

## HIV POLICY

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|---------------|----------------|-------------|------------------|
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## INTRODUCTION

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### 1.1 Policy Statement

We will:

- Treat all individuals fairly, respectfully and with dignity regardless of HIV status.
- Ensure patients and staff are not disadvantaged because of HIV status.
- Maintain strict confidentiality regarding HIV-related information.
- Prevent discrimination, bullying, harassment or victimisation.
- Provide equal access to healthcare services, employment, training and career development.
- Promote a culture of inclusion and respect.
- Ensure infection prevention and control measures are based on universal precautions and current clinical evidence.
- Take appropriate action where discriminatory behaviour occurs.

We operate a zero-tolerance approach to HIV-related stigma and discrimination.

### 1.2 Purpose

This policy sets out the Practice's commitment to creating and maintaining a safe, inclusive, respectful and stigma-free environment for all patients, staff, contractors, students and visitors affected by or living with HIV.

The Practice recognises that people living with HIV can experience stigma and discrimination within healthcare and employment settings. We are committed to ensuring that no individual is treated unfairly because of their actual or perceived HIV status.

The Practice supports the principles of the Terrence Higgins Trust HIV Confidential Charter and is committed to promoting equality, dignity, confidentiality and inclusion for people living with HIV.

This policy supports compliance with:

- the Equality Act 2010,
- UK GDPR,
- the Data Protection Act 2018,
- NHS confidentiality requirements,
- the NHS Constitution,
- standards issued by the General Medical Council and Nursing and Midwifery Council,
- and guidance from NHS England.

### 1.3 Scope

This policy applies to:

- GP Partners

- Salaried GPs
- Locum clinicians
- Nurses and healthcare assistants
- Administrative and reception staff
- Managers
- All ARRS and support staff
- All PCN Staff
- Students and trainees
- Contractors and agency workers
- Volunteers
- All registered and temporary patients and their families

## **LEGAL AND EQUALITY RESPONSIBILITIES**

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### **2.1 Equality Act 2010**

Under the Equality Act 2010, HIV infection is considered a disability from the point of diagnosis. Individuals living with HIV are protected from discrimination in:

- Employment
- Recruitment
- Promotion and training
- Healthcare access
- Service provision
- Harassment and victimisation

The Practice will comply with all relevant legal and professional obligations relating to equality, confidentiality and human rights.

Please refer to the practice Equality and Diversity Policy

## **HIV CONFIDENT CHARTER**

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The Practice is committed to the principles of the HIV Confident Charter and will actively work to:

- Challenge HIV stigma and discrimination.
- Promote awareness and understanding of HIV.
- Ensure fair and equal treatment for patients and staff living with HIV.
- Create an environment where individuals feel safe and respected.
- Promote confidentiality and dignity at all times.
- Encourage compassionate, evidence-based healthcare and employment practices.

The Practice recognises that people living with HIV should be able to access healthcare services and employment opportunities without fear of prejudice, discrimination or unnecessary disclosure.

## **PATIENT COMMITMENTS**

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### **4.1 Equal access to care**

Patients living with HIV will:

- Receive the same standard of care as all other patients.
- Not be refused registration, appointments or treatment because of HIV status.
- Be treated with dignity, compassion and respect.
- Receive care based on clinical need and evidence-based practice.

Clinical decisions will never be based on stigma, fear or assumptions about HIV.

### **4.2 Confidentiality**

HIV status constitutes sensitive confidential medical information.

The Practice will ensure:

- Information is only shared on a legitimate need-to-know basis.
- Disclosure occurs only with appropriate consent or lawful justification.
- Staff understand their responsibilities regarding confidentiality and data protection.
- Conversations regarding HIV status are handled sensitively and privately.
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Unauthorised disclosure of HIV status may result in disciplinary action.

### **4.3 Respectful environment**

The Practice expects all patients and visitors to behave respectfully towards others. Discrimination, harassment or abusive language relating to HIV status will not be tolerated.

## **STAFF COMMITMENTS**

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### **5.1 Equality in employment**

The Practice will ensure staff living with HIV:

- Are treated fairly and without prejudice.
- Have equal access to recruitment, promotion and development opportunities.
- Are protected from bullying, harassment and victimisation.
- Receive support where appropriate.

HIV status alone will not affect suitability for employment or continued employment.

## **5.2 Confidentiality for all staff**

A staff member's HIV status is confidential health information.

Disclosure is voluntary unless there is a lawful occupational health requirement. Any information disclosed will be handled confidentially and only shared where strictly necessary.

## **5.3 Occupational health and support**

The Practice will:

- Support staff through Occupational Health where appropriate.
- Consider reasonable adjustments in line with equality legislation.
- Promote staff wellbeing and inclusion.
- Encourage a supportive workplace culture.

## **INFECTION PREVENTION AND CLINICAL PRACTICE**

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The Practice always follows universal infection prevention and control precautions.

All staff must:

- Apply standard precautions consistently.
- Base care on current clinical evidence.
- Avoid discriminatory or unnecessary restrictions relating to HIV.
- Recognise that effective HIV treatment allows people living with HIV to live long, healthy lives and that individuals with an undetectable viral load cannot sexually transmit HIV (U=U)

Please refer to the practice Infection Prevention and Control Policy and Handbook

## **TRAINING AND AWARENESS**

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The Practice will promote awareness and understanding of HIV through:

- Staff induction and training,
- Equality and diversity education,
- Confidentiality and information governance training,
- Promoting stigma-free communication and behaviour.

Managers and senior staff are expected to model inclusive behaviour and address inappropriate conduct promptly.

## **COMPLAINTS AND REPORTING CONCERNS**

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Any patient or staff member who experiences or witnesses' discrimination, harassment, bullying or breaches of confidentiality relating to HIV status should report concerns through:

- The Practice complaints procedure,
- Grievance procedures,
- Incident reporting systems,
- Whistleblowing procedures,
- HR or management channels.

All concerns will be investigated fairly, sensitively and confidentially.

Please refer to the practice Complaints Policy and Complaints Policy for Patients.

## **BREACHES OF POLICY**

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Breaches of this policy may result in:

- Informal management action,
- Formal disciplinary procedures,
- Referral to professional regulators where appropriate.

Serious discrimination or breaches of confidentiality may constitute gross misconduct.

Please refer to the practice Information Governance Policy, Information Governance Breach Policy and the Disciplinary Policy.

## **MONITORING AND REVIEW**

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This policy will be reviewed every two years or sooner if:

- Legislation changes,
- National guidance changes,
- Significant incidents occur,
- Operational needs change.