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## HIV Infection and AIDS Policy



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## **1. INTRODUCTION**

- 1.1 The Council recognises the importance of a consistent approach to HIV Infection and AIDS and therefore wishes to bring to the attention of all employees a policy statement, which it proposes to adopt.
- 1.2 The arrangements contained in this policy are based on the knowledge and advice at the time of publication. Continuing research may necessitate the revision and amendment of the requirements contained therein.

## **2. POLICY STATEMENT**

- 2.1 Aims of the Policy:
  - to prevent as far as practicable, the spread of HIV Infection or AIDS by the provision of information and promotion of good working practices
  - to promote practical measures to minimise risk to the health, safety and welfare of employees and others
  - to ensure that employees or potential employees with HIV Infection or AIDS do not experience prejudice or unfair discrimination in employment
  - to ensure that employees who have AIDS or who are HIV positive receive sympathetic treatment in respect of their state of health and their employment.
- 2.2 The responsibility for implementing the requirements of the Policy and the preparation of an implementation strategy rests with each Director or Head of Service.

## **POLICY GUIDANCE**

### **3. CONFIDENTIALITY**

- 3.1 No employee will be required to disclose their HIV status or the result of any HIV antibody test.
- 3.2 All personal information is confidential and will be kept so.
- 3.3 Any information concerning the employee's medical condition will be subject to the highest professional and ethical standards to safeguard confidentiality.

### **4. DISABILITY DISCRIMINATION ACT**

- 4.1 The Council is aware of its responsibilities under the Disability Discrimination Act 1995 towards persons who are HIV positive or have AIDS. Consequently the following criteria will apply:-

- (i) **Recruitment:**

- no person(s) will be required to declare that he/she is HIV positive or has AIDS during the recruitment process
- notwithstanding the requirements of the Disability Discrimination Act 1995, normal procedures for determining medical fitness on recruitment will operate. That is, every person appointed may be the subject of a medical examination

- (ii) **Existing Employees:**

- no employee need notify that he/she is HIV positive or has AIDS
- normal rules concerning sickness absence reporting will apply
- absences from work for treatment, counselling etc., will be treated in accordance with the standard procedures of the Council.

- 4.2 Employees will be expected to work as normal irrespective of the presence of a colleague, pupil, student or client who is known to be HIV positive or have AIDS. The present state of medical knowledge indicates that this will cause no undue risk, however, if by reference to nationally published and accepted criteria, a risk is identifiable, all reasonable steps to minimise that risk will be taken. The Council is

confident that employees will give as much support in such a situation, as they would wish to receive in similar circumstances.

- 4.3 It is nevertheless recognised that many people remain fearful and that a considerable amount of false and misleading information has been circulated. For this reason, divisions must use the means at their disposal to allay these fears and to eliminate misunderstandings about the nature of the risk. Any division that encounters significant problems in connection with the requirement for employees to work normally should inform the Director of Human Resources immediately.

## **5. RETIREMENT AND REDEPLOYMENT**

Retirement and redeployment due to HIV related ill-health will be subject to the standard procedures of the Council.

## **6. DISMISSAL**

Other than in respect of ill-health retirement in accordance with normal procedures, AIDS/HIV positive diagnosis will not be a reason for dismissal from the Council's employ.

## **7. COUNSELLING**

- 7.1 The Council recognises the special role of counselling services for those who are HIV positive or have AIDS. Although employees may wish to make their own arrangements to be counselled, an in-house confidential Counselling service will be provided as follows:

- through the Council's Occupational Health and Wellbeing Unit, Tel No. 01443 494003

- 7.2 It is anticipated that the Counselling service will help the employee:

- to gain access to relevant services
- to understand what is to come
- to make informed and rational choices
- to face up to the possibility of being HIV positive.

## **8. HEALTH AND SAFETY**

- 8.1 For the majority of employees there is no increased risk of exposure to HIV as a consequence of their employment. However, there will be individuals whose duties may occasionally expose them to body fluids, (e.g. blood, urine, etc.). The risk of transmission in such circumstances is extremely low but can be avoided by following good hygienic working practices. Practicable measures to eliminate or minimise the risk that may exist must be taken.
- 8.2 In accordance with good health and safety practice, it is essential to identify which employees may be exposed to body fluids, to assess the possible risks and to undertake adequate measures to control that possible risk. Employees must be provided with training to enable them to follow good hygienic practices and appropriate health and safety measures.

## **9. TRAINING**

Divisions must provide employees with up to date and relevant information on the subject of HIV Infection/AIDS. Education can be provided through training and it is the responsibility of each division to assess individual employees needs and formulate a training strategy.

## **10. ADVICE**

Advice on the implementation of the policy can be obtained from the Health & Safety Team, Human Resources, Tŷ Elai, Dinas Isaf Industrial Estate, Williamstown, CF40 1NY.

**MANAGERS CHECKLIST**

	✓ As Appropriate		
	N/A	Yes	No
• Is information given to employees on HIV Infection and AIDS and the good working/hygiene practices that should be followed to minimise the risk of exposure?			
• Are there procedures in place for those employees with HIV infection or AIDS to ensure they do not experience prejudice or unfair discrimination?			
• Are there procedures in place for maintaining confidentiality between employees if an employee has or there is a suspicion that he/she may be HIV positive or has AIDS?			
• Is information given to employees on the Counselling Services that are available?			
• Are there monitoring procedures in place to ensure the requirements of the Policy are being met?			

Completed by: \_\_\_\_\_ Confirmed by: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Designation: \_\_\_\_\_ Designation: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_