and Guidance Animal Research Policies	Global Mobility Form: HR56 (Guidance on the form is also available from the same link) Risk Assessment forms and guidance

Useful Contacts/Websites

- HR School teams: <https://www.hr.admin.cam.ac.uk/contact-us>
- Global Mobility Co-ordinator (GMC): Globalmobility@admin.cam.ac.uk
- Safety Office: <https://www.safety.admin.cam.ac.uk/>
- Safeguarding Work Away (Risk Assessment): <https://www.safeguarding.admin.cam.ac.uk/policy-and-guidance>
- Health Safety and Regulated Facilities: <https://www.hsrp.admin.cam.ac.uk/>
- Biomedical Services HO Licencing: ubsHOLicencing@admin.cam.ac.uk
- Animal Research Policies: <https://www.cam.ac.uk/research/research-at-cambridge/animal-research/overseeing-animal-research/animal-research-policies>
- Human Volunteer Studies and Clinical Trials: <https://www.insurance.admin.cam.ac.uk/human-volunteer-studies-and-clinical-trials>
- Occupational Health: occhealth@admin.cam.ac.uk
- Equality and Diversity: <https://www.equality.admin.cam.ac.uk/>
- Pensions: <https://www.pensions.admin.cam.ac.uk/>
- Payroll: payrollenquiries@admin.cam.ac.uk
- Research Operations Office: <https://www.research-operations.admin.cam.ac.uk/>
- Strategic Partnerships Office: <https://www.strategic-partnerships.admin.cam.ac.uk/>
- Insurance: Insurance.section.online@admin.cam.ac.uk
- Group Business Travel Insurance: <https://www.insurance.admin.cam.ac.uk/travel-insurance>
- Key Travel: <http://www.admin.cam.ac.uk/offices/purchasing/travel/index.shtml>
- HR/CHRIS Forms: <https://www.hr.admin.cam.ac.uk/forms>
- UK Tax/HMRC: <https://www.gov.uk/government/publications/income-tax-leaving-the-uk-getting-your-tax-right-p85>
- UK National Insurance: <https://www.gov.uk/national-insurance-if-you-go-abroad>
- Foreign Commonwealth Office: <https://www.gov.uk/foreign-travel-advice>

8. Policy Ownership and Status

- This policy was written (and is maintained) by the Global Mobility Co-ordinator (GMC).
- Any queries specifically relating to the document should be referred to the GMC or the Head of Resourcing.

Status

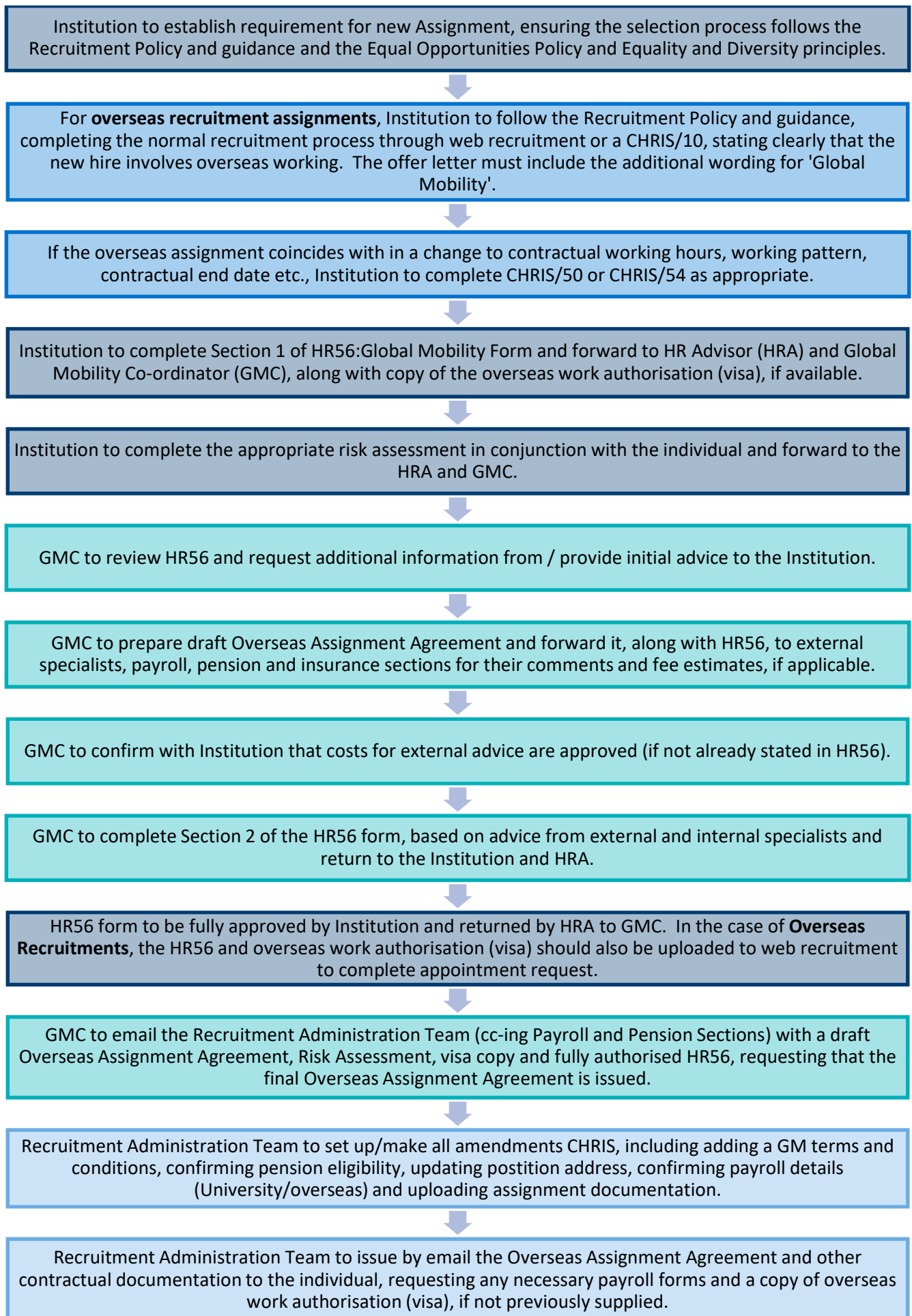
Version	Summary of Amendment	Date
V1.1	Policy Launch	27/01/2020

9. Appendices

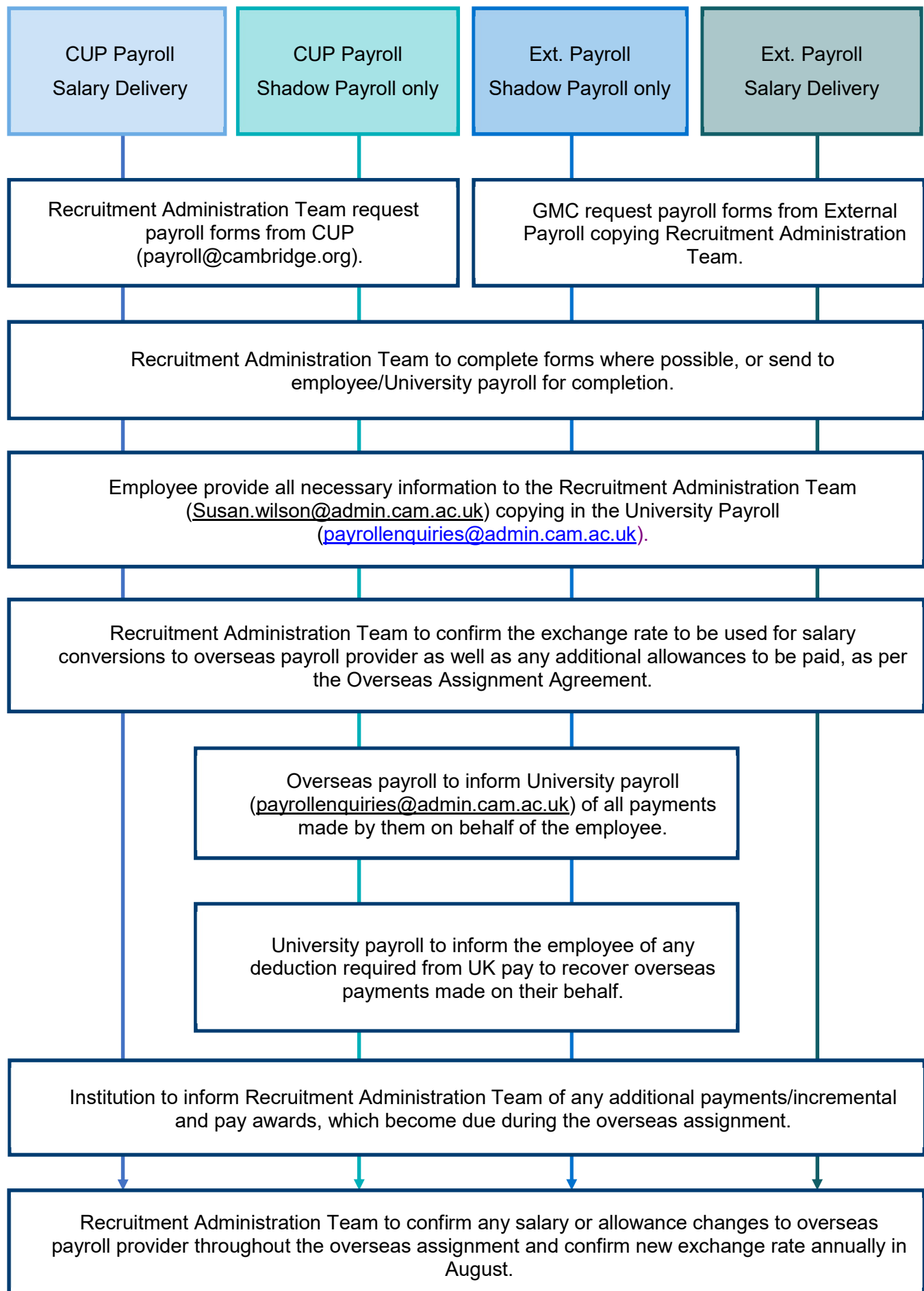
9.1 Definitions

Terminology	Definition
Assignment Country	The Country in which the employee will be living and working during the overseas assignment.
Global Mobility	Global Mobility refers to the movement of individuals across national boundaries for the purposes of their work. This movement can take many forms, from business travel, dual employment, paid leave to more formal overseas assignments.
Host Organisation	The Organisation/Entity or Institution at which the employee is based in the assignment country.
LBGT+	This refers to Lesbian, Gay, Bisexual, Transgender/Transsexual plus. "Plus" is inclusive of other groups, for instance, intersex.
Overseas Assignment	Work/research carried out overseas for more than 183 days (approx. 6 months). There are 4 different types of overseas assignment commonly taken within the University, as detailed under Eligibility .
Overseas Assignment Agreement	A document detailing the terms and conditions specific to the overseas assignment as an addendum to the employee's University employment agreement.
Permanent Establishment (PE)	Business operations in the Assignment Country which generally give rise to income or VAT liability in the overseas jurisdiction. A PE can be create by a single individual working overseas.
The University	The University of Cambridge, including associates, subsidiaries and joint ventures.

9.2 Overseas Assignment Initiation Process Flowchart



9.3 Overseas Payroll Process Flow



9.4 Overseas Assignment Termination Process Flow

