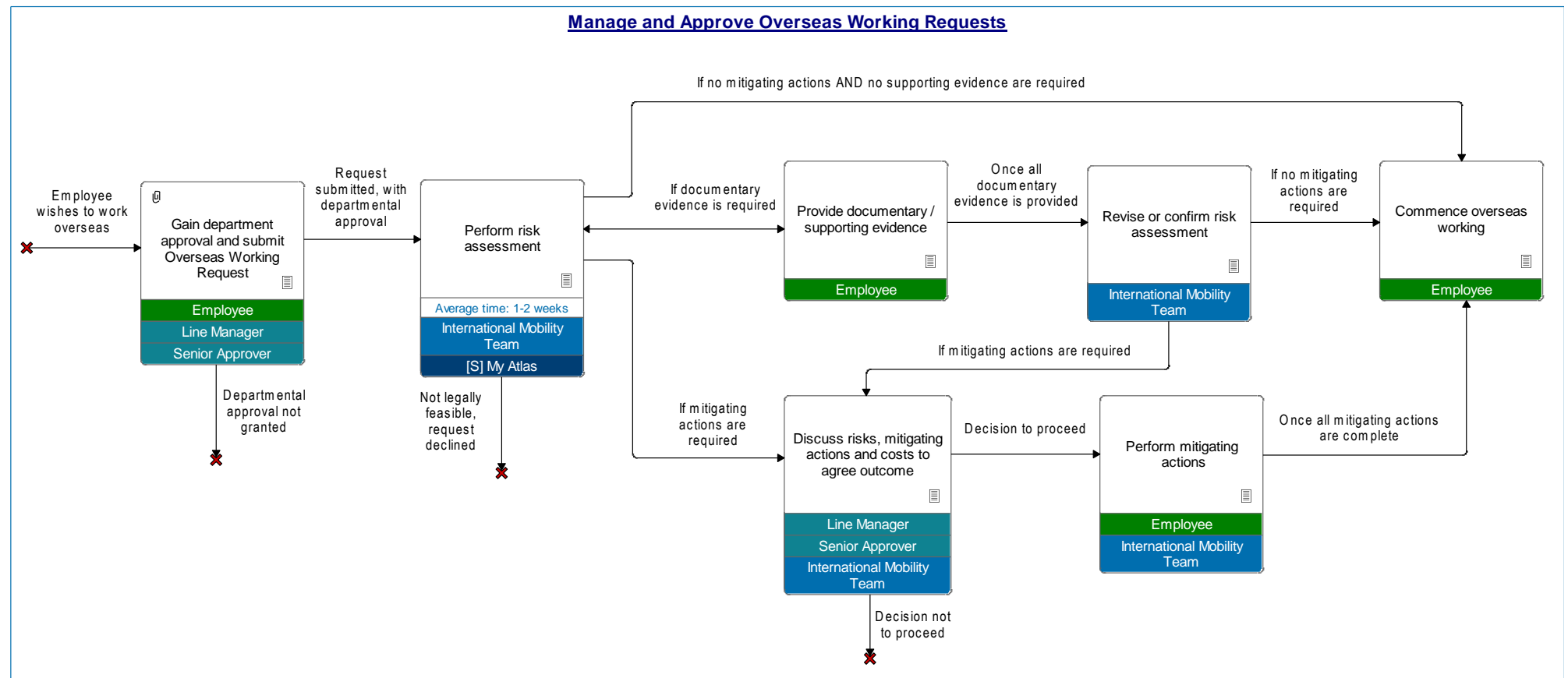


# Process Guidance for staff: manage & approve overseas working requests

## Process overview diagram

**About this process:** this diagram describes the formal process followed by the College to request and approve overseas working for College staff. The core purpose of the process is to ensure that the College and its employees remain legally compliant when implementing overseas working arrangements.



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## Process Guidance Notes

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### **Activity 1: Gain department approval and submit Overseas Working Request.**

**Who:** Employee; Line Manager; Senior Approver

As a first step, the employee and Line Manager discuss the request, consulting the [Overseas working guidance and International Mobility Framework](#), to determine whether or not it is likely to be supported by the department.

The employee downloads and completes the [Overseas Working Request Form](#) (.docx).

The Line Manager emails the form to the Senior Approver within the department and requests approval to submit the request. This could be the Head of Department, Department Operations Manager or Faculty Operating Officer.

Once approved, the Line manager emails the completed form and the associated email approval chain to [international-mobility-team@imperial.ac.uk](mailto:international-mobility-team@imperial.ac.uk).

Permission to work overseas **must** be requested in advance. Fully completed requests will be reviewed promptly by the International Mobility Team.

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### **Activity 2: Perform risk assessment.**

**Who:** International Mobility Team; [S] My Atlas

The International Mobility Team (IMT) undertakes a compliance risk assessment that will identify the risks and any mitigating / downstream actions required, related to the employee's: immigration and visa status (maintaining their right to work in the destination and in the UK), social security (to ensure they have access to healthcare if required), pension (to ensure their pension is not negatively impacted), personal tax liability (to ensure they only pay tax in one jurisdiction, the legally correct one), Permanent Establishment (measures to avoid creating a Permanent Establishment in another territory).

They will also check risks for the College in relation to: immigration and employment regulations, corporate tax liability, payroll

If further information is required in order to assess the risks, the IMT will email the employee and line manager to request the information. The IMT will request documentary evidence from the employee, such as passports, visas, insurance, etc. to support the answers provided in the Overseas Working Request Form, if they do not already have these on file.

Once the risks, liabilities, mitigating / downstream actions and associated costs have been identified, the IMT inform the Line Manager and Senior Approver department along with a recommendation regarding whether to approve or decline the request, based on the International Mobility Framework. If it is not legally possible to facilitate the request, it will be declined.

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### **Activity 3: Provide documentary / supporting evidence.**

**Who:** Employee

If the IMT require further information to perform a risk assessment (or necessary documents not already held on file e.g., passports, visas, insurance, etc.), they will contact the employee, or the line manager. The risk assessment may not be completed until the information is provided.

Document copies are stored in a secure area in line with the College's data protection policy, accessible only to the IMT and the Compliance Team. The same documents may not need to be requested again if the employee submits another Overseas Working Request.

All documentary evidence must be provided before work can commence, as it can sometimes reveal information that alters the outcome of the risk assessment.

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### **Activity 4: Revise or confirm risk assessment.**

**Who:** International Mobility Team

Once all of the required evidence has been submitted to the IMT, they check and identify if any changes are required to the original assessment. If the team determines that no actions or evidence are outstanding, the employee will be informed that work can commence. Any changes to the assessment will be discussed with the line manager and Senior Approver.

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### **Activity 5: Discuss risks, mitigating actions and costs to agree outcome**

**Who:** Line Manager; Senior Approver; International Mobility Team

Where the IMT identifies the need for mitigating actions, the line manager and Senior Approver will be informed of:

1. A list of mitigating actions that must be carried out for compliance purposes.
2. The costs involved in meeting these actions.
3. A list of documentary evidence that will be required before the request can be approved.

The department will consult the IMT and decide whether to proceed in light of the International Mobility Framework and the effort, time and costs of facilitating the request. If the department decides to proceed, the employee is informed of the actions they must undertake and the conditions to which they must agree to adhere.

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### Activity 6: Perform mitigating actions.

**Who:** Employee; International Mobility Team

All required mitigating actions will need to be completed before overseas working can commence. Some actions will be the responsibility of the employee, e.g. Apply for a visa, confirm that conditions to avoid Permanent Establishment will be adhered to, confirm that implications for the employee's pension are understood and accepted (if applicable)

Some of the actions will be facilitated by the IMT, with the support of an external partner in of complex cases, e.g.: A1 / Certificate of Coverage, setup payroll in another territory, enact tax treaty.

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### Activity 7: Commence overseas working.

**Who:** Employee

Once all the required actions and evidence have been submitted to the IMT, the team will perform a final assessment to ensure that all compliance checks and legal obligations are met, before issuing formal approval for overseas working.

If the team determines that any actions or evidence are outstanding, the employee will be contacted and the request will remain on hold until all conditions are met.

Once all the legal and compliance checks are passed, written approval is issued to the employee, their line manager and the senior departmental approver. At this stage, the employee may commence overseas working, within the approved terms and conditions.

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For further information, or to request assistance, please contact the IMT at [international-mobility-team@imperial.ac.uk](mailto:international-mobility-team@imperial.ac.uk)