

Equality of Opportunity Committee

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Inquiry into Discrimination against People Living with HIV by Healthcare Professionals and Providers – Written evidence from Abertawe Bro Morgannwg University NHS Trust

Introduction

Abertawe Bro Morgannwg University NHS Trust is the largest hospital Trust in Wales, and one of the largest in the United Kingdom. The Trust was launched on 1 April 2008, following a merger between the former award-winning Swansea and Bro Morgannwg NHS Trusts.

The Trust employs around 16,000 staff and has an annual budget of more than £700 million. It manages a comprehensive range of integrated hospital and community services for the 600,000 approximate residents living in the county boroughs of Swansea, Neath Port Talbot, Bridgend and the Western Vale of Glamorgan.

As a major health service provider and employer within Wales, Abertawe Bro Morgannwg University NHS Trust continues to be committed to promoting and delivering disability equality, which includes eliminating unlawful discrimination against people living with HIV and AIDS. The Trust welcomes its responsibilities and obligations under the Disability Discrimination Act (as amended) 2005, as we continue to strive to ensure that we are promoting disability equality, both internally and externally.

One of the key aims of the Disability Equality Schemes is for disability equality to be core business and to be integrated into all aspects of our policy development and implementation, service delivery and employment practice.

This report includes a separate section for Primary Care. This reflects this report being produced prior to the merger of Abertawe Bro Morgannwg University NHS Trust and Swansea, Bridgend and Neath and Port Talbot Local Health Boards, on **1st October 2009**.

1. Policies and procedures employed by healthcare organisations and healthcare professionals in relation to the HIV virus and/or people living with HIV:

i. an overview of current guidance or policies regarding the transmission of the HIV virus

ABM has:

- Developed and adopted a Disability Equality Scheme, which sets out its arrangements for ensuring that disabled people are treated fairly and equally. This includes

prohibiting unlawful discrimination in the provision of goods, services, facilities and employment against disabled people, including persons living with HIV and AIDS.

- No infection control policies that are specific only to HIV. However, we have infection control policies, which promote practices that prevent the transmission of organisms, including blood-borne viruses such as HIV and AIDS. These policies advise members of staff to adopt standard infection control precautions, in relation to blood and body fluids, which are to be applied universally to all patients.
- Adopted standard infection control precautions, which negate the possibility of discriminatory practices towards perceived high risk groups. All members of staff have medico-legal responsibility to maintain safe working practices and optimal standards of hygiene and patient care.
- Corporate Infection Control policies, which are being reviewed currently, with the aim of producing standardised policies for ABMU Health Board.
- Implemented specific procedures and guidance for use within the Theatre environment. The main aims of these policies and procedures are to prevent injury to members of staff and to protect employees and patients from potential infection. Areas covered, include needle stick and other sharps injuries, protective clothing and management of splashes.

ii. an overview of current guidelines or policies regarding the people living with HIV with whom you or the people you represent come into contact

Please refer to above.

The Trust has developed policy guidance on 'The Production of Patient Information', which has received Management Executive and Trust Board approval. A systematic process has been introduced to ensure that the guidance on the 'Production of Patient Information' is complied with to ensure that public information is consistently of a high standard and accessible to all members of the public.

All Trust members of staff are required to ensure the maintenance of patient confidentiality.

Within GUM, there is a patient involvement group. All patients have access to a specialist social worker and non-statutory groups, such as the Terrence Higgins Trust and Aids Trust Cymru.

The GUM clinic is committed to working with many vulnerable groups, such as young people, asylum seekers, homosexual men and IVDU and provides care

in a non judgemental way to all groups. Respect and dignity are integral to the services that we deliver and patient care.

iii. copies of relevant guidance if possible

These are included within the Appendix and relate to:

- Theatres
- Infection control
- GUM

Please note that the Trust is in the process of reviewing all infection control policies.

2. Training, education and awareness raising for healthcare professionals and people who work in healthcare settings regarding HIV and disability discrimination:

i. How are healthcare professionals and staff in healthcare settings made aware of the latest clinical guidelines regarding the HIV virus and issues affecting people with HIV?

- The Equality and Diversity Manager provides timely legislative updates to the HR Director and the Equality, Diversity and Human Rights Strategic Group on all primary and secondary equality and human rights legislation
- There are no specific infection control teaching sessions, in relation to HIV. However, infection control training focuses on teaching members of staff to treat all patients equally and with dignity and respect, and to adopt standard infection control precautions. Staff are educated on what measures can be taken to prevent exposure to blood and body fluids.
- Progress on our development towards disability equality is made available to all staff through the Trust Intranet site, updates to Directorate Meetings, Senior HR Development meetings and awareness raising/training events
- Within Genito Urinary Medicine, members of staff are updated through in-house training, staff attending sexual health all Wales audit group meetings and feedback from doctors who attend HIV conferences

ii. What arrangements are in place to ensure that the latest guidance is implemented?

- HR Director provides Regular briefings to Trust Board and Executive Team
- Equality, Diversity and Human Rights Strategic Group provides regular briefings/reports to Trust Board and the Staff Partnership Forum

- Trust provides annual updates to several statutory and non-statutory organisations, including Health Care Standards Wales (An annual self assessment of progress against equality and diversity objectives is undertaken as part of the Healthcare Standards Wales reporting process.) and Equality and Human Rights Commission
- Trust provides and publishes a Disability Annual Report

iii. How are healthcare professionals and staff in healthcare settings made aware of the unlawfulness, under current legislation, of discriminating against people living with HIV or AIDS in the service they provide?

All Equality, Diversity and Human Rights training has been fully mapped to the NHS Knowledge and Skills Framework (KSF), where equality and diversity is Core Requirement 6. As medical members of staff do not fall within KSF, specific equality and diversity programmes have been developed, in accordance with the Deanery's Competency Framework. The Deanery has approved all consultants' training.

The Trust has several training programmes, which are being delivered at present, which include:

- Corporate Induction – Mandatory requirement for all new members of staff
- Equality, Diversity and Human Rights Awareness Raising, which includes Dignity at Work
- Nurse Management Programme
- Managing to Deliver Programme
- Medics Competency Framework
- Community Nursing Programme
- FP1s & FP2s Curriculum
- BTEC Nursing Practices and Principles (Equality and Diversity Core 6)
- NVQ Levels 3 + 4: Management
- Infection Control - relevant members of staff
- Protection of Vulnerable Adults (POVA) – relevant members of staff

Specific infection control training focuses on teaching members of staff to treat all patients equally and with dignity and respect.

iv. What arrangements are in place to make sure that people with HIV are not discriminated against?

- Complaints procedures
- Disability Equality Scheme
- Monitoring and reporting mechanisms in place – disability discrimination, infection control
- Strategic Discharge Planning – Care Planning
- Disciplinary Policy

- Dignity at Work Policy and Procedure

3. How do these issues apply to primary care?

3.1 Policies and procedures employed by healthcare organisations and healthcare professionals in relation to the HIV virus and/or people living with HIV.

i. an overview of current guidance or policies regarding the transmission of the HIV virus

The Local Health Boards (LHBs):

- Are guided in relation to HIV and AIDS by the Disability Discrimination Act which prohibits discrimination in the provision of goods, services, employment etc. against disabled people, including those living with HIV and AIDS.
- Have developed and adopted Single Equality Schemes setting out their arrangements for ensuring that people in the Equality target groups (defined by race/ethnicity, age, gender, disability, religion/belief, and sexual orientation are treated fairly and equally.
- Are also guided by the Healthcare Associated Infections Community Strategy for Wales and have developed local Action Plans to implement the strategy. Each community care setting is required to have an infection control link nurse and each GP practice an identified infection control link person.
- Are actively participating in the 1000 lives campaign aimed at improving patient safety and increasing healthcare quality in the localities.
- Expect all Care Homes for Older People to adhere to the published National Minimum Standards (Standard 40 relates to Hygiene and Control of infection).

All Primary Care General Practitioner (GP) and dental practices are bound by the terms of the General Medical Services Regulations and General Dental Services Regulations, which have built in to them the requirement not to discriminate against patients.

Each GP/Dental practice and community care home is required to have Infection Control Policies and procedures in place. These policies cover issues designed, among other things, to prevent the transmission of blood borne diseases including HIV and AIDS. These policies and procedures should cover areas such as needle stick injuries, protective clothing, management of splashes, decontamination of environment, safe disposal of unused medication etc.

ii. an overview of current guidelines or policies regarding the people living with HIV with whom you or the people you represent come into contact

All service providers commissioned by the LHB, as well as all LHB staff who deal with patient information, are required to ensure the maintenance of patient confidentiality.

Also, staff are required to ensure that they adhere to safe working practices, treat all patients including patients living with HIV and AIDS with dignity and respect and in a non-discriminatory manner.

Organisations are expected to have disciplinary procedures to deal with complaints against staff, as well as to manage harassment of staff by patients.

The LHBs operate several policies, which apply to staff, including those living with HIV and AIDS e.g. HIV and AIDS in Employment Policy, Employing People with Disabilities Policy, Positive Management of Sickness Policy, and Dignity in the Workplace Policy.

3.2 Training, education and awareness raising for healthcare professionals and people who work in healthcare settings regarding HIV and disability discrimination.

i. How are healthcare professionals and staff in healthcare settings made aware of the latest clinical guidelines regarding the HIV virus and issues affecting people with HIV?

Healthcare professionals in GP practices are made aware of clinical guidelines generally through Protected Learning Time training sessions.

In addition, practice nurses have all been offered training/refresher courses on Infection control and have access to E-learning packages.

In Bridgend, Care home managers have been trained in infection control practices and there are plans to extend this training to Neath Port Talbot and Swansea. Induction training for healthcare workers includes the latest information on infection control.

All nurses employed by the LHBs, and who work in the community, are required to undertake mandatory immunisation and vaccination training/refresher course annually, which includes POVA, infection control etc.

ii. What arrangements are in place to ensure that the latest guidance is implemented?

The LHBs and local authorities carry out joint monitoring of community care settings to ensure that there are policies and practices in place in relation to infection control, non-discrimination etc.

In addition, primary care practices are monitored through QoF and other visits to ensure that proper policies and procedures are in place to control the transmission of infections.

iii. How are healthcare professionals and staff in healthcare settings made aware of the unlawfulness, under current

legislation, of discriminating against people living with HIV or AIDS in the service they provide?

The LHB organises training for Primary Care practitioners as part of their Protected Learning time. All GP practices have undertaken Disability Discrimination training provided by EqUIP Cymru.

Some staff in community care settings have undertaken, also, equality and diversity training.

iv. What arrangements are in place to make sure that people with HIV are not discriminated against?

The LHB, Primary Care practices and community care settings are all required to have complaints procedures through which aggrieved HIV and AIDS patients can report cases of discrimination.

All organisations are expected to have disciplinary policies to deal with complaints against staff, as well as to manage harassment of staff by patients.

Training is provided to staff so that they can identify what amounts to direct and indirect discrimination, harassment and victimisation and how to deal with incidents when they arise.

APPENDIX

1. THEATRE OPERATIONAL PROCEDURES

- 1.2 Infection Control – Standard Universal Precautions**
- 1.3 Managing and Reporting Needle Stick and Other Sharps Injury**
- 1.4 Sharps Handling Associated with Surgical Procedures**

2. INFECTION CONTROL

- 2.1 Policy for the Prevention and Management of Inoculation Injuries**
- 2.2 Policy for the Care of Patients with Suspected or Diagnosed Viral Infection**

3. GENITO URINARY MEDICINE

- 3.1 2007 Guidelines for the Management of Sexual and Reproductive Health (SRH) of People Living With HIV Infection**
- 3.2 Standards for HIV Clinical Care**
- 3.3 UK National Guidelines for HIV Testing 2008**