



## Remote working overseas – any issues?

In a digital age where remote working is fast becoming a core staple of work culture for many businesses, recruiting and allowing current employees to work overseas can have many benefits. However, alongside these benefits, there are a number of risks associated with overseas remote working.

These can include immigration issues, such as whether the employee is entitled to work overseas, as well as data protection issues related to the transfer of data outside the UK. In addition, and perhaps most significantly, there are employment law and taxation considerations that arise from having staff working in different jurisdictions.

In many cases, these issues are not insurmountable and should not be a bar preventing employers from looking to engage talent overseas or allowing their own employees to work remotely overseas. Indeed, for many sectors, such as Film and TV and Interactive Entertainment, having workers overseas has become fairly common.

That said, it's crucial that you consider and understand any risks associated with remote working overseas before making any commitments to current or prospective staff.

In terms of general advice, considering whether the role can actually be carried out effectively in the host country is a good place to start. The length of time that the person will work overseas is also an important factor as, generally speaking, the shorter the period of remote working, the less likely it is that risks will arise. Obtaining local expert advice at an early stage is also highly advisable and can provide clarity on some of the risks that you will need to weigh up before making a decision on implementing such arrangements. This could include the analysis of alternative employment models, such as 'Employer of Record' businesses, which are becoming more common but carry their own inherent risks.

In the event that overseas remote working is allowed, the terms of the arrangement should be recorded clearly in writing. It may also be worth implementing a policy to cover such situations to enable a fair and consistent approach in future cases.

By understanding the risks, you can decide whether remote overseas working is suitable and ensure that your contracts and paperwork are up to scratch before permitting such work to commence.