

## **DISABLING CONDITIONS AT WORK INCLUDING HIV**

**The purpose of this document is to provide a statement of the Company's policy on disabling conditions including HIV/AIDS, in pursuance of the protection and promotion of the health and welfare of the authority's employees, its service users and the general public.**

### **1. CONFIDENTIALITY**

- 1.1 The Company will **not** require those who are affected by HIV/AIDS to inform the Company.
- 1.2 There may be other disabling conditions where notification may be appropriate for an employee or Service User especially where there may be a risk of danger to the employee or to a third party.
- 1.3 The Company will take all reasonable and appropriate steps to ensure confidentiality is maintained, where it is known that an employee or service user is affected by HIV/AIDS or any other potentially disabling condition.
- 1.4 The Company may regard any breaches of confidentiality in such circumstances as a disciplinary offence for consideration through the normal recognised procedures.

### **2.0 RECRUITMENT AND SELECTION**

- 2.1 The Company is committed to equality of opportunity and in accordance with the Managing Diversity policy will take all reasonable steps to ensure that internal and external applicants for posts are not discriminated against on the grounds of their HIV/AIDS status, or any other disabling condition that is irrelevant to their ability to do the job.
- 2.2 The Company's normal procedures for determining medical fitness on recruitment, through consideration by the Company's Medical Adviser, will continue to operate in order to determine that applicants are medically fit at the time of appointment.
- 2.3 The Company will not require current and future employees, or applicants for employment to be tested for HIV or to inform The Company of their HIV / AIDS status.

### **3.0 SICKNESS ABSENCE AND RELATED ARRANGEMENTS**

- 3.1 The normal rules concerning sickness absence and reporting will apply to all employees, including those affected by HIV/AIDS.

### **4.0 COUNSELLING**

- 4.1 The Company recognises the importance of counselling for those employees affected by disabling conditions, including HIV/AIDS, and any such employees may make direct contact with the Welfare Officer for confidential advice/counselling. This may result in a referral to an external specialist Counsellor / Advisor, following agreement between the individual, the Counsellor and the Head of HR & OD.

## **5.0 EDUCATION & TRAINING**

- 5.1 The Company will develop and provide appropriate ongoing training for managers and employees, to meet clearly identified needs.
- 5.2 Up-to-date information will be available from the Head of HR & OD.
- 5.3 The Company will ensure that appropriate employees, particularly those involved in caring tasks with Service Users, are trained in Infection Control and / or First Aid and are conversant with the guidelines for the control of all infectious conditions e.g. Hepatitis; HIV/AIDS.

## **6.0 FIRST AID PRECAUTIONS AND FACILITIES**

- 6.1 The Company will ensure that appropriate guidance and protection is available to those likely to be involved in provision of First Aid Treatment.
- 6.2 Managers have a responsibility to ensure that all First Aid Officers and other employees are made aware of the attached First Aid Guidelines in relation to dealing with ALL situations that involve blood, body fluids or excreta.
- 6.3 The Company will continue to review the First Aid facilities and materials to ensure that the necessary equipment is available to deal with all casualties regardless of whether any infection is suspected or not.

## **7.0 REDEPLOYMENT AND RETIREMENT**

- 7.1 The Company will take all reasonable steps to review its procedures in relation to the early retirement and redeployment of those employees with disabling conditions, including HIV/AIDS, who are likely to be endangered by continuing at work or in a particular type of work.
- 7.2 Employees affected by disabling conditions including HIV/AIDS will only be redeployed to alternative employment by mutual agreement between the employee and the Council. Such employees will not be prevented from continuing work, except where they are deemed not medically fit through normal procedures.
- 7.3 Recognising that continuing to work may enable employees with disabling conditions including HIV/AIDS to maintain confidence, social contact and dignity, The Company will take all reasonable steps to ensure that the necessary resources and arrangements are available to provide adequate support to enable those employees to continue to work, wherever possible.

## **8.0 CONSULTATION**

- 8.1 The Company will take all reasonable steps to ensure that Trade Unions and employees are consulted on the implementation and further development of this policy, and their active support will be sought and expected.
- 8.2 Subject to the other provisions of this policy statement, The Company expects all individual and collective grievances arising out of the operation of its policy on HIV/AIDS to be referred to the normal, recognised procedures for resolution.

## **9.0 POLICY REVIEW**

- 9.1 The Company will continue to monitor the effectiveness of its policy on HIV/AIDS in order to implement any revisions necessary to achieve its objectives.

# **Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome**

## **EMPLOYEE INFORMATION BULLETIN**

### **1.0 What is HIV/AIDS?**

#### **1.1 HIV stands for the Human Immunodeficiency Virus.**

HIV is a virus which can only survive by entering living cells. HIV enters and infects certain white blood cells within the bloodstream of a person who has been in contact with the virus. This infection results in the body's natural defences breaking down. As a result the HIV infected person runs an increasing risk of serious infection with a form of pneumonia and other diseases affecting the brain, eyes and internal organs. This gives rise to a condition known as AIDS.

#### **1.2 AIDS stands for Acquired Immune Deficiency Syndrome.**

AIDS is not a disease in itself. A syndrome refers to a combination of related problems. AIDS refers to the situation when someone is unable to fight off a range of infections because their natural immunity has been weakened by the presence of HIV. The term AIDS should be used to refer only to those HIV infected people who have developed several further specific infections.

Not all individuals who become infected with the HIV virus will necessarily develop AIDS. Approximately two thirds of people infected with the HIV virus in this country who have gone on to develop AIDS have died. This is still a small number.

### **2.0 How does the Infection Spread?**

2.1 Unlike other viruses, it is difficult to pass from one person to another. HIV is spread through infected body fluids such as blood, semen, vaginal fluids, transplanted body organs and possibly breast milk.

2.2 The main routes of transmission of HIV are:

#### Contaminated Semen or Vaginal Fluid

- Through unprotected sexual intercourse or intimate sexual contact with an infected person

#### Contaminated Blood

- From shared syringes and needles injected into the body
- From blood entering an open wound

Normal social and work contact with an infected person is safe.

2.3 HIV is **NOT** spread through the air or by touch or through sharing an office or washing facilities with an infected person.

### **3.0 Can someone who has HIV/AIDS continue at work?**

3.1 Most individuals who are HIV positive show no adverse symptoms and can participate fully in all aspects of work. A person with AIDS should be able to work normally whilst medically fit to do so.

### **4.0 What is The Company doing?**

4.1 The Company will continue to review its working methods to limit the risk of employees or the public coming into contact with infected body fluids.

4.2 The Company will continue to review its information, recruitment and training arrangements to ensure that employees are fully informed about the limited risks of HIV, their obligations and the precautions that should be taken in the event of **any incident** that involves blood or bodily fluids.

### **5.0 Will Individuals with HIV/AIDS be known?**

5.1 Individuals will not be under any obligation to disclose their status, or submit to medical tests for HIV.

5.2 Knowledge of any employee's HIV/AIDS status is to be treated in confidence, and not disclosed to others, except where medical advice confirms it is necessary to protect the safety of others and where the infected employee or service user gives their permission. In such circumstances The Company may consult the Medical Adviser for an informed risk assessment.

**Employees breaching this confidentiality about individuals with HIV/AIDS will be liable to disciplinary action.**

### **6.0 Should a person with HIV/AIDS be recruited?**

6.1 Since in almost all occupations there is no risk of an infected person passing on the virus to others, generally there would not be any valid reason for treating individuals with HIV/AIDS any differently from other job applicants.

### **7.0 Should an employee with HIV/AIDS be dismissed?**

7.1 Employees have statutory rights against unfair dismissal, which are not reduced in any way because of their HIV/AIDS status.

7.2 Given that there are generally no justifiable grounds for dismissal, employees with HIV/AIDS status will be subject to the normal assessments, based on factors such as the individual's ability to continue working satisfactorily, any medical advice received and whether continued employment is against the employee's, the employer's or the public's interests.

7.3 If any employee is known to be infected, there may be rare circumstances in which it would be appropriate for their own health and safety or the health and safety of others to consider a move to alternative duties.

**8.0 Can employees refuse to work with a person with HIV/AIDS?**

8.1 Normal working arrangements are most unlikely to give rise to any justified reason for employees refusing to work with an individual with HIV/AIDS.

**Employees refusing to work with a person with HIV/AIDS status will be liable to disciplinary action or dismissal.**

## **Policy on DISABLING CONDITIONS (INCLUDING HIV) AT WORK**

### **GUIDELINES FOR FIRST AID OFFICERS and employees dealing with any accidents**

**In giving First Aid, the following precautions should be used in every situation in order to reduce the risk of contracting or transmitting blood borne viruses such as Hepatitis and HIV.**

1. Any spillage of blood, other body fluids or excreta should be mopped up, using disposable paper towels, whilst wearing plastic gloves and an apron, whether or not an infection is suspected. These items should then be placed in plastic bags and safely disposed of. The area should then be thoroughly washed with hot water and detergent or a fresh solution of one part bleach and ten parts water, until there is no visible trace left, then left to dry.

**(Caution is to be exercised when handling any bleach. ALWAYS read labels to ensure correct dilution)**

2. Employees should keep any cuts or abrasions covered with waterproof or other suitable dressing, and wash their hands before and after giving treatment.
3. Protective clothing, such as plastic gloves and aprons, should be worn whenever there is close contact with blood, other body fluids or excreta.
4. Any contact with blood, bodily fluids or excreta should be washed as soon as possible with soap and water, particularly before smoking, eating or drinking.
5. All clinical waste, including sharps or syringes which might have been used, should be disposed of with great care in appropriate containers.
6. Any blood, body fluid or excreta entering the eyes, mouth, or nose or through broken skin should be washed immediately with plenty of clean cold tap water and medical advice sought without delay.

Any accidental injury from any item, such as a needle, where there is a risk of contamination with another person's blood should be washed thoroughly, medical advice sought immediately and the incident reported.( see point 11 below).

7. Clothing which is in direct contact with a person's blood, other bodily fluids or excreta, may be cleaned in an ordinary washing machine using the hottest cycle the clothing will stand and normal washing detergents.
8. Mouthpieces are available for the use of First Aiders giving 'mouth to mouth' resuscitation. No case of infection has been reported from anyone giving 'mouth to mouth' and, therefore, such First Aid treatment should not be

withheld. However, where circumstances allow, First Aiders may prefer to use the 'Holger Neilson' method.

9. Personal hygiene standards should be maintained to the highest level at all times to prevent possible cross infection with other antigens, thereby putting someone with HIV in serious danger.
10. Provided all precautions set out in 1-9 above are followed, no additional special precautions are necessary for HIV infection, as an infected body fluid has to enter a person's bloodstream for infection to occur. In all cases of doubt, medical advice should be sought.
11. All Accidents and/or the use of First Aid should be reported and recorded using appropriate form (HS1- Accident Report Form) copies of which are kept in each Service Unit, School or Establishment.