



## Working Abroad Policy and Procedure

### Introduction

West Oxfordshire District Council ('the Council') prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees, to give their best.

The Working Abroad Policy and Procedure ('the Policy') is to support flexibility in work arrangements while maintaining compliance with business needs, employment laws, and tax regulations. This Policy allows permanent employees to request to work from an international location for a limited period, while ensuring that such arrangements are temporary in nature.

This Policy does not form part of your Contract of Employment, and we reserve the right to amend or withdraw it at any time.

### Scope

This Policy applies to all permanent employees who have completed at least one year of continuous service with the Council and who are not the subject of ongoing disciplinary, grievance, capability or sickness absence processes.

It does not apply to contractors, consultants, agency workers or any self-employed individuals working for the Council.

### Restrictions

This Policy does not allow requests for permanent relocation outside the UK or extensions beyond the 4-month period. These requests will not be considered.

Additionally, this Policy only allows requests to work in countries within the EU and covered by the General Data Protection Regulation (GDPR).

This policy assumes that if misconduct is suspected, our separate Disciplinary Policy and Procedure will apply. For example, we may take disciplinary action if there is evidence that:

- An employee is undertaking inappropriate activities whilst working abroad
- An employee has breached any of the Council's policies and procedures

### Application and approval procedure

An employee may request to work abroad for up to a maximum of 4 months, and an employee can submit one request within a rolling 12-month period.

An employee must submit a formal request to their manager in writing at least 3 months prior to the intended start date of the working abroad arrangement. An employees requests must include:

- Justification for the temporary overseas work arrangement
- Details on the specific location and any potential impact on business operations
- Proposed start and end dates, including the total duration of the arrangement
- Confirmation that a valid VISA or other authorisation (existing Citizenship etc.) will be in place for the host country to cover the duration of the intended stay

An employee must demonstrate that their role can be effectively performed remotely without negatively impacting service delivery, collaboration, or team performance.

The manager will usually arrange a meeting to discuss the request. The aim of the meeting is to find out more about your proposed working arrangements and how they could be of benefit to both the employee and the Council. An employee should be prepared to suggest solutions which will help the case.

Each request will be reviewed by the appropriate Head of Service, HR, ICT and appropriate Director on a case-by-case basis, considering operational feasibility, compliance with tax and legal obligations, data security, and any time zone or work-hour limitations.

Final approval of requests rests with the Senior Leadership Team (SLT), in conjunction with HR and is subject to departmental workload and organisational priorities.

## Timescales

Once an employee has submitted a request, it will be dealt with as soon as possible. The aim is for all requests to be dealt within a reasonable timeframe from receipt of the request. The timescales within this Policy may be extended where mutually agreed.

## Notifying employees of the decision

If an employees request is approved, the agreed arrangements will be confirmed to you in writing.

If your request is denied, the reason for the decision will be confirmed in writing. A request may be denied in full or in part, for example, the Council may propose:

- A modified version of the request
- An alternative start date
- A shorter period of time for the working abroad arrangements

## Right of appeal

As the Council does not have a business requirement to operate outside the UK and this Policy is implemented entirely at the Council's discretion, decisions regarding requests to work abroad are final and not subject to appeal.

## Terms and conditions

The Council reserve the right to terminate the working abroad arrangement at any time if it affects performance, operational needs, or compliance. The employee will usually be given at least 20 working days' notice to terminate the arrangement.

An employee is required to return to the UK at their own expense if business needs arise, such as resolving IT issues, attending mandatory in-person meetings, or fulfilling other critical responsibilities. In these circumstances, the employee will be given as much notice as possible, where applicable.

While working abroad, all the Council's Policies and procedures will continue to apply.

## **Work location**

The overseas location must have the infrastructure to support the necessary technology and data security requirements for the employee's role. The employee is not able to move work location between countries during the period abroad.

## **Time zone considerations**

The employee must align the work hours with UK business hours, unless an alternative schedule is approved in advance by their manager. An employee should be accessible during agreed working hours and maintain regular communication with their manager.

## **Tax and legal compliance**

The employee will be responsible for ensuring compliance with any local tax and immigration requirements and must work with HR to confirm that no tax liabilities or legal risks arise for the Council.

## **Compensation and benefits**

The employee will continue to be paid in GBP and remain subject to UK taxes, employment benefits and employment law. No additional compensation for travel, accommodation, or living expenses will be provided. The employee will remain a resident of the UK.

## **Company equipment and data security**

The employee must use Council-issued equipment and follow all of the Council's data security protocols. It is the employee's responsibility to ensure that adequate measures are in place to prevent the loss or damage to Council equipment, ensure data security and prevent fraud.

## **Insurance and liability**

The employee should verify that they have adequate personal travel insurance; the Council assumes no liability for personal matters arising abroad.

The Council's insurance does not cover our work equipment while working outside of the UK. The Council will review the risk associated with each case and agree on appropriate actions on an individual basis.

## **Reinstatement to UK-based work**

At the end of the approved overseas work period, the employee is required to return to their primary work location in the UK and continue their duties as per their original contract terms and by a date specified before departure.

## **Related policies**

This Policy should be read in conjunction with the Council's Agile Working Policy and Procedure.

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