

LOCATION AND INTERNATIONAL ‘RE-MOTE’ / AGILE WORKING

The University of Suffolk (UoS) agile working framework/ guidance supports levels of agility which enables choice over the best location to undertake work activity (depending on if collaboration or ‘quiet time’ is needed) and maintains a strong connection with colleague and campus.

We want to support our staff to do their best work and maintain a good work life balance whilst staying connected to colleagues, students and the wider university community. We are supportive of doing what we can to enable staff to perform their roles effectively, taking into account, individual circumstances, the requirements of the University, and compliance considerations.

Eligible staff who wish to formally change their working arrangements are able to submit a flexible working request. Our flexible working policy, which sets out further details, can be found on the intranet.

All UoS contracts of employment have a location/base (the normal place of work) of the University’s main campus in Ipswich. Although the majority of roles at the University have been designated as Agile (to some degree), the contractual place of work remains unchanged and regardless of the opportunities to work remotely from time to time, the following points should be adhered to in respect of general accessibility and in respect of the constraints of overseas working.

With the exception of ‘permitted activities’ – such as attendance/ speaking at conferences abroad, undertaking agreed research abroad, or international travel on official UoS business (activities which have a valid requirement to be undertaken abroad) - usual work activities which normally should be carried out at the base location should not be undertaken abroad.

Although some technology can enable staff to undertake work from outside of the UK, not all UoS digital options are available to support this and working from locations outside of the UK can introduce a higher risk of security threats.

In addition, from an employment perspective, we cannot facilitate or support staff to work from abroad (outside of permitted activity) for a number of very complex legal reasons.

Allowing staff to undertake their work outside of the UK presents serious complications for tax, and social security liabilities for the University related to the Country that they are undertaking the work from, and each country will have differing local and labour laws. This is a very complex area which requires specialist legal advice.

There are a number of potential compliance issues associated with international remote working, depending on the individual circumstances. These include the following:

- The proper accounting of social security and other deductions that may be due in the overseas country where work is done.
- The proper accounting of tax and tax residence issues.
- The risk of the University creating a permanent establishment in the country where staff are working, potentially giving risk to corporate tax liabilities.
- Local employment law rights which may apply.
- Data protection and security considerations, including cross border data transfers.
- Health and safety.
- The protection of intellectual property.
- Pension scheme eligibility / pension scheme rules.
- Immigration and visa requirements.
- Insurance.

Because of these issues and the principles of our agile working framework (which require that individuals may be required to attend campus at any time to carry out the proper performance of work activities, provide cover for colleagues and aid the smooth running of the university;) the University is unable to operate a policy where staff can opt to work remotely from other countries at their discretion. This would create potential risk exposure both for the University and the individual member of staff. Our position on this is consistent with that of many other HEIs in the UK.

If there are specific reasons why a member of staff is required to work from abroad for a period, the University will consider these in determining whether permission should be granted. However, a request to work remotely for personal convenience reasons (e.g., following a period of holiday abroad, or during university vacation periods) would not normally be approved.