

UNIVERSITY OF THE  
FREE STATE  
UNIVERSITEIT VAN DIE  
VRYSTAAT  
YUNIVESITHI YA  
FREISTATA



# HIV and AIDS POLICY

*Approved at Council, 24 March 2023*

<b>POLICY STATEMENT</b>	
<b>1. Preamble/ background</b>	<p>1.1. The University of the Free State (UFS) recognises the seriousness of the human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) pandemic, and the potential impact this disease can have on both the university community and wider society and is committed to participate actively in the fight against the disease.</p> <p>1.2. The Health and Wellness Centre, in collaboration with Organisational Development and the Division of Employee Well-being, spearheaded the development of awareness campaigns aimed at mitigating the risk of HIV/AIDS.</p> <p>1.3. The rapid spread of the HIV/AIDS pandemic, as well as the increasing number of HIV/AIDS-infected people, affected staff members and students and necessitated the development of a more coordinated policy.</p> <p>1.4. This is accentuated by the significant impact that the HIV/AIDS pandemic will have on student recruitment and enrolment as well as staff productivity, both directly (through illness) and indirectly (through the general economic and social impact of the pandemic).</p>
<b>2. Purpose</b>	<p>The policy objectives are the following:</p> <p>2.1. Protecting individuals' rights to confidentiality and freedom from discrimination.</p> <p>2.2. Promoting</p> <ul style="list-style-type: none"> <li>a) a sustained programme that provides counselling and support; and</li> <li>b) the provision of current, accurate information to the UFS community and to the broader community.</li> </ul> <p>2.3. Promoting behaviours that reduce or minimise the risk of contracting HIV and generally create a safe environment.</p> <p>2.4. Providing leadership in promoting a human rights-based approach to HIV/AIDS, thereby also breaking the stigma attached to the illness.</p> <p>2.5. Protecting individuals' rights and dignity.</p> <p>2.6. Providing equitable benefits for all employees.</p>
<b>3. Scope</b>	<p>The policy applies to all employees and students at the University of the Free State (including permanent and contract workers) as well as job applicants.</p>
<b>4. Definitions and abbreviations</b>	<p><b>HIV</b> HIV is a virus contracted through specific bodily fluids and is generally spread sexually, via contaminated blood transfusions, and through mother-to-child transmission.</p> <p><b>AIDS</b> Acquired immunodeficiency syndrome. Aids is the late stage of HIV infection that occurs when the body's immune system is badly damaged because of the virus.</p>

	<p><b>SHWCC</b> The Student Health and Wellness Coordinating Committee (SHWCC) was established by the university to ensure a coordinated approach to the HIV/AIDS pandemic; it falls within the line function of the Executive Director: Student Affairs.</p>
<p><b>5. Guiding principles</b></p>	<p>The guiding principles for the implementation of this policy are as follows:</p> <ol style="list-style-type: none"> <li>5.1. The objective of the UFS is to produce quality, healthy graduates who will contribute positively to the economic development of the country. Additionally, to ensure that staff members are healthy and productive in their various endeavours. These principles will only be achieved by ensuring that staff and students function in a safe and healthy environment.</li> <li>5.2. The UFS is responsible for protecting its employees and students from the HIV/AIDS epidemic through HIV/AIDS awareness campaigns, HIV testing, and HIV treatment.</li> <li>5.3. Students and staff who test positive for HIV will be voluntarily enrolled in a treatment programme to ensure that they can continue to be productive and thrive in their academic and work activities.</li> <li>5.4. The HIV status of students and staff will be kept confidential, and no person will be denied admission and employment based on their HIV status.</li> <li>5.5. The UFS has a positive obligation to do everything possible to ensure the safety and protection of its employees and students.</li> <li>5.6. The UFS will ensure that HIV/AIDS prevention and treatment programmes are accessible for persons with disabilities. If it is not possible to remove all access and participation barriers, accessible disability-specific services will be provided.</li> </ol>
<p><b>6. Policy/procedure</b></p>	<ol style="list-style-type: none"> <li>6.1. <b>Confidentiality</b> <ol style="list-style-type: none"> <li>a) The UFS respects the rights of staff and students to confidentiality regarding their HIV/AIDS status, within the limits of the law.</li> <li>b) All UFS personnel with legitimate access to information regarding the HIV/AIDS status of staff and/or students will be constantly reminded of the requirement to always safeguard the confidentiality of the information.</li> <li>c) No medical information will be released without the prior written consent of the individual concerned.</li> <li>d) All statistics that include identifiable criteria will be confidential unless disclosure is legally required.</li> <li>e) Staff reserve the right to disclose/ not disclose their status to their employer.</li> </ol> </li> <li>6.2. <b>Screening and Testing</b> <ol style="list-style-type: none"> <li>a) Potential staff and students will not be denied employment</li> </ol> </li> </ol>

- or admission to the UFS if they test positive for HIV. Consequently, the UFS does not test for HIV/AIDS, either prior to employment or upon application or admission as a student.
- b) The UFS endorses informed consent for individual testing, accompanied by confidential and appropriate counselling, and encourages both employees and students to be aware of their HIV/AIDS status to make appropriate health decisions for themselves.
  - c) The UFS provides a testing and counselling service through its Health and Wellness Centre.

### 6.3 **Employment and Promotion**

- a) No employment contract will be terminated, and no promotion will be withheld on account of HIV/AIDS status alone, provided the staff member can work effectively.
- b) Staff and students with HIV/AIDS will be governed without discrimination in the same way as staff with other chronic illnesses or disabilities.
- c) As in cases of chronic illness where work is adversely affected and an objective medical assessment has been carried out, the UFS makes every reasonable effort to provide alternative, non-strenuous work to a staff member with HIV/AIDS, in order to maximise the earning capacity of the staff member concerned. Reasonable concessions may also include time off for counselling and medical appointments and return to work arrangements.
- d) If the staff member is no longer able to work, and/or no suitable position can be found, the appropriate ill health or disability income policies will be applied.

### 6.4 **Education and Awareness**

- a) Promoting awareness

The UFS will ensure that HIV/AIDS awareness programmes are included in orientation, induction, education, and training programmes. HIV/AIDS-related information, education, and communication material will be made available to UFS staff and students through the Health Clinic and Employee Well-being office. Significant international and national public holidays, as well as other relevant commemoration days, will be used to raise awareness and educate staff and students about HIV/AIDS.

- b) Individual awareness

The UFS – through the Health and Wellness Centre, the Student Representative Council (SRC), peer educators, the Department of Human Resources, staff well-being ambassadors, and Residence Committee members – will inform staff and students about the nature and transmission of the virus, as well as precautions that can be taken to reduce the risk of infection.

c) Social awareness

The UFS is opposed to any form of discrimination against HIV/AIDS-positive persons and their partners, family, and friends. The UFS therefore commits itself to programmes that address above-mentioned issues and reduce stigmatisation.

d) First-aid officials

The UFS believes that universal precautions should be taken by all individuals likely to be involved in administering first aid. The UFS undertakes to provide training in universal precaution techniques to all first-aid officials rendering services to staff or students, and to equip all first-aid kits with the appropriate equipment.

**6.5 Community Involvement**

- a) The UFS recognises that the battle against HIV/AIDS is not restricted to the campus and employees and students of the UFS, but that wider community involvement and participation is required to combat the spread of the disease.
- b) The UFS, as a leading institution in the community, will accordingly establish community partnership and outreach programmes to create awareness about HIV/AIDS and its prevention.
- c) The UFS will also coordinate its efforts with other higher education institutions, non-governmental organisations, and community organisations.

**6.6 Medical Assistance, Protective Health Care, and Treatment**

- a) Medical assistance and support will be provided to registered students with HIV/AIDS, in accordance with health protocols and the rules and practices of the UFS medical assistance policy.
- b) Students and staff who have been exposed to infection will receive appropriate assistance from the UFS. This may include the provision of anti-retroviral medication (subject to medical advice) in an emergency. Appropriate charges may be levied.
- c) Employees and students involved in care within the Faculty of Health Sciences are subject to special conditions regarding HIV/AIDS, and reference should be made to the specific guideline in this regard.

**6.7 Employees Providing Cleaning and Custodial Services**

- a) All employees must be trained and must comply with the Occupational Health and Safety laws and standards to prevent the transmission of blood-borne pathogens.

**6.8. Staff and Student Interactions**

- a) Staff or students who refuse or are reluctant to work with, study with, or be taught by persons living with HIV/AIDS, will receive counselling. Refusal to work with, study with, or be taught by a person with HIV/AIDS is not accepted as a valid excuse for non-compliance with academic or work requirements or other reasonable instructions from UFS authorities.
- b) Disciplinary action will be instituted against any staff member or student who willfully undermines the safety, privacy, and dignity of another person on the basis of their known or perceived HIV status.
- c) Staff and students are not barred from attending lectures, living in residences, being on campus, or being involved in any campus activities on account of their HIV/AIDS status alone.
- d) In the case of sports that may carry a higher risk of HIV infection, it is the responsibility of each sports club to adhere to its own code of practice or to put in place appropriate procedures for minimising risk, consistent with this policy.

**6.9. Student Health and Wellness Coordinating Committee (SHWCC)**

6.9.1 To ensure a coordinated approach to the HIV/AIDS pandemic the SHWCC will be established. This will fall within the line function of the Executive Director: Student Affairs.

6.9.1.1 Functions of the SHWCC

To achieve a coordinated approach in close operation with other campus services and divisions. The SHWCC may undertake the following:

- a) Suggest and coordinate the roles and responsibilities of the vice-chancellor, the executive management, deans, and heads of department regarding matters pertaining to the university's response to the HIV/AIDS pandemic.
- b) Initiate and/or facilitate research into knowledge and attitudes about HIV/Aids among staff and students, their sexual practices, and other related issues by collecting HIV/AIDS statistics, conducting surveys, etc.

6.10 The terms of reference (SHWCC) are attached as an appendix.

**6.11 HIV/AIDS Office**

- a) The HIV/AIDS Office will be established within the Health and Wellness as a venue to render HIV/AIDS-related support services and initiatives.

	<p>6.12 <b>Review of Policy</b></p> <p>a) The policy will be reviewed every three years or as necessary. This policy and amendments will be routed via the appropriate decision-making structures.</p>
<b>7. Responsibility</b>	<p>7.1 Health and Wellness Centre – HIV/AIDS awareness, treatment and care, and support programme.</p> <p>7.2 GEADO – will ensure that the HIV policy comply with UFS gender policies.</p> <p>7.3 ICC – will assist in the review process of the policy.</p> <p>7.4 HR – will assist in the review process of the policy.</p> <p>7.5 SRC – will assist in the review process of the policy.</p> <p>7.6 Protection Services – will assist in the review process of the policy.</p> <p>7.7 Student Life – will assist in the review process of the policy.</p> <p>7.8 Doctors and nurses – will assist in the review process of the policy.</p> <p>7.9 Health Sciences – will assist in the review process of the policy.</p> <p>7.10 Centre for Universal Access and Disability Support – will ensure that the policy is inclusive of the needs of students with disabilities.</p>

<b>8. Accountability and Authority:</b>	
<b>8.1 Implementation:</b>	<p>a) Health and Wellness Centre</p> <p>b) Division of Organisational Development and Employee Well-being</p> <p>c) Division of Occupational Health and Safety</p>
<b>8.2 Compliance:</b>	<p>a) Deputy Director: Health and Wellness Centre</p> <p>b) Health and Wellness Centre</p> <p>c) Division of Organisational Development and Employee Well-being</p> <p>d) Division of Occupational Health and Safety</p>
<b>8.3 Monitoring and evaluation:</b>	Deputy Director: Health and Wellness Centre
<b>8.4 Development/review:</b>	Deputy Director: Health and Wellness Centre
<b>8.5 Approval authority:</b>	Council
<b>8.6 Interpretation and advice:</b>	Executive Director: Student Affairs
<b>9. Who should know this policy?</b>	
All staff and students	

<b>10. Policy/procedure implementation plan</b>	<p>a) Consultation with all UFS stakeholders via email.</p> <p>b) Obtain input from UFS stakeholders.</p> <p>c) Upon approval by the Council, the policy will be available on the UFS intranet.</p>
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<b>11. Resources required</b>	<ul style="list-style-type: none"> <li>a) Support from stakeholders.</li> <li>b) Deputy Director: Health and Wellness Centre will be available to answer questions raised during implementation process.</li> <li>c) All comments will be recorded and will be used during the evaluation of the policy.</li> </ul>
<b>12. Answers to FAQs</b>	
	<p>List questions asked by participants in the development of the policy. Provide answers that will help direct action within the relevant departments.</p>
<b>EFFECTIVENESS OF THE POLICY</b>	
<b>Performance Indicator(s):</b>	To be completed on review by the person responsible for implementation, monitoring, and evaluation.