

HIV / AIDS HYGIENE

Date of approval: 20 November 1997

LAST REVIEWED: July 2004

To be reviewed as required

SCOPE

This policy shall apply to the Committee of Management, staff, volunteers and students who work with children.

BACKGROUND

HIV/AIDS is a health issue which concerns everyone and has aroused community anxiety often because of misinformation and ignorance. The kindergarten, by providing this policy is:

- Endorsing a caring and supportive approach to this issue.
- Helping to inform parents and staff about the facts of HIV/AIDS.
- Assuring users of the service that the kindergarten is aware of its responsibilities in providing a safe environment for staff, children and parents.
- Assuring the community that the centre is carrying out its responsibilities in relation to Government legislation concerning, HIV/AIDS in particular, the Occupational Health and Safety Act and the Health Act which protect against discrimination and ensure confidentiality for staff and users.
- Fulfilling obligations under the Funding and Service Agreement to comply with all relevant State and Commonwealth legislation.

DEFINITIONS

AIDS: means Acquired Immune Deficiency Syndrome.

HIV: the virus that causes AIDS, known as Human Immune Deficiency Virus.

INFECTION CONTROL: name given to a combination of basic hygiene measures to prevent the spread of infection.

HEPATITIS B : caused by the Hepatitis B virus, may result in inflammation of the liver.

POLICY STATEMENTS:

Anti Discrimination

- No employee, prospective employee, parent or child will be discriminated against on the grounds of having, or assumed to have, HIV infection.
- Being infected with HIV is not grounds for exclusion of a child, parent, or staff member.

Confidentiality

- Information regarding HIV/AIDS status of a child, parent or staff member will remain confidential and all reasonable steps will be taken to develop and implement systems to protect the privacy of that person

Occupational Health and Safety

- Management will ensure that all staff are aware of their responsibilities towards service users and people in their care.
- The service shall at all times follow proper infection control procedures to prevent the risk of the transmission of HIV.
- No child, staff member or parent will be denied first aid at any time.
- The centre will ensure that First Aid equipment for protection against the risk of infection from HIV/AIDS will be available at all times.
- Management will provide as far as practicable a health and safe environment.
- Staff are required to take reasonable care to protect their own health and safety and others in the work place.

Information and Education

- Management will ensure that all staff have access to education about the basic facts on HIV/AIDS and preventative measures and access to further information and support services as required.

Grievance Procedure

- Management will develop a procedure, for the protection of staff, parents and users of the service, in the event of a grievance related to the HIV/AIDS policy.

PROCEDURES

For Infection Control

There will be a two tiered approach to infection control, which includes:

- Standard precautions which will be implemented at all times.
- Additional precautions when the standard precautions are insufficient to stop transmission of infection occurring.

The following statements are based on the principle that *all people are potentially infectious* and that Infection Control will be universally practiced.

- All staff will receive education about infection control at induction.
- Staff will have access to in-service training at least every two years.
- Staff and users will have access to materials as required that will enable them to implement infection control procedures (This will include bleach, rubber gloves etc). This first Aid cabinet will be equipped at all times with rubber gloves.
- The centre will have available at all times a booklet/publication outlining in detail infection control procedures. These procedures will be posted on/inside the First Aid cabinet.

For Responding to Exposure

- Full details on the incident must be reported.
- Any incident, which a staff member believes may have resulted in exposure to HIV/AIDS, should be reported to an appropriate representative of the Management Committee with appropriate confidentiality controls.
- The staff member/user should be informed to consult a qualified medical practitioner immediately to access need for testing.

For Confidentiality

There is no obligation, legal or otherwise for any one to inform an employer, service provider, or service of their HIV status, consequently,

- Such information must not be disclosed without informed consent of the individual (or guardian for a person under the age of 18 years).
- The only reason a parent would inform the teacher of the child at the center's HIV/AIDS status would be for the benefit of the child themselves who may have specific requirements.
- All such information must be kept securely (under lock and key) within the center; access to this information must only be by the person who has been informed.
- No routine or mandatory HIV testing may be carried out on the service users or staff.
- No testing may be carried out without the informed consent of the individual and provision of pre and post testing counselling, by an accredited counselor.

Grievance Procedure

- The Management Committee is responsible for receiving grievances in relation to HIV/AIDS issues and policy.
- Grievances must be made in writing to the Committee.
- All grievances must be dealt with in a manner that complies with the legislation. The Committee will contact their Peak Employer Organization –Kindergarten Parents Victoria, for advice, before taking any action in relation to the grievance.

HEPATITIS B

The above policy applies to Hepatitis B also, with the following differences:

- Hepatitis B is a notifiable disease under the Health Act and therefore parents are obliged to inform the center if their child is infected with Hepatitis B.
- The child must be excluded if they are displaying the active symptoms of the disease.
- Vaccination is available; however there is no legal obligation of the employer to provide this. *Due to the minimal cost involved Committees may like to consider offering this as a benefit to their employees.* The National Health and Medical Research Council (NHMRC) guidelines recommend that the employer provide the vaccine. If your center is a Local Government center you will need to check if the vaccinations are available for staff. Even if you are not a Local Government center, your Local Government may provide it for services working in the high risk areas or may provide it for staff for a minimal cost.
- While no counseling is required, information and education programs sessions will be made available on request/as required.

HOW TO USE THIS POLICY

KPV has written this policy to become part of your center's policies. This is a KPV document and cannot be changed because of its highly technical and legislative nature. As part of KPV membership any aspects of this policy can be discussed with KPV.

The relevant sections of the Government Acts pertaining to HIV/AIDS have been attached for your information.

Two booklets are available from the Department of Human Services as listed in resources to assist the Committee in its task, as employer, of providing information and education about HIV/AIDS to staff. These are the booklets "AIDS-Your Questions Answered" which should be kept in the parent library and "Sure Protection Against Infection" which should be kept in the First Aid cabinet.

RESPONSIBILITY

St Pauls Anglican Kindergarten Inc
HIV/AIDS and Hepatitis B Policy

It is the responsibility of the Management Committee to ensure that all staff and service users are aware of the HIV/AIDS policy and that it is implemented. The policy needs to be readily available for reference by staff, Committee or parents.

The Management Committee needs to be aware of their responsibilities as employers, under the Equal Opportunity Act 1995, the Health (General Amendment) Act 1988 and the Occupational Health and Safety Act 1985 and it is therefore recommended that these Acts are either purchased and kept at the kindergarten for reference, or the Management Committee ensure access to them is available through their local library or Municipal Council.

RESOURCES

Publications

Infectious Diseases Unit (03) 9637 4184

Department of Human Services – AIDS Your Questions Answered

Department of Human Services – Sure Protection Against Infection

Commonwealth Government Bookshop: 190 Queen Street, Melbourne (03) 9670 4224

Occupational Health and Safety Act 1985

HIV & Hepatitis B and the workplace work safe

Information Victoria 1300 366 356

Health Act 1988

Equal Opportunity Act 1995

Lady Gowrie Child Centre (03) 9347 6388

Staying Healthy in Child Care

HIV/AIDS and Child Care

Community Child Care Co-Op Ltd (NSW) (02) 9557 5599

HIV/AIDS and Child Care

AECA – Victorian Branch (03) 9427 8474

Guidelines for Prevention and Control of Infection in Child Care Settings

INSERVICES FOR STAFF

St John's Ambulance 131394

- In-services held across Victoria
- Emergency First Aid, level 2
- Basic Life Support

Red Cross 9885 9990

- In-services held across Victoria
- First Aid Course, Level 2
- Essential First Aid

INSERVICES FOR COMMITTEES

St Pauls Anglican Kindergarten Inc
HIV/AIDS and Hepatitis B Policy

KPV will, if requested by members, organise in service programs for committees. The cost, which will be based on covering the cost involved in obtaining a speaker and venue, will be kept as low as possible.

ACCREDITED COUNSELLORS

Victorian Infectious Diseases Service 03 9342 7212
Royal Melbourne Hospital

Infectious Diseases Unit 03 9276 2000
Alfred Hospital

Victorian AIDS Council 1800 134 840

RELEVANT LEGISLATIVE EXCERPTS

Occupational Health and Safety Act 1985

Sections

21(1) “an employer shall provide and maintain so far as is practicable for employees a working environment that is safe and without risks to health”

21(2) which requires an employer to provide adequate facilities for the welfare of employees.

25 “An employee while at work shall take the care of which the employee is capable for the employees own health may be affected by the employee’s acts or omissions.

An employee shall not –willfully place at risk the health and safety of any person at the workplace.

31 and 37 –which provide health and safety representatives and health committees with the right to be consulted on health and safety issues.

Equal Opportunity Act 1995

Prohibits discrimination on the basis of impairment. Impairment includes the presence in the body or organisms that may cause disease.

The employer also has a responsibility to protect employees who may be HIV infected from discrimination in the workplace.

Health Act 1988

This states a person who in the course of providing a service acquires information that a person has been or is required to be tested for HIV, is infected with HIV, must take all reasonable steps to develop and implement systems to protect the privacy of that person.

The maximum penalty for breaching this section of the Act is 50 penalty units (\$5,000) as of July 1996.

INFORMED CONSENT FORM – CONFIDENTIAL

FOR USE BY PARENT / GUARDIAN TO RELEASE HIV INFORMATION ABOUT THEIR CHILD.

(TO BE USED IN CONJUNCTION WITH THE HIV/AIDS POLICY)

Please note Infection Control is not a valid reason to require disclosure about HIV/AIDS status. Infection Control should be implemented as a universal practice within the centre.)

I, being the parent or guardian of

.....

do provide the following information to,

as.....

of the

kindergarten.

Please state the following information you wish to provide:

-
-
-

Please state to reason why this information is being provided:

-
-
-

This consent form will remain current until(Date)

Parent/Guardian Signature

.....

Staff Signature

.....

HEALTH ACT 1988

“A person who in the course of providing a service acquire information that a person has or is required to be tested for HIV, or is infected with HIV, must take all reasonable steps to protect the privacy of that person.” “The penalty for breaching this section of the Act is \$5000 as of April 1990.”