



**COLEG POWYS**

**A.I.D.S. HEPATITIS  
POLICY STATEMENT**

**JUNE 2000**

## **A.I.D.S. HEPATITIS - A POLICY STATEMENT**

### **1. INTRODUCTION**

- 1.1 This document is a statement of the policy which the College, in its capacity as an employer, has decided to adopt in respect of any employee contracting, coming into contact with, or having to work with any colleague or student who has the disease known as A.I.D.S.
- 1.2 The policy is intended to apply equally to the illness at every stage in its development. The condition is caused by a virus known as HIV, which may be detected by the presence of virus antibodies in the bloodstream. A person who has become infected ("HIV positive") may never actually develop A.I.D.S., but must be regarded as a carrier of the virus and able to infect others.

### **2. POLICY REVIEW**

- 2.1 The arrangements contained in this document are based on the level of knowledge and advice available at the time of publication. The continuing research into the disease may necessitate the revision and amendment of the conditions and requirements contained herein. The College will keep under review and monitor the effectiveness of its policy.

### **3. CONSULTATION**

- 3.1 The College will take all reasonable steps to ensure that the recognised Trade Unions are consulted on the implementation and further development of this policy and their active support will be sought and expected.

### **4. POLICY AIMS**

- 4.1 This policy is drawn up with the principal aim of: -
  - (a) ensuring that employees in general are aware of the absence of risk to them posed by a fellow employee or student with A.I.D.S., or who is HIV positive, and do not discriminate in any way against that person;
  - (b) ensuring that employees engaged in an occupation where they may be required as part of their job to give assistance to persons who are known or suspected to have A.I.D.S. or of being HIV positive are aware of all salient facts regarding the disease, and any hygiene/protective measure considered appropriate in the circumstances;
  - (c) ensuring that employees who have A.I.D.S. or who are HIV positive receive sympathetic and fair treatment in respect of their state of health and their employment.

### **5. CONFIDENTIALITY**

- 5.1 The College will take all reasonable steps to ensure that strict confidentiality is maintained where an employee or student has A.I.D.S. or is HIV positive. Any employee who in the pursuit of his or her duties, is made aware that a colleague, or student has A.I.D.S. or is HIV positive, and divulges that information other than as allowed by the College's policy, will be regarded as having committed a disciplinary offence for consideration through the normal recognised procedures.

### **6. RECRUITMENT**

6.1 The following criteria will apply:

- (a) The College will take all reasonable steps to ensure that internal or external applicants for posts in the College's services are not discriminated against in recruitment and selection on the grounds that they have A.I.D.S. or are HIV positive.
- (b) The College's normal procedures for determining medical fitness or recruitment will continue to operate and applicants who are deemed to be "medically fit" at the time of interview will not have an offer of work withdrawn solely because they have A.I.D.S. or are HIV positive.
- (c) No one will be required to declare that he or she is HIV positive or has A.I.D.S. during the recruitment process, nor be required to take any tests specifically for this purpose.

## **7. EXISTING EMPLOYEES**

7.1 No employee will be required to notify the College that he or she is HIV positive or has A.I.D.S. Any employee who feels that he or she wishes to declare the fact should notify the Principal, who may need to make others aware of the matter in order to meet with other provisions of this policy.

7.2 The College will take all reasonable steps in line with its procedures and practices in relation to the treatment of employees and practices in relation to the treatment of employees with disabling diseases in order to take appropriate account of those with A.I.D.S. who are HIV positive. In this respect the College intends: -

- (a) To apply its normal rules concerning sickness absence and reporting for those employees with A.I.D.S. or who are HIV positive.
- (b) To give consideration to the exercise of its discretion to extend the application or sick pay entitlements to those employees with A.I.D.S. or who are HIV positive.
- (c) To take all-reasonable steps to review its procedures and practices in relation to the provisions of facilities for absences from work for counselling, treatment, etc. to those employees with A.I.D.S. or who are HIV positive.

7.3 Decisions regarding the continued employment of anyone who becomes infected will, as is normal practice, take into account all relevant factors such as the nature of the employment, the individual's ability to continue working satisfactorily, the possibilities of alternative employment and whether continued employment is against the best interests of the employee, the College, or the general public. In the event these interests may very well conflict and the College will base its decision on the advice of its medical advisers.

7.4 Employees will be expected to work as normal irrespective of the presence of a colleague, or student who is known to be HIV positive or suffering from A.I.D.S. The present state of medical knowledge indicated that this will cause no undue risk; however, if by reference to nationally published and accepted criteria, a risk is identifiable, the College will take all reasonable steps to minimise the risk. The College is confident that employees will give as much support in such a situation as they would wish to receive in similar circumstances.

It is nevertheless recognised that many people remain fearful of this infection and that a considerable amount of false and misleading information has been circulated

## **8. RETIREMENT AND REDEPLOYMENT**

8.1 The College will take all reasonable steps to review its procedures and practices in relation to the early retirement and redeployment of those employees with A.I.D.S. or who are HIV positive. Staff will only be redeployed to alternative employment by mutual agreement between the employee and the College and such

employees will not be prevented from continuing work, except where, in accordance with medical advice, such redeployment/cessation of work is advisable (subject to 7.3).

## **9. DISMISSAL**

9.1 Other than in respect of ill-health retirement in accordance with normal procedures, A.I.D.S. / HIV positive diagnosis will not be a reason for dismissal from the College's service (subject to 7.3).

## **10. COUNSELLING**

10.1 The College recognises the importance of counselling for those employees with A.I.D.S. or who are HIV positive and will take reasonable steps to: -

- (a) Ensure that its internal arrangements are made known and available to all employees so that those who have A.I.D.S. or are HIV positive and those who may have concern about A.I.D.S. related matters can take advantage of available counselling from trained staff;
- (b) Assist in the development of a co-ordinated approach between the College's services, the Health authority and other relevant organisations or groups to the provision of advice and counselling to those concerned about A.I.D.S. related matters.

10.2 The College also accepts that, for reasons of confidentiality and impartiality, an employee with A.I.D.S. or who is HIV positive may prefer such counselling to be provided by an external specialist service in this field, and will help to make these arrangements.

## **11. GRIEVANCE**

11.1 Subject to the other provisions of this policy statement, the College expects all individual and collective grievances arising out of the operation of its Policy on A.I.D.S. to be referred to the College's normal recognised procedures for resolution.

## **12. TRAINING AND INFORMATION ARRANGEMENTS**

12.1 The College will take all reasonable steps to assist in: -

- (a) The development of appropriate education and training, which can promote a better understanding about A.I.D.S., related matters;
- (b) Ensuring that A.I.D.S. related training is included within its training programmes;
- (c) Ensuring that appropriate employees are trained and are conversant with the guidelines for the control of A.I.D.S. related infections, particularly: -
  - (i) Staff who have a "first line" counselling function;
  - (ii) Employees who provide a College service to a student who has A.I.D.S. or is HIV positive;
  - (iv) Designated First Aiders.

## **NOTE**

Whilst this Policy Statement and the Information and Guidance Notes used to support it refers only to HIV and A.I.D.S. its sentiments apply equally to any employee contracting, coming into contact with, or having to work with any colleague or student who has the disease known as Hepatitis.

