



## **ADDITIONAL TERMS AND CONDITIONS FOR EMPLOYEES BASED OVERSEAS**

### **1. Introduction**

1.1. These terms and conditions of service will apply to all employees who would normally work at St George's, University of London campus but are based overseas for six months or more on St George's, University of London business. St George's, University of London's normal relocation expenses policy would not apply to employees falling in to this category.

1.2. These terms and conditions of service do not apply to the following:

- i. employees on secondment to other institutions for their overseas posting;
- ii. employees who are based overseas solely for the purposes of undertaking a period, or part of a period, of study leave;
- iii. employees employed and based overseas on a permanent basis or for the duration of their fixed-term contract;
- iv. employees choosing to work remotely overseas.

### **2. Main terms and conditions of service**

2.1. St George's, University of London's main terms and conditions of employment for employees working overseas will be the same as those for employees working at St George's, University of London's main site including:

- continuous employment
- hours of work
- notice period
- probation
- review procedures
- annual leave entitlement
- sickness absence

- grievance and disciplinary procedures
- the requirement to comply with all St George's, University of London's policies.

### **3. Salaries**

3.1. Employees working overseas will be paid on the St George's, University of London grade appropriate to the work being undertaken and payment will be made into a UK bank account monthly as with employees based at the main site. It is not possible for St George's, University of London to make salary payments into overseas bank accounts.

### **4. Provision of vehicles**

4.1. St George's, University of London cannot provide vehicles for employees working overseas where the cost of these was not included in funds from the research funder.

4.2. Employees in charge of any such vehicles will be responsible for ensuring appropriate maintenance and insurance is in place in accordance with local requirements.

### **5. Health insurance and business travel insurance**

5.1. Employees based overseas will be covered for travel and emergency medical treatment while travelling under policies held by St George's, University of London, provided the length of an individual trip outside of the UK is no more than 24 months. Health insurance cover for non-emergency treatment should be made by the employee and, where possible, costed in to the research proposal.

### **6. Travel for employees and family members**

6.1. Travel costs in line with St George's, University of London's expenses policy to and from the relevant overseas site will be met at the beginning and end of the contract for employees. These are expected to be built in to the grant application to the research funder. In addition, airfares to the UK will be provided for employees and family who are overseas for two years or more, as follows:

- 0-23 months: Outward and homebound, 0 additional flights.
- 24-35 months: Outward and homebound plus 1 additional return flight.
- 36-47 months: Outward and homebound plus 2 additional return flights.

- 48-59 months: Outward and homebound plus 3 additional return flights and so on.

## **7. Compassionate leave**

7.1. St George's, University of London's guidelines on compassionate leave will apply to employees working overseas. St George's, University of London will meet the cost of a return fare home for the employee in the event of the death and/or serious illness of a close family member, defined as parent, partner's parent, child, spouse or partner, grandparent, sibling or nominated next-of-kin (if not a blood relative).

7.2. The number of such trips is not limited.

## **8. Health and safety guidance while working overseas**

8.1. Employees working overseas, and those planning to work overseas, should read and note carefully the document "[Higher Education Sector Guidance on Health and Safety in Fieldwork and Travel](#)". The majority of the tasks undertaken while working overseas are no more risky than the equivalent activity in the UK, however at times the work may take place in countries or parts of countries where the Foreign and Commonwealth Office (FCO) advises against travel. No employee or student will be expected to travel to a country where there are legitimate concerns about personal health or safety.

8.2. Grant holders are responsible for establishing local health and safety procedures within each overseas site and completing a risk assessment for themselves and members of their team. Employees are expected to familiarise themselves with, and adhere to, these procedures. In all other aspects employees are expected to follow usual St George's, University of London health and safety policies, for example with regard to chemical usage or lone working.

8.3. In the event that St George's, University of London employees are required to be repatriated at short notice, for example due to a national emergency in the country they are working, St George's, University of London will cover the cost of travel back to the UK.

8.4. Employees working overseas on St George's, University of London business should ensure that details of their next of kin are available in an emergency via MyWorkplace.

8.5. In line with St George's, University of London policy should an employee be involved in an accident, incident or dangerous occurrence whilst working overseas on University business they should ensure they report this. Further information is available on the website [here](#).

## **9. School fees**

9.1. St George's, University of London recognises that school fees represent a considerable cost for some employees working overseas, particularly where there is no acceptable alternative to private education. However, St George's, University of London is not in a position to meet such costs where these are not provided by the funding body.

## **10. Provision of accommodation/accommodation allowance/other costs**

10.1. St George's, University of London expects that the costs of overseas accommodation, security costs, removal costs at the beginning and end of the period overseas will be built into the research project budget with the funder. Arrangements for entering into leases in St George's, University of London's name and the payment of those should be discussed with the Finance Department.

## **11. Taxation**

11.1. Individuals' tax status in the UK and their equivalent status in the relevant overseas country will vary depending on the circumstances. Payroll can provide information and assistance on St George's, University of London's usual practices in particular situations, but cannot provide professional advice. Employees may need to take their own independent advice.

## **12. National insurance**

12.1. There is a legal requirement for St George's, University of London to pay employee and employer Class 1 National Insurance contributions on all earnings paid during the first 52 weeks an employee is working overseas (outside of the EEA), provided the following three conditions are satisfied:

- the employer has a place of business in the UK (this condition is clearly met in the case of St George's, University of London);
- the employee is ordinarily a resident in the UK; and
- the employee was a resident in the UK immediately before starting the employment overseas.

If all three of these conditions are satisfied, Class 1 contributions are payable at normal rates on all earnings (including overseas allowances) paid within the first 52 weeks, beginning with the week the employment overseas begins.

12.2. After the initial 52 week period, employees who have been paying Class 1 contributions may have the right to pay voluntary Class 2 or 3 contributions to maintain their National Insurance record and qualify for certain benefits such as State Pension.

12.3. From 1 January 2021, if an individual is an employee, self-employed or an employer, where they pay social security contributions will depend on their circumstances and the country they are going to work in.

12.4. If working in the EU, Norway or Switzerland, an individual will only have to pay into one country's social security scheme at a time. This will usually be in the country where the work takes place.

12.5. But if the employee is only working temporarily in the EU, Norway, Iceland, Switzerland or Liechtenstein they may be able to get a certificate or document from HMRC to carry on paying National Insurance contributions in the UK. This means they will not have to pay social security contributions overseas.

12.6. For general enquires in relation to NI Contributions please contact the Payroll team at [payroll@sgul.ac.uk](mailto:payroll@sgul.ac.uk).

## **13. Pensions**

13.1. Employees seconded by St George's, University of London to work outside of the UK for a limited time may be eligible to join the USS pension scheme. For general enquiries on pensions please contact the Payroll team at [payroll@sgul.ac.uk](mailto:payroll@sgul.ac.uk).

## **14. Employment of locals overseas**

14.1. In the event that a research project requires locals to be employed at the non-UK location(s), these individuals should be employed and paid via a local partner institution or agency and arrangements made for St George's, University of London to pay the organisation the relevant costs. St George's, University of London are not able to employ directly individuals whose main place of work/permanent residence is not the UK. The costs associated with the local partner should be included within the grant funds.

14.2. The above also applies to individuals whose role could be undertaken in the UK but who have agreed with their manager that their work can be completed remotely in an overseas location. In such cases the line manager should speak to payroll to ensure that the correct tax arrangements are made and the relevant Institute/department would be required to cover the associated costs.

14.3. Individuals who are employed and resident overseas would not be eligible for a London Allowance.

14.4. It is not anticipated that St George's, University of London would set up a permanent overseas centre but if this were to be proposed, then separate

arrangements would need to be made in discussion with Finance and other relevant departments.