



HIV, AIDS AND HEPATITIS POLICY

National Quality Standard – Quality Area 2

POLICY STATEMENT

1. VALUES

Aspendale North Kindergarten is committed to:

- ensuring no employee, prospective employee, parent/guardian or child is discriminated against or harassed on the grounds of having, or being assumed to have, an HIV, AIDS or hepatitis infection;
- endorsing a caring and supportive approach to this issue;
- ensuring no staff member, child, parent/guardian, employer, or other person participating in the program is excluded on the basis of their HIV/AIDS, hepatitis B or C infection; and
- assuring the community that the kindergarten is carrying out its responsibilities in relation to government legislation concerning HIV/AIDS, the *Occupational Health and Safety Act 2004* and *Health Act 1958*.

2. SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities at Aspendale North Kindergarten.

3. BACKGROUND AND LEGISLATION

Aspendale North 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 Kindergarten is carrying out its responsibilities in relation to legislation concerning, HIV/AIDS in particular, the *Occupational Health and Safety 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. No-one will be asked to disclose their HIV/Aids status to the kindergarten.

Definitions

AIDS - means Acquired Immune Deficiency Syndrome.

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

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HIV, AIDS AND HEPATITIS POLICY

INFECTION CONTROL - the 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.

PROCEDURES

1. 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 Kindergarten 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.

2. For Responding to Exposure.

Full details of the incident must be recorded.

- Any incident, which a staff member believes may have resulted in exposure to HIV/AIDS, should be reported to an appropriate representative of the Committee of Management with appropriate confidentiality controls.

- The staff member/user should be informed to consult a qualified medical practitioner immediately or an accredited counsellor immediately to assess need for testing. No testing may be carried out without the informed consent of the individual and provision of pre and post test counselling, by an accredited counsellor or qualified Medical Practitioner. [If you need to contact an accredited counsellor, see Resources list at the end of this policy.]

3. 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 Kindergarten'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 Kindergarten; access to this information must only be by the person who has been informed and the relevant supervisor in charge of that child on a 'needs to know' basis.

- No routine or mandatory HIV testing may be carried out on the service users or staff.

GRIEVANCE PROCEDURE

- The Committee of Management is responsible for receiving any grievances in relation to HIV/AIDS issues or policy.

- Grievances must be made in writing to the Committee of Management, addressed to The President and marked 'Confidential'.

- All grievances must be dealt with in a manner which complies with the legislation. The Committee of Management will contact their Peak Employer Organisation - Kindergarten Parents Victoria, for advice, before taking any action in relation to the grievance.

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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 Kindergarten if their child is infected with Hepatitis B.
- The child or staff member must be excluded if they are displaying the active symptoms of the disease.
- Vaccination is available, however there is no legal obligation on the employer to provide this.
- While no counselling is required, information and education programs/sessions will be made available on request/as required.

EVALUATION

To assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- Regularly seek feedback from everyone affected by the policy regarding its effectiveness
- Monitor the implementation, compliance, complaints and incidents in relation to this policy
- Keep the policy up to date with current legislation research, policy and best practice
- Revise the policy and procedures as part of the service's policy review cycle, or as required
- Notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

ATTACHMENTS

Attachment 1: Informed Consent Form
Authorisation

AUTHORISATION

This policy was reviewed and adopted by the Approved Provider of Aspendale North Kindergarten on **03/01/2015** and reviewed in August 2019

Current version: 2019

ATTACHMENT 1
CONFIDENTIAL

INFORMED CONSENT FORM

(For use by Parent/Guardian to release HIV information
n about their child)

I,.....
being the parent or guardian of

.....

.....

do provide the following information to

.....

as(position) of Aspendale North
Kindergarten Inc.

Please state the information you wish to provide:

Please state the reason this information is being provided:

This consent form will remain current until.....

.....[date].

Parent/s Signature

.....
.....

Staff Signature

.....

NOTE:

Any person who acquires 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. Failure to do so may lead to breach of Privacy and Health Laws which could lead to fines and or prosecution.