



UNIVERSITY OF  
CAMBRIDGE

# **International Working**

## **Short-term Remote Working Guidance**

**October 2023**

## Table of Contents

|      |   |    |
|------|---|----|
| 1    | Introduction.....   | 3  |
| 2    | Short-term Remote Working Requirement.....                            | 3  |
| 3    | Arrangements Subject to Managerial/Departmental Approval.....         | 4  |
| 3.1  | Upon Recruitment – Up to 30 days .....                                | 4  |
| 3.2  | During Employment – Existing UK-based employees - Up to 30 days ..... | 4  |
| 3.3  | Prior to Termination – Up to 30 days .....                            | 5  |
| 4    | Arrangements Subject to Global Mobility Approval .....                | 5  |
| 5    | Step 1 - Informal Discussion .....                                    | 6  |
| 5.1  | Alternative Leave Options .....                                       | 6  |
| 5.2  | Hybrid Working Policy .....   | 6  |
| 5.3  | Travel Calendars / Monitoring.....                                    | 6  |
| 5.4  | Working Hours.....  | 7  |
| 5.5  | Reporting Arrangements .....  | 7  |
| 5.6  | Overseas Visas / Work Permits.....                                    | 7  |
| 5.7  | UK Immigration requirements.....                                      | 7  |
| 5.8  | Private Medical / Health Insurance .....                              | 8  |
| 5.9  | Data Protection Policy (Cyber Security and GDPR) .....                | 8  |
| 5.10 | Cost to the Institution.....  | 8  |
| 5.11 | Costs to the Employee.....  | 8  |
| 6    | Step 2 - Formal Request .....   | 9  |
| 6.1  | Short-term Remote Working Approval Form .....                         | 9  |
| 6.2  | Travel Risk Assessment.....   | 9  |
| 7    | Step 3 - Approvals.....   | 10 |
| 8    | Step 4 - Formal Agreement .....                                       | 10 |
| 9    | Step 5 – Extensions and Termination .....                             | 11 |
| 10   | Appendix 1 – Business / visitor visa vs work permit .....             | 12 |

## Introduction

Short-term remote working is governed by the [International Working Policy](#) and is supported through this guidance and the [International Working Introductory Guidance](#). The [Global Mobility HR Team](#) within the Resourcing team in the HR Division is in place to provide advice and support in relation to short-term remote working, at all stages.

Short-Term Remote Working is supported by the University, with certain conditions, on the basis that it is relatively low risk in terms of employee safety and wellbeing and employer compliance obligations. However, the Institution remains fully responsible for all risks (and costs) which may arise.

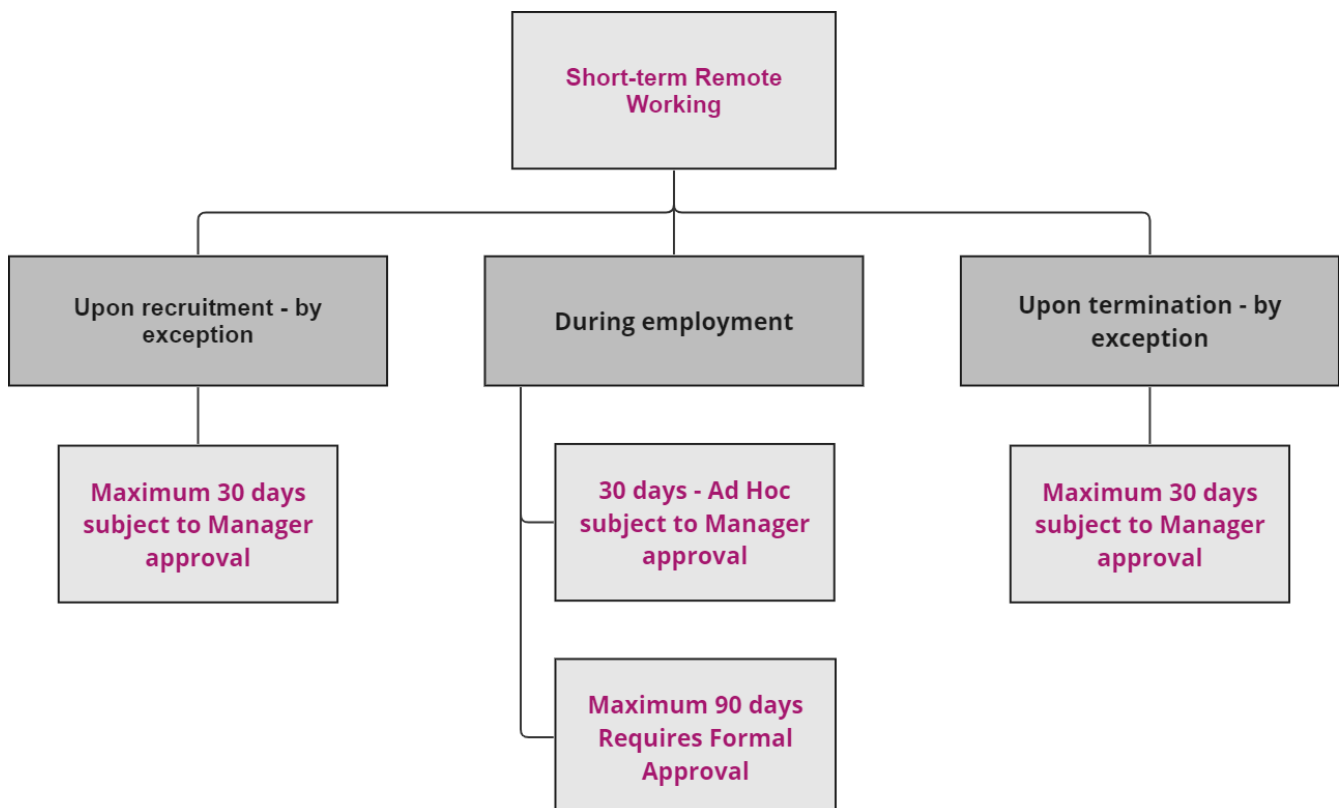
During short-term remote working the employee will be paid through the UK payroll and will be subject to all UK statutory deductions. The employee remains fully responsible for any personal tax liability and must ensure that their overseas and UK tax filings are in order and that they are complying with all applicable deadlines. The University recommends the employee seek independent advice to ensure their compliance and to understand their tax position.

All normal University policies will continue to apply.

For any remote working requirement which exceeds the durations permitted under this guidance – please refer to the [International Working Process Guidance](#) and consult with the [Global Mobility HR Team](#).

## Short-term Remote Working Requirement

Short-term Remote Working may be required at the start, during or at the end of the employee's employment as summarised below:



## Arrangements Subject to Managerial/Departmental Approval

The arrangements set out below do not require a formal request or approval as set out in this guidance. However, employees/Managers are still advised to take note of this guidance (specifically Step 1 - [Informal Discussion](#) and Step 5 - [Termination](#)) and the International Working Policy. A [Travel Risk Assessment](#) will also still be required.

If the employee's personal circumstances or the nature of the arrangement does not fall under any of the below categories, see [section 4](#).

### 3.1 Upon Recruitment – Up to 30 days

Where a role is UK-based, it is expected that the employee should commence the role in the UK (relocating from their home country as necessary).

Where an employee starts work outside the UK, they may be liable to tax and/or social security in the overseas location from the start of their employment and overseas employment legislation may apply. There are also risks associated with permitting an employee to work overseas whilst a UK visa is being processed, as that application may not be successful.

Therefore, if the employee is unable to relocate in line with the proposed start date, then the start date should be postponed until such time as they can relocate.

By exception, and subject to the approval of the Manager/PI (or Departmental Administrator/HR as appropriate), an employee may commence their employment outside the UK, for example to finalise their relocation and tie up any outstanding business in their home location, subject to the following conditions:

- **The employee has already obtained UK right to work** (or this is not required due to their nationality)
- The employee **agrees to relocate to work wholly in the UK within 30 days** from the start date of employment. The 30 days includes annual leave, weekends and other leave (including unpaid).

If the request does not meet the above conditions, please contact the [Global Mobility HR Team](#) to discuss alternative options.

### 3.2 During Employment – Existing UK-based employees - Up to 30 days

Existing employees may request short-term remote working outside the UK for a temporary period, after which they will return to continue working wholly in the UK. This includes remote working in the employee's home country/country of nationality but also other overseas locations.

Short-term remote working of this nature is commonly requested in order to:

- manage short-term caring responsibilities;
- spend extended time with family who reside overseas, often in conjunction with annual leave;
- undergo medical treatment.

Where an employee has been resident in the UK for at least 12 months prior to their request, they may, subject to the approval of their Manager/PI (or Departmental Administrator/HR as appropriate), work remotely outside the UK on an ad hoc basis, of up to a **maximum of 30 days** in any rolling 12-month period. This 30 day period includes remote working days only, annual leave and weekends do not need to be taken in to account.

For requests that will exceed 30 days ad hoc remote working days, or where the employee has relocated to the UK in the preceding 12 months (for example recent recruits from overseas), please see [section 4](#).

### 3.3 Prior to Termination – Up to 30 days

Where a role is UK-based, it is expected that the employee should carry out that role in the UK for the duration of their employment.

Where an employment is due to end, but the employee relocates overseas prior to their employment end date and continues to work remotely (for example because they have accepted another position outside the UK, or need to relocate for family reasons), they may be liable to tax and/or social security in the overseas location from the date they leave the UK and overseas employment legislation may apply, specifically in relation to termination (which may require longer notice periods, additional payments etc.).

Therefore, if the employee plans to relocate overseas, the employment should be terminated, for example through resignation, before they leave the UK.

By exception, and subject to the approval of the Manager/PI (or Departmental Administrator/HR as appropriate), the University may support an employee continuing to work remotely after they have relocated outside the UK for up to a **maximum of 30 days** (which includes annual leave, weekends, other leave - including unpaid), prior to the end of their contract providing that:

- The employee has spent no other time working in the overseas location in the 12 months prior to relocation;
- The employee has resigned their contract; or
- The contract is for a fixed duration, with no possibility of extension.

Such arrangements do not require a formal request or approval as set out in the steps below. However, this guidance (specifically Step 1 - [Informal Discussion](#) and Step 5 - [Termination](#)) and the International Working Policy should still be considered and a [Travel Risk Assessment](#) will still be required. The employee would also need to return all University property before leaving the UK, or reach agreement on how these can be returned at a later date.

If the request does not meet the above conditions, please contact the [Global Mobility HR Team](#) to discuss alternative options.

## Arrangements Subject to Global Mobility Approval

Any requests which do not meet the criteria set out in [Section 3](#) (i.e. requests of more than 30 days or employees who have relocated to the UK within the last 12 months) will require approval from the [Global Mobility HR Team](#) in line with the [steps](#) set out in this guidance.

To note:

- Such requests are limited to a **maximum of 90 days** (approx. 25%) of any rolling 12-month period to any one, single country;
- They can be taken as one trip, or several trips of shorter durations totalling no more than 90 days;
- The 90 days includes annual leave, weekends, other leave (including unpaid) and business travel to that country.

If the request does not meet the above conditions, please contact the [Global Mobility HR Team](#) to discuss alternative options.

If an employee has spent time outside the UK (in any country), in the 12 months prior to their short-term remote working request, this may impact on the length of time which can be authorised as short-term remote working under this guidance, and may result in additional compliance requirements.

## Step 1 – Informal Discussion

In line with the International Working Policy, when Short-term Remote Working is being considered, informal discussions should take place in the first instance between the employee, their Manager and the Head of Institution (or Institutional Administrator / HR as appropriate).

It may also be helpful to consult the:

- [HR Business Partnering Team](#) - to provide HR support and advice where this is not available within the Institution.
- [Global Mobility HR Team](#) - to provide advice and clarification on the processes and actions required.
- [Occupational Health / Equality, Diversity and Inclusion](#) – to ensure the employee’s health and wellbeing, and any specific work-related needs are appropriately considered.

The key areas for consideration during the Informal discussion are:

- the justification (such as family / caring commitments, medical condition etc.);
- the potential risks in terms of employee safety and wellbeing;
- alternative options available (such as paid / unpaid leave, career break);
- the impact on the employee’s role and responsibilities (will they have appropriate equipment, internet access etc.);
- the effect on colleagues, the Institution and students (including service delivery, quality implications, setting precedent);
- how the employee’s needs will be supported and supervised (particularly employer duty of care and health & safety responsibilities including medical advice on workplace adjustments which would need to be set up at a distance);
- how other requests have been managed in the Institution and across the School / Faculty;
- the immigration (right to work) requirements in the overseas location.

### 5.1 Alternative Leave Options

The Manager should ensure that Short-term Remote Working is the best option for the employee. For example, remote working may be requested for medical reasons or due to a family bereavement, and in these cases sick or compassionate leave may be more appropriate. The University HR webpages contain information on the types of leave available to [assistant staff](#) and [academic-related and academic staff](#). These pages also include a summary of [annual leave by staff category](#).

### 5.2 Hybrid Working Policy

Although outside the UK, many of the expectations set out in the [Hybrid Working policy](#) are also likely to apply to Short-term Remote Working and should therefore be fully considered by the Manager and employee.

### 5.3 Travel Calendars / Monitoring

The employee is responsible for monitoring their ongoing travel to ensure that they do not exceed the agreed remote working duration in any rolling 12 month period and they should be able to confirm the number of days spent outside the UK when requested by their Manager or the Global Mobility HR Team.

A [travel calendar](#) is available to assist with recording and monitoring travel.

## 5.4 Working Hours

Working hours will need to be agreed between the employee and their Manager, taking in to account any local time differences, whilst ensuring that all local labour laws and restrictions are adhered to.

## 5.5 Reporting Arrangements

Effective communication with employees who are working in different time zones and locations can be complicated. The Manager should consider who and how they will:

- manage employee safety and wellbeing;
- maintain communication and conduct 1:1 conversations;
- review performance and carry out annual performance appraisals (staff review and development discussions) if they occur during the remote working period;
- review and approve annual leave;
- manage any disciplinary and grievance issues.

Additional training on Managing remotely / Managing in a hybrid environment can be found on the [Personal and Professional Development](#) webpages.

## 5.6 Overseas Visas / Work Permits

Employees undertaking Short-term Remote Working outside the UK will be subject to immigration and entry visa requirements of the overseas country in which they are working and these requirements will vary depending on the country concerned, the employee's nationality and the type of work to be conducted.

It is often thought that if an employee is remote working for a UK employer and continues to be paid in the UK, they will not require a work/employment visa in the overseas location. This is not always the case - **the majority of immigration authorities will consider where an employee is physically working**, not where the employer is located, when assessing immigration requirements. Some countries have confirmed that work visas will not be required for remote working, but the employee would need to show evidence of this legislation with their Formal Request.

The employee can seek advice on visa requirements from relevant embassy or by engaging an external immigration agent (such as [CIBT visas](#) – see [Appendix 1](#) for further information). The employee will be responsible for the costs for any applications required.

Business / visitor visas do not always allow productive work to be undertaken. The activities permitted under a business trip will vary, but some basic guidance is provided in [Appendix 1](#).

If the employee is a national of the country they are working in, a work permit/visa will not be required.

A copy of the employee's right to work authorisation (passport or visa/work permit) should be included with the Formal Request, if available. If the visa is not available at that time, a copy should be provided to the [Global Mobility HR Team](#) **before** short-term remote working commences.

## 5.7 UK Immigration requirements

If the employee holds a visa which allows them to work in the UK (for example on a Tier 2 or Skilled Worker visa), the University is required by law to inform the Home Office of any changes to work location within **10 days** of the change taking place. The Institutional Administrator / HR should notify [HR Compliance](#) to advise them of the planned Short-term remote working arrangement. Failure to notify the authorities could have serious repercussions for the University and may affect the employee's right to work status in the UK and ability to secure any future visa extension or renewal.

The employee should also be aware that absences from the UK may have implications for their future status in the UK, in terms of applying for Indefinite Leave to Remain in the UK, visa renewals etc.

## 5.8 Private Medical / Health Insurance

Employees undertaking Short-Term Remote Working will not be eligible for cover under the [University's Travel Insurance](#) and in certain countries, there will be no free health care provision, or the state funded healthcare provision may be inadequate. The employee will therefore need to ensure that they have appropriate travel and medical insurance in place (ideally, this should include costs for medical repatriation back to the UK).

The employee may wish to apply for a [Global Health Insurance Card \(GHIC\)](#) or [European Health Insurance card \(EHIC\)](#) that can provide free or reduced cost state healthcare in certain countries.

## 5.9 Data Protection Policy (Cyber Security and GDPR)

When an employee is working outside the UK, this could present a higher risk in relation to the secure transfer of data. The security of internet connections at employees' homes may be less reliable than in a controlled office environment, and the storage of confidential data may be more difficult to supervise, especially if an employee is often travelling between locations.

If an employee processes personal data, there may also be data protection issues to consider, especially if an employee is working remotely in a country outside of the European Economic Area (EEA). Under GDPR rules, personal data cannot be transferred outside the EEA unless the recipient provides adequate protection for the personal data, or other safeguards are in place.

Managers and employees should review the University's [data protection policy, guidance](#) and [privacy notices](#), and consider renewing [data protection training](#) and [Cyber Security training](#).

## 5.10 Cost to the Institution

Although Short-term Remote Working should be relatively low risk and unlikely to incur costs, the Manager/Institution should consider what action they would take if an employee was unable or unwilling to return to the UK as planned, for example due to a medical condition which prevented travel, or travel restrictions resulting from a pandemic or political situation. In the event of an overstay, additional costs could quickly be incurred for which the Institution could be responsible.

## 5.11 Costs to the Employee

The employee will be fully responsible for any travel, accommodation, visa and subsistence costs incurred during Short-term Remote Working, as well as any additional costs associated with non-compliance with the International Working Policy, accompanying guidance and the conditions stated within their Formal Agreement for short-term remote working.



## Step 2 – Formal Request

### 6.1 Short-term Remote Working Approval Form

Where approval is required from the Global Mobility HR team (as set out in [Section 4](#)), the employee should submit a request via the Short-term Remote Working [approval form](#). For other arrangements Managerial/Departmental approval is sufficient.

The approval form sets out the key employee and travel information. If information is missing from the approval form or further clarification is needed, the request may need to be amended and resubmitted.

The following documentation should be provided along with the approval form:

#### Must be submitted at time of application:

- [Travel Risk Assessment](#) (see below for further information)
- Written confirmation from the Manager/PI (by email for example) that they support the application for remote working and that they are satisfied that:
  - ✓ The employee will have appropriate equipment and internet access;
  - ✓ The employee will be able to continue to meet all the requirements of the role; and
  - ✓ They can supervise the employee appropriately.

#### Provided at the time of application, or as soon as possible following approval:

- Copy of passport and/or evidence of work authorisation for the overseas location;
- Return travel Documentation (i.e. flight confirmations).

### 6.2 Travel Risk Assessment

All employees must complete a [Travel risk assessment](#) prior to commencing a Short-term Working arrangement (even those arrangements where Managerial approval is sufficient). Advice on potential risks and security issues can be obtained from:

- [Health, Safety and Regulated Facilities](#)
- [HR Business Partnering team](#)
- [Equality and Diversity](#)
- [Government Foreign Travel Advice](#)

Risks may be related to:

- the employee's personal circumstances - specifically in relation to age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation and caring responsibilities;
- the work to be carried out – for example if the research they are carrying out is considered controversial, where Trade Unions and Trade Union activism are illegal etc.;
- the countries in which they will be working.

Where there are any particular concerns regarding employee safety, these should be highlighted to the Global Mobility HR Team on the approval form.

### Step 3 - Approval

The employee should submit the approval form, along with the required accompanying documentation (including Travel Risk Assessment), for approval to: Global Mobility HR Team

The following parties should be in copy to that email for their information:

- Head of Institution (or Institutional Administrator / HR as appropriate)
- HR Business Partnering Team

The Global Mobility HR Team will also issue a report to the Head of Institution (and/or Institutional Administrator /HR as appropriate) and HR Business Partnering Team on a monthly basis to confirm the details of all Formal Requests which have been submitted, for their reference.

Approval from the Global Mobility HR Team confirms that the necessary employer compliance obligations and risks have been assessed and can be managed as Short-term Remote Working.

Approval is given on the understanding that the employee has fully discussed their request with their Manager and the Head of Institution (or Institutional Administrator/HR/HR Business Partnering as appropriate) and that they support the arrangement.

### Step 4 – Formal Agreement

The Global Mobility HR Team will confirm their approval by issuing the employee with a Formal Agreement detailing the terms applicable to the Short-term Remote Working arrangement. This will normally confirm:

- The agreed duration;
- Payroll arrangements;
- Employee obligations;
- Employment terms and conditions.

The Global Mobility HR Team will provide a copy of the Formal Agreement, along with the approval form to the Institutional Administrator/HR, and they should retain this for their records.

## Step 5 – Extensions and Termination

Short-term Remote Working is expected to terminate in line with the agreed end date (as stated in the Formal Agreement, or as agreed by the Manager/PI for shorter durations). However, in some cases, either the employee or the Manager/Institution may need to end the arrangement earlier than planned, or the employee may wish to extend it (up to the maximum 30/90 days).

The Manager/Institution or employee should inform the [Global Mobility HR Team](#) of any change to the expected end date as soon as possible.

If the arrangement will be extended, the [Global Mobility HR Team](#) will issue an extension agreement to the employee to confirm their new end date.

If the employee is unable or unwilling to relocate/return to the UK at the end of the agreed remote working period, the Institution should contact the [Global Mobility HR Team](#) and their [HR Business Partnering Team](#) as soon as possible so that they can review the options, implications and potential costs. This may include, having reviewed all other possible options, as a last resort removing employee access to University systems and considering placing the employee on unpaid leave until they can return to the UK and may in some cases result in disciplinary action.

## 8 Appendix 1 – Business / visitor visa vs work permit

Each country has its own immigration rules and the definition of the activities which can be carried out under a business or visitor visa will vary from country to country. Below is some general guidance on the activities which might be permitted but it is always advisable to check the local guidance (with the foreign [consulate / embassy](#) for example) in advance of short-term remote working.

[CIBT visas](#) also offer a quick assessment of the visa requirements for approximately £35. If following that assessment they determine that a visa is needed, they can provide further advice (at an additional cost). The cost of this service would be borne by the employee, as this is a personal request.

Activities which might be permitted under a business / visitor visa include:

- Attending pre-arranged meetings/conferences/seminars
- Speaking at a conference on a one-off basis
- Carrying out site visits and inspections
- Business development meetings
- Limited meetings with clients/colleagues
- Networking
- Negotiating contracts
- Attending industry events/trade fairs
- Occasionally checking emails or taking urgent calls whilst on holiday

Therefore, all productive work outside the UK, including remote working, is unlikely to be permitted under a business travel or visitor visa. Such work is likely to require some form of work authorisation / permit.