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| Version            | 4           |
| Last Revision Date | August 2016 |



## HS 14

# HIV Infection and AIDS Policy

| <b>DOCUMENT CONTROL</b>                   |                                      |
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| <b>POLICY NAME</b>                        | <b>HIV Infection and AIDS Policy</b> |
| Department                                | Human Resources                      |
| Telephone Number                          | 01443 425536                         |
| Initial Policy Launch Date                | January 1997                         |
| Reviewing Officer                         | Mike Murphy                          |
| Review Date                               | August 2018                          |
| Date of Equality Impact Assessment        | 2008                                 |
| <b>REVISION HISTORY</b>                   |                                      |
| Date                                      | Revised By                           |
| January 1997                              | Gerwyn Hogben                        |
| July 2002                                 | Gerwyn Hogben                        |
| February 2010                             | Mike Murphy                          |
| August 2016                               | Mike Murphy                          |
| <b>DOCUMENT APPROVAL</b>                  |                                      |
| This document has received approval from: | Date of Approval                     |
| HR Senior Management Team                 |                                      |
| Corporate Management Team                 |                                      |
| Cabinet                                   |                                      |

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## **1. INTRODUCTION**

- 1.1 HIV (human immunodeficiency virus) Infection and AIDS (acquired immune deficiency syndrome) is a spectrum of conditions caused by infection with the human immunodeficiency virus.
- 1.2 This policy has been produced as the Council recognises the importance of a consistent approach to HIV Infection and AIDS.
- 1.3 The arrangements contained in this policy are based on the knowledge and advice at the time it was produced. 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 with HIV Infection or AIDS 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. EQUALITY ACT**

- 4.1 The Council is aware of its responsibilities under the Equality Act 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 Equality Act, 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.

## **5. RETIREMENT AND REDEPLOYMENT**

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

## **6. DISMISSAL**

6.1 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 through the Council's Occupational Health and Wellbeing Unit, telephone 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 There are four main routes of transmission of the HIV virus:

- unprotected sex;
- sharing unsterilized injecting drug equipment;
- infected blood transfusions, transplants or medical procedures;
- from mother to baby in pregnancy, childbirth or breastfeeding.

Therefore for the majority of Council employees, there is no increased risk of exposure to HIV as a consequence of their employment.

- 8.2 However, there will be employees whose duties may occasionally expose them to body fluids, such as blood, for example, homecare workers providing care to clients, litter pickers coming into contact with discarded syringes.

The risk of transmission in such circumstances is extremely low and can be avoided by following good hygienic working practices, such as making sure cuts, abrasions, etc. are covered up while providing care, and using tongs when litter picking.

Such practicable measures to eliminate or minimise the risk that may exist must be taken when appropriate.

- 8.3 In accordance with good health and safety practice, managers should identify which employees may be exposed to body fluids, assess the possible risks and undertake adequate measures to control that possible risk.

Measures may include providing employees with personal protective equipment (e.g. gloves) or other equipment (e.g. tongs) and providing training to enable them to follow good hygienic practices and appropriate health and safety measures.

## **9. TRAINING**

- 9.1 Divisions must provide relevant 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 employee's needs and formulate a training strategy.

## **10. ADVICE**

- 10.1 Advice on the implementation of the policy can be obtained from the Health and Safety Team, Human Resources, Ty Elai, Williamstown, CF40 1NY, telephone 01443 425531.

**MANAGERS CHECKLIST**

|   | ✓ As Appropriate |     |    |
|---|------------------|-----|----|
|   | N/A              | Yes | No |
| <ul style="list-style-type: none"> <li>Is information given to relevant employees on HIV Infection and AIDS and the good working/hygiene practices that should be followed to minimise the risk of exposure?</li> </ul>   |                  |     |    |
| <ul style="list-style-type: none"> <li>Are there procedures in place for those employees with HIV infection or AIDS to ensure they do not experience prejudice or unfair discrimination?</li> </ul>                       |                  |     |    |
| <ul style="list-style-type: none"> <li>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?</li> </ul> |                  |     |    |
| <ul style="list-style-type: none"> <li>Is information given to employees on the Counselling Services that are available?</li> </ul>   |                  |     |    |
| <ul style="list-style-type: none"> <li>Are employees provided with personal protective equipment or other equipment when assessed as necessary?</li> </ul>  |                  |     |    |
| <ul style="list-style-type: none"> <li>Are there monitoring procedures in place to ensure the requirements of the policy are being met?</li> </ul>  |                  |     |    |

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