



## **AIDS & HIV INFECTION POLICY**

**The Principal, March 2010  
Formal Review: March 2011**



## AIDS & HIV INFECTION POLICY

**Red House Academy has adapted this policy from Sunderland City Council**

### **1. *Introduction***

- 1.1 A policy relating to HIV/AIDS is necessary in Sunderland because people affected by these, are both presenting and seeking services. We know from current experience and research that there are likely to be a substantial number of affected individuals within the community who have not been presented, sought medical advice or requested testing. For every one person known to be HIV positive there are probably five who are unaware of their condition.
- 1.2 For this reason, Red House Academy in collaboration with other agencies has reviewed their employment practices, service provision, public health function and enforcement function in order to be adequately equipped to prevent the spread of and provide services and support for people with HIV/AIDS.
- 1.3 For this purpose the policy statement has been prepared to address the matter from the following perspectives:
  - (a) Employers
  - (b) Promoters of public health education
  - (c) Providers of services
  - (d) Enforcers of legislation
  - (e) Collaboration with Voluntary Agencies.
- 1.4 The Academy is committed to equality of opportunity in its employment and service delivery. It is also committed to protecting and promoting the health of its citizens. This Academy will ensure that people with HIV/AIDS infection do not experience discrimination in employment or as receivers of Academy services.

### **2. *Red House Academy as an Employer***

- 2.1 **Recruitment and Selection.**
  - 2.1.1 There will be no discrimination against any applicant, internally or externally for posts in the Academy's services, on the grounds that she/he is HIV positive.
  - 2.1.2 The Academy's normal procedure for pre-employment health screening will apply. No applicant who is deemed "medically fit" by the Staff Health Physician will have an offer of work withdrawn because he/she is HIV positive.
  - 2.1.3 No applicant for a post in the Academy's services and no employee will ever be required to take an HIV antibody test.
  - 2.1.4 If an applicant or individual with HIV infection is officially classified as disabled, the normal principles of employment of disabled persons will apply.

## 2.2 **Conditions of Service.**

- 2.2.1 If it becomes known that an employee has AIDS or becomes HIV positive, the Academy will ensure that the resources are made available to provide adequate support and any reasonable arrangements to enable work to be continued, on the grounds that to continue working may enable that person to maintain confidence and social contact and therefore face an uncertain future with dignity.
- 2.2.2 Where it is considered appropriate for an employee to be re-deployed to alternative employment, this will be done by mutual agreement, wherever possible. Employees will not be prevented from continuing work with the Academy, except where they are deemed, through the Academy's normal procedures, to be not "medically fit".
- 2.2.3 Employees who are HIV positive will be allowed leave of absence, with pay, to attend hospital and clinic appointments which coincide with their normal working hours.
- 2.2.4 Sympathetic consideration will be given to requests for special leave and bereavement leave by those who have responsibility for caring for people with HIV/AIDS or AIDS related conditions. The provisions of the Local Conditions of Service relating to paid compassionate leave will apply and, in the case of bereavement leave, the provisions will be extended to cover partners.
- 2.2.5 The Academy will provide counselling services for employees who are HIV positive, either through in-house arrangements or external organisations. Such employees will be allowed leave of absence, with pay, to attend counselling sessions which coincide with normal working hours.
- 2.2.6 Employees found to be discriminating against other employees or service users may be subject to the implementation of disciplinary procedures.
- 2.2.7 The Academy's normal procedures and arrangements for the early retirement of staff on the grounds of permanent ill health will apply.

## 2.3 **Confidentiality.**

- 2.3.1 The Academy will not require those who are antibody positive or who have HIV/AIDS to inform the Academy.
- 2.3.2 The Academy will develop appropriate procedures to handle confidential information and instances of deliberate or unjustified disclosure of information may result in the implementation of disciplinary procedures.
- 2.3.3 The Central Principles of this policy are:
- A person has a right to have information on their health status treated confidentially.
  - If he or she chooses to disclose, the knowledge should be passed on only with the persons consent and only to those who need to know for the

purposes of providing that person with the services which they have requested.

- When gathering information only that needed to provide the requested service should be sought. Unnecessary questioning can be interpreted as prying. Keep what is needed to know simple and to a minimum.
- Following disclosure, each directorate must prevent the information getting into unauthorised hands inadvertently by using a discrete and secure filing system. No case file should be specifically marked so as to identify the HIV status of the person. All medical information should be kept separately in a limited access section.
- The file should list clearly those (professionals and family) whom the client has authorised to know their status.

- 2.3.4 Limited or restricted disclosure will usually be beneficial in that the stress of secrecy can be detrimental to health, and more appropriate care can be offered utilising an increased range of resources and agencies.
- 2.3.5 Information about a child's HIV status should be passed on only on a need to know basis, the same as adults.
- 2.3.6 Parental consent for disclosure will need to be sought unless the child is of sufficient age or understanding to be capable of giving the consent him/herself. If parental consent is not given and the directorate believes that it is in the child's interests for someone else to know or if the parents are either dead or not involved with the child, disclosure should only take place after full consultation with medical and legal advisers.
- 2.3.7 As a guide to determine which staff need to know, it would be usual for those staff providing personal care, and/or full time care to know. If informed consent to sharing information is denied in this or any other circumstances that is deemed necessary to share information, this may result in a different approach to providing services and if this is likely to be the case the client should be informed accordingly.
- 2.3.8 A flow chart to assist determining the appropriate levels of information sharing/need to know is attached as appendix 1 of this policy. It will be for each Principal to establish guidance for their staff specific to their working environment as to the limits of need to know criteria.
- 2.3.9 General advice on Need to Know criteria is available from the HIV specialist social workers who should be consulted where there is doubt as to whether consent has been given to share information.
- 2.3.10 Whilst employees of the Academy will not be required to inform the Academy of their HIV status (2.3.1) voluntary disclosure to their Line Manager is encouraged so that appropriate counselling (2.2.5) and support can be made available if required. In this circumstance the Principal should be regarded as 'Needing to Know'. Furthermore, any employee in this situation should be given the opportunity to self-refer to the Occupational Health Service, this will be totally confidential and counselling will be available if it is appropriate to the situation.

2.3.11 Where informed consent of staff to disclosure has been made the information should not be recorded on staff files, which should not be marked in any way. The central principles referred to in 2.3.3 apply to employees as far as they are relevant.

2.4 **Working with Fellow Employees/Users of Academy Services who are HIV positive or who have AIDS.**

2.4.1 Employees who are asked to work for the first time, with a colleague or user of Academy services who is HIV positive or who has AIDS will receive support and guidance from their line managers. Consideration will also be given to providing additional support, training and counselling as appropriate.

2.4.2 Employees will be required to conform to the Academy's policy that no employee or user of Academy services who is HIV positive or who has AIDS will be discriminated against.

2.4.3 Refusal to work with a colleague or user of Academy services, following appropriate training, counselling and support, will be in contravention of the Academy's policy and may result in the implementation of disciplinary procedures.

2.5 **Health and Safety.**

2.5.1 The Academy will ensure that standard health and safety procedures are adhered to, to guard against the (low) risk of HIV infection in the workplace.

2.5.2 All staff will receive guidance on dealing with spillages of body fluids that must be adhered to in all incidents involving such spillages.

2.5.3 The Academy will ensure that all staff have easy access to equipment for dealing with spillages of body fluids e.g. rubber /plastic gloves and aprons, domestic bleach, disposable towelling, and impervious plastic bags for disposable used materials.

2.5.4 The Academy will ensure that First Aid Kits and equipment for dealing with spillages are replenished immediately after use

2.6 **Employee Education.**

2.6.1 All staff will receive information on the nature of the virus, its mode of transmission and information countering myths surrounding HIV/AIDS.

2.6.2 All staff will have access to the Academy's policy on HIV/AIDS, contravention of which may result in the implementation of the disciplinary procedure.

2.6.3 All staff should have access to information on counselling services available either internally or externally to the Academy.

- 2.6.4 Employees who are most likely to come into direct contact with people with HIV/AIDS should receive specific training on the medical, social and emotional needs of people with HIV/AIDS.
- 2.6.5 This Academy will embark upon a training programme of selected staff as lay educators of other staff.

### 3. *Education of the Public*

- 3.1 The Academy will collaborate with other agencies in the district including the Health Authority and Voluntary Agencies:
  - 3.1.1 To provide information to the general public on the nature of the virus, the modes of transmission, steps that can be taken to lessen the risk of infection, the issues surrounding an HIV test and contact points/support groups.
  - 3.1.2 To consider the use of appropriate language and imagery. To provide targeted information for people with specific concerns.
  - 3.1.3 To provide information for disadvantaged groups, e.g. ethnic minority groups, people with sensory impairment, people with learning difficulties.

### 4. *Service Provision*

- 4.1 No-one will be denied a service to which he/she is entitled because he/she has AIDS or is antibody positive except when there is a need to know (see appendix 1) and, despite counselling, the individual does not consent to information concerning his/her HIV status to be shared. In rare circumstances refusal to share this information may result in a different approach to providing services, and if this is likely to be the case, the client should be informed accordingly. Such adjustments to service will require the agreement of the appropriate Principal. (2.3.7)
- 4.2 Principals are responsible for ensuring that all procedures are in place within the Academy to adequately protect all users of services and all employees against HIV infection. The following paragraphs (4.3.1-4.7.3) relate to service provision of specific Academy Directorates.
- 4.3 **Public Health.**
  - 4.3.1 The public health service is provided by Community and Cultural Services which will ensure enforcement of existing statutory functions controlling skin piercing and other practices which involve possible infection transmission risks, and the exploration of any further control measures which might be necessary regarding such practices.
  - 4.3.2 The Academy will continue its practice of acting upon the sources of information received regarding the sources of clinical waste in the community (e.g. doctors, dentists, skin piercing activities, dialysis or people with HIV/AIDS at home) in order to minimise the possibility of accidental injury to employees or the general public.
  - 4.3.3 The Academy will provide information and advice to all such premises on the safe disposal of such waste, which will be collected in accordance with the documented procedure.

4.3.4 The Academy will make special provision for the collection and storage of "clinical waste" in order for all clinical waste to be clearly identified is disposed of in yellow clinical waste sacks and yellow sharps boxes.

4.3.5 The Academy will review ordinary waste storage, collection and disposal with a view to minimising the possibility of accidental injury to refuse collectors and street cleaners from sharps, sterile dressings, used wipes, used condoms etc.

#### 4.4 **Education.**

4.4.1 The Academy will ensure that the following people receive information about HIV/AIDS: all teaching staff and non-teaching staff in primary, secondary, special and nursery schools.

4.4.2 The Academy will continue to ensure that Academy Governors comply with the requirements of the Education Act 1986 regarding sex education in academies and the implication of their decision on, AIDS/HIV education in academies.

4.4.3 The Academy will ensure that staff in the youth and community service are equipped to provide appropriate counselling advice and information to young people about HIV/AIDS.

4.4.4 The Academy will require the Governing Bodies of Schools to be aware of their responsibility to ensure that no pupil or student will be discriminated against or segregated as a result of HIV infection or HIV infection of their parent or guardian or themselves.

4.4.5 In the event that Academy staff discover that a pupil or student has HIV infection this will not be disclosed to any other person without the explicit permission of the parent or guardian of the individual pupil or student (as appropriate).

#### 4.5 **Social Services.**

4.5.1 The Social Services Directorate will be pro-active rather than reactive in their approach to HIV/AIDS service planning and provision.

4.5.2 The Academy will collaborate with other agencies to inform people in their catchment area about HIV infection and AIDS and measures they can take to lessen the risk of infection.

4.5.3 The Academy in collaboration with other agencies within the district will do everything possible to help people with AIDS or HIV infection to live as normal a life as possible within the community.

4.5.4 The Academy will ensure that anyone receiving services from them will not be discriminated against or segregated on the basis of HIV infection.

4.5.5 The Academy will provide training and support, in so far as resources allow, to staff at all levels to help them understand the concepts and practice necessary for an AIDS Aware Service, with the aim of providing families,

children and young people with a service which is confidential, sympathetic and competent to meet their needs.

4.5.6 The Academy will provide, in so far as resources allow, reliable well informed support for staff at all levels who face difficulties in AIDS related work or who may need help with AIDS issues in their own right.

4.5.7 These attitudes and intentions will be made explicitly to all existing and future staff, volunteers, supporters, users and referring agencies.

#### 4.6 **Housing Services.**

4.6.1 The Academy's housing strategy and policy recognises that people with AIDS/HIV may have a housing/re-housing need and that any application will be treated sensitively within the existing locations/lettings policy.

#### 4.7 **Leisure Services.**

4.7.1 The Academy accepts that users of the Academy's leisure services and facilities will be assured that there are no risks of HIV/AIDS transmission arising from the direct use of any of its facilities or services.

4.7.2 The Academy will ensure that standards of hygiene and health and safety procedures will be strictly maintained as a means of ensuring that there is no risk of infectious conditions being transmitted.

4.7.3 The Academy will ensure that people who are HIV positive are not discriminated against in the use of any leisure facility or service.

### 5. ***Enforcement of Legislation***

5.1 If, in unforeseen circumstances, use of the 1984 Public Health (Control of Diseases) Act becomes necessary, the Academy will ensure that it is used wisely, with compassion and only when no other option is available.

### 6. ***Voluntary Sector***

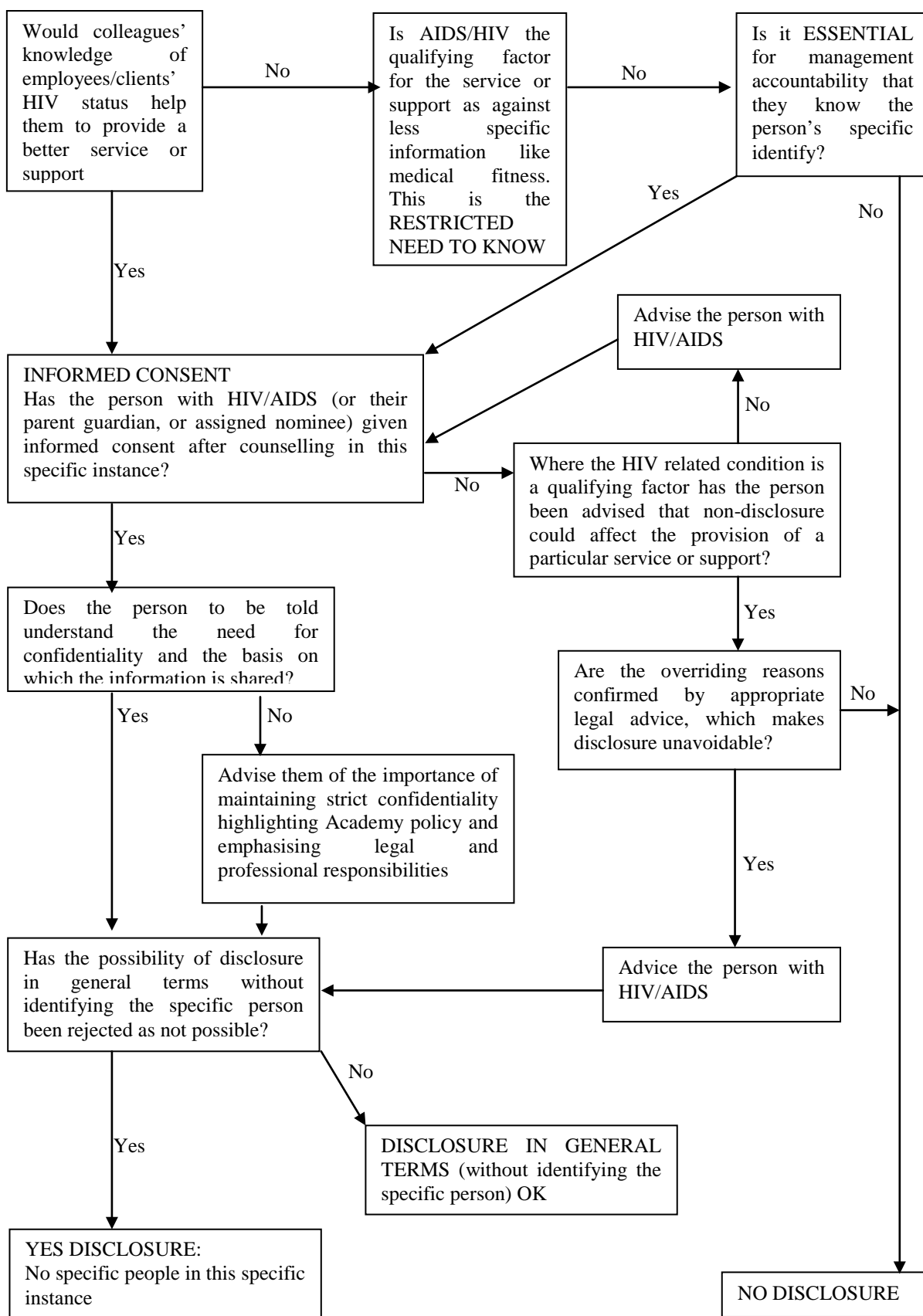
6.1 The Academy recognises the contribution of voluntary effort in providing information about HIV/AIDS infection and in giving support to people with HIV/AIDS. A grant assistance scheme exists and the Academy will attempt to respond to any application for grants to sustain such effort from the voluntary sector.

6.2 The Academy is committed to working with voluntary organisations to plan and provide services in response to HIV/AIDS infection and will take steps to ensure effective liaison with the District Health Authority, the F.H.S.A. and other agencies through established Joint Consultative machinery and by other means.

### 7. ***Monitoring***

7.1 This policy will be monitored for its effectiveness in meeting the challenges of HIV/AIDS infection. Wherever necessary changes will be made to the policy in order to improve the protection of staff, the public, or to provide a better service to those with HIV/AIDS. Any changes will be made through a process of consultation with trade unions and staff concerned.

**A Generic Model**





### A Social Services Model

